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CERTIFICATION

The undersigned, as the duly appointed committee on Revision of the Senate Journal for the Twenty-ninth 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 8, 1951, and continuing for sixty legislative days.

COMMITTEE ON REVISION
OF THE SENATE JOURNAL

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JOINT RULES OF THE SENATE AND OF THE HOUSE OF REPRESENTATIVES

of the Twenty-ninth 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 constitutional amendments, joint and concurrent resolutions and memorials.

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

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

PREPARATION AND INTRODUCTION OF BILLS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RECORD OF BILLS

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

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

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

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

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

bate 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.

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, provided, however, that bills introduced for the Utah Legislative Council shall bear the name or names of any Senator(s) who is or are member(s) of the Council. 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 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

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-NINTH LEGISLATURE

FIRST DAY

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, January 8, 1951.

Pursuant to the provisions of the Constitution of the State of Utah, the holdover Senators and Senators-elect of the Twenty-Ninth 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 the Very Rev. Monsignor Robert J. Dwyer.

ALMIGHTY AND ETERNAL GOD:

It is in thy presence we stand, lawmakers and people, at the solemn opening of this legislative session. It is to Thee we raise our minds and our hearts in humble prayer for enlightenment and guidance. We are deeply aware, at this hour, that without Thee we can do nothing that is of true or permanent worth, and that whatever success will attend the deliberations of those we have chosen to direct the temporal welfare of this Commonwealth of Utah, must depend upon conformity to thy divine justice and the claims of thy everlasting mercy. We beseech the inspiration of thy grace to enable our Senators to judge wisely and to act prudently, so as to merit thy blessing now and throughout the days of their labors for the common good.

We are painfully conscious, at this critical period in world history, of the added burden which rests upon the shoulders of our elected representatives, that in every phase of our national life a shining example be given to the world of true value of our American democracy. To the extent that we solve our own problems without bitterness and without petty partisanship, will we be prepared to face the greater problems of the world which will inevitably come to us for solution. Let

us remember always that we are Christians and Americans, as well as loyal citizens of this, our homeland of Utah.

Teach us all, whatever our office, whatever our responsibility, to do justice and judgement, and to walk solicitously with our God. And may the Lord bless us and keep us, turn his countenance toward us, and give us peace, through Christ our Lord, Amen.

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

CERTIFICATE OF MEMBERSHIP OF THE TWENTY-NINTH LEGISLATURE OF THE STATE OF UTAH

1951

STATE OF UTAH

OFFICE OF THE SECRETARY OF STATE

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

That at a general election held within and for said State on Tuesday, November 7, 1950, the following named persons were chosen by the electors as members of the Twenty-Ninth Legislature of the State of Utah, to serve in the Senate from the several districts and for the respective terms as follows:

Second District—Vern B. Muir, 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—Edwin B. Cannon, Elias L. Day and Edward H. Watson, County of Salt Lake. For the term of four years.

Seventh District—Luke Clegg and Grant S. Thorn, County of Utah. For the term of four years.

Eighth District—Mark Paxton, Counties of Beaver and Millard. For the term of four years.

Ninth District—A. I. Tippetts, County of Sanpete. For the term of four years.

Twelfth District—Donald T. Adams—Counties of Emery, Grand and San Juan. For the term of four years.

AND I FURTHER CERTIFY that by virtue of an election held on Tuesday, November 2, 1948, at which persons were chosen as members of said body, for the term of four years then next ensuing, the following named persons were chosen to serve from the several districts, to-wit:

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.

I FURTHER CERTIFY that J. Arthur Bailey, an elected member of the Twenty-Eighth Legislature from the Sixth Senatorial District, died during the Twenty-Eighth Legislative session, and that by a Proclamation dated February 14, 1949, His Excellency our Governor, J. Bracken Lee, appointed, according to law, Mrs. A. C. Jensen of Salt Lake County to serve from the Sixth Senatorial District for the remainder of the unexpired term, and

THAT Lynn Orser, an elected member of the Twenty-Eighth Legislature from the Fifth Senatorial District, died prior to the Twenty-Ninth Session of the Legislature, and that by a proclamation dated January 4, 1951, His Excellency our Governor, J. Bracken Lee, appointed, according to law, Clarence L. Ashton of Duchesne County to serve from the fifth Senatorial District for the remainder of the unexpired term; and

THAT L. N. Marsden, an elected member of the Twenty-Eighth Legislature from the eleventh Senatorial District, resigned prior to the convening of the Twenty-Ninth Legislative Session, and that by a proclamation dated November 18, 1950, His Excellency our Governor, J. Bracken

Lee, appointed, according to law, John H. Beal of Iron County to serve from the Eleventh Senatorial District for the remainder of the unexpired term.

AS APPEARS OF RECORD IN THE OFFICE OF SECRETARY OF STATE.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah, this 8th day of January, A. D. 1951.

(Seal)

/s/ HEBER BENNION, JR.
Secretary of State

STATE OF UTAH

OFFICE OF THE SECRETARY OF STATE

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

That there has this day been filed in my office a Petition of Objection to the seating of Luke Clegg as a Senator of the Seventh Senatorial District of the State of Utah, County of Utah.

All papers in this connection are hereby transmitted to the Senate for their further action. 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 Eighth day of January, 1951.

(Seal)

/s/ HEBER BENNION, JR.
Secretary of State

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

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

Senator Gibson made the following motion:

WHEREAS Ernest Dean and Luke Clegg were nominated of their respective political parties for one of the offices of State Senator in the Utah State Senate; and

WHEREAS, Luke Clegg was issued a certificate of election by the duly constituted authority; and

WHEREAS, an election contest action is now pending in the Fourth Judicial District Court in and for Utah County, in which action the said Ernest Dean is plaintiff and the said Luke Clegg is defendant, and in which the said Ernest Dean claims that he received more votes of qualified electors than did the said Luke Clegg; and

WHEREAS, the court has set said case for trial in the near future, it appears best that said court determine said matter rather than have the Utah State Senate conduct an election contest case between said parties; and

WHEREAS, this body believes that it should honor the certficate of election of the said Luke Clegg unless and until the court decides that he was not entitled thereto, or decides that it does not have jurisdiction to pass on said question,

NOW, THEREFOR, BE IT RESOLVED, by the Utah State Senate as follows:

1. That the certificate of election of Luke Clegg be honored and that he be seated as a member of the Utah State Senate.

2. That the Utah State Senate abide by the final decision of the court in said case, that is the District Court in and for Utah County in case said case is not appealed, but if it is appealed, then the Supreme Court of the State of Utah.

3. That should the court or courts in said case determine that the said Ernest Dean was duly elected, then this body shall unseat Luke Clegg and shall seat Ernest Dean in his place.

4. That if the final decision of the courts is that the courts have no jurisdiction in this matter, then the matter be finally determined by this body.

Motion was unanimously adopted.

Justice Latimer then administered the oath of office to Senator Clegg.

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

Senator Hopkin nominated Senator Fowles.

On motion of Senator Day the rules were suspended, nominations closed and Senator Fowles was elected by acclamation.

A committee consisting of Senators Hopkin, Day and Adams then escorted the President-elect to the chair, and the oath of office was administered by Justice Latimer.

President Fowles expressed his gratitude and appreciation of the honor conferred upon him.

The President appointed Senators Reese, Burns and Jenkins as the Committee on Patronage and Employees.

On motion of Senator Elggren a vote of thanks was extended to Secretary of State Heber Bennion, Jr., Justice George W. Latimer, and The very Reverend Monsignor Robert J. Dwyer.

REPORTS OF SPECIAL COMMITTEES

January 8, 1951.

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—Quentin L. R. Alston
Chaplain—Daniel C. Keller
Reference Attorney—Grover A. Giles
Assistant Reference Attorney—Cameron Batjer
Sergeant-At-Arms—Robert R. Fitts
Assistant Sergeant-at-Arms—Edward D. Clyde
Docket Clerk—Hendrik Romeyn
Mailing Clerk—Cathrine K. Nalder
Assistant Mailing Clerk—Gertrude Foote
Assistant Mailing Clerk—Merribel B. Stevenson
Supervising Clerk—Ethel C. Leonard
Committee Clerk—Maude E. Redd
Committee Clerk—Helen Beatie
Filing Clerk—Rhoda H. Gibson
Messenger—G. Gwen Kelsey
Messenger—Mrs. Joseph E. Rees
Messenger—Blanche Phillips
Doorman—Abner L. Howell
Doorman—J. M. Mortensen
Doorman—Lewis Jenkins
Doorman—G. G. Sweeten
Doorman—Hans Lund

Respectfully,

J. HAROLD REESE,
Chairman.

Committee report adopted and filed.

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

On motion of Senator Elggren, 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. Report of other Committees.
8. Miscellaneous Business.
9. Adjournment.

The President appointed a committee consisting of Senators Hopkin, Muir and Watson to formulate the Senate Rules.

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

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

The President appointed a committee consisting of Senators Beal, Cannon and Milliman to act with a like Committee of 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 Hopkin the Secretary was directed to extend to Senator Brockbank the heartfelt sympathy of the members of the Senate and to send flowers with sincere wishes for his speedy recovery and return to the Senate.

On motion of Senator Marthakis, the President requested that Senator Day draft a concurrent resolution of condolence to Mrs. Lynn Orser in memory of the late Senator Lynn Orser.

On motion of Senator Larsen the President requested that Senator Day prepare a message to Senator Marsden, resigned, expressing regrets and best wishes for his complete recovery.

On motion of Senator Day, the Senate recessed for thirty minutes.

The Senate re-assembled.

On motion of Senator Day the Senate recessed until 3:00 P.M.

The Senate re-assembled.

Roll Call--All Senators present except Senators Brockbank and Burns, excused.

REPORTS OF SPECIAL COMMITTEES

January 8, 1951.

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-eighth Session be temporarily adopted as the rules of the Twenty-ninth Session of the legislature of the State of Utah.

Respectfully,

ALONZO F. HOPKIN,
Chairman.

Committee report read and adopted.

On motion of Senator Day a vote of appreciation was extended to the Legislative Council for the work it had done in preparing legislation to be presented to the Twenty-ninth session of the Legislature.

On motion of Senator Day a vote of thanks was extended to the Utah Legislative Conference and its component organizations for their invitation to attend the banquet at the Newhouse Hotel, January 8, 1951.

On motion of Senator Marthakis the senate was recessed until 4:00 P.M.

The Senate re-assembled.

On motion of Senator Elggren the Senate adjourned until Tuesday, January 9, 1951 at 1:00 P.M.

SECOND DAY

January 9, 1951

The Senate was called to order at 1:00 P.M. President Fowles in the chair.

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

Prayer by the Chaplain.

The President appointed Senators Tippetts, Clegg and Ashton to revise the Journal for the two weeks commencing January 8, 1951.

On motion of Senator Milliman the Secretary was directed to send a letter of thanks to Intermountain Theatres, Inc. for courtesies extended to the Senate.

On motion of Senator Tippetts the Senate adjourned until Wednesday, January 10, 1951, at 2:00 P.M.

THIRD DAY

January 10, 1951

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

Roll Call—All Senators present except Senators Brockbank and Jensen, excused.

Prayer by the Chaplain.

January 10, 1951

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the first and second days and find them correct with minor amendments noted on the final copy.

Respectfully,

A. I. TIPPETTS,
Chairman.

Report adopted and filed.

An invitation was received from the Natural Resources Committee of the Utah Association of Chamber of Commerce Executives to attend a dinner, Junior Ballroom, Hotel Utah, on Tuesday, January 16, at 7:00 P.M.

On motion of Senator Day, the Senate recessed until 4:00 P.M.

The Senate re-assembled.

On motion of Senator Hopkin the Senate adjourned.

FOURTH DAY

January 11, 1951

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

Roll Call—All Senators present except Senators Brockbank, Jensen, Paxton and Reese, excused.

Prayer by the Chaplain.

January 11, 1951

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman.

Report adopted and filed.

STANDING COMMITTEES OF THE SENATE

The following standing committees were appointed by President Fowles, the first Senator named on each committee to be the chairman thereof.

AGRICULTURE AND IRRIGATION

Watson, Tippetts, Burns, Adams, Beal, Muir, Paxton.

APPROPRIATIONS AND CLAIMS

Hopkin, Gibson, Reese, Jenkins, Milliman, Elggren, Cannon, Muir, Larsen, Paxton, Thorn.

BANKING AND COMMERCE

Mrs. Jensen, Brockbank, Gibson, Beal, Tippetts, Clegg, Ashton.

EDUCATION

Jenkins, Marthakis, Tippetts, Elggren, Day, Cannon, Clegg.

FISH AND GAME

Day, Hopkin, Gibson, Adams, Muir, Paxton, Reese.

HEALTH AND LABOR

Marthakis, Milliman, Ashton, Brockbank, Cannon, Beal, Mrs. Jensen.

HIGHWAYS

Reese, Burns, Watson, Ashton, Larsen, Paxton, Thorn.

JUDICIARY

Gibson, Adams, Watson, Ashton, Cannon, Day, Brockbank.

MILITARY AFFAIRS

Milliman, Jensen, Marthakis, Clegg, Larsen.

MINING AND SMELTING

Adams, Milliman, Mrs. Jensen, Marthakis, Larsen, Watson, Clegg.

PUBLIC INSTITUTIONS

Elggren, Tippetts, Burns, Milliman, Muir, Thorn, Day.

REVENUE AND TAXATION

Ashton, Jenkins, Elggren, Reese, Watson, Cannon, Larsen, Paxton, Thorn, Day.

REVISION AND ENROLLING

Cannon, Adams, Brockbank, Marthakis, Beal.

STATE AND MUNICIPAL AFFAIRS

Tippetts, Burns, Milliman, Marthakis, Day, Muir, Beal.

WELFARE

Burns, Elggren, Ashton, Gibson, Clegg, Larsen, Thorn.

President Fowles also announced that Senators Hopkin, Muir and Watson who were appointed on January 8, 1951 to serve as a committee to formulate the Senate Rules will constitute the Committee on Rules and Contingent Expenses.

On motion of Senator Hopkin Senate Rule No. 86 was amended as follows:

Any Senator or Committee desiring to introduce a bill shall present the same to the secretary, provided, however, that bills introduced for the Utah Legislative Council shall bear the name or names of any Senator(s) who is or are member(s) of the Council. The secretary shall give it a number and read the title. This shall constitute the first reading of the bill.

On motion of Senator Gibson, the Sergeant-at-Arms was directed to purchase twenty-five sets of the 1949 Cumulative Pocket Supplement to the Utah Code Annotated 1943.

On motion of Senator Day a vote of appreciation was extended to Secretary of State Heber Bennion, Jr. for having the senate chamber in splendid condition.

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

The Senate re-assembled.

On motion of Senator Day the Senate recessed until 4:30 P.M.

The Senate re-assembled.

On motion of Senator Day, the Senate recessed until 5:15 P.M.

The Senate re-assembled.

On motion of Senator Day, the Senate recessed until 5:45 P.M.

The Senate re-assembled.

The President recognized a committee from the House, Representatives Vance, Bonacci and R. Clair Anderson which reported that the House was duly organized and ready to do business.

Senator Beal 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 Friday, January 12, 1951 at 10:15 A.M.

Senator Beal moved that when the Senate adjourns today, it stand adjourned until Friday, January 12, 1951 at 9:45 A.M.

On motion of Senator Day the Senate adjourned.

FIFTH DAY

January 12, 1951

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

Roll Call—All Senators present except Senators Adams, Brockbank and Paxton excused.

Prayer by the Chaplain.

January 12, 1951

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman.

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

January 11, 1951

Honorable J. Francis Fowles
President, Utah State Senate
Building

Dear Mr. President:

This is to advise you that I have this date informed your Committee that I shall be prepared to deliver my first message to the Joint Session of both houses of the Legislature on Friday, January 12, 1951, at 10:15 A.M.

Respectfully,

J. BRACKEN LEE,
Governor

Communication filed.

On motion of Senator Hopkin, the bills to be introduced on this date for Utah Legislative Council, et al., relating to matters investigated by the Utah Legislative Council, the bill by Messrs. Elggren, Day and Gibson relating to the compensation of members of the Legislature, and the bill by Messrs. Day, Marthakis and Elggren relating to the extension of the period of activity of the State Department of Veterans Affairs, will, upon introduction, and under suspension of the rules, be ordered printed and referred to the respective standing committees.

On motion of Senator Marthakis the bills prepared by the Utah Legislative Council will, upon introduction on this day, be designated in sequence beginning with S. B. No. 1.

On motion of Senator Hopkin, the mailing list for each Senator was restricted to 6 names, President Fowles being allowed as many as his office may require. The regular mailing list does include all county clerks, public libraries, senior and junior colleges and senior high schools; state departments are to make requests to be placed on the mailing list.

On motion of Senator Marthakis, 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 Senate and House members present.

Prayer by Daniel C. Keller, Chaplain of the Senate.

Our Father who art in heaven, hollowed be Thy name, we come to Thee this day especially with gratefulness and thanksgiving in our hearts for all the blessings Thou hast given us, blessings we have received individually, and blessings that have been ours collectively within this great state and nation. And especially this morning as we stand before Thee in joint convention of this legislature, to hear the message of our Governor, do we ask Thy blessing upon this assembly. Bless those who are leaders that they may have wisdom, understanding, courage, vision adequate to meet the demands of their responsibilities. And may we all as citizens have wisdom to *know* and to *do* Thy will.

We pray for the deliberations of this day, that all thoughts said and done may be in harmony with Thy will.

Bless everyone who is here this day, and may, as we recognize the importance of this hour and our individual responsibilities, we turn unto Thee for help and strength and guidance.

We ask in the name of our Lord and Savior, Jesus Christ—Amen.

On motion of Representative Walker, the President of the Senate appointed a joint committee consisting of Senators Jensen, Larsen and Thorn and Representatives Cazier, Vance and Sunday C. Anderson 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 Fowles.

The Governor then delivered the following message:

Governor's Message

Ladies and Gentlemen of the Legislature, Fellow Citizens:

Two years have elapsed since I first had the privilege and obligation of addressing the assembled members of the Utah Legislature. At that time, it was my fervent hope that I would be able to appear here today and present to you an optimistic picture for our people and our State. Unfortunately, this is not the case; for world events,

not of our making, have brought about another national emergency and the possibilities of a third World War. The impact of these developments on the people and economy of this State, in the light of our World War II experience, is well known to all.

Already we have received the heart-breaking news of the casualties suffered by American and United Nations' forces. Among them have been many Utahns, some of whom have paid the supreme sacrifice. Others have been called to duty through selective service, the naval and military reserve programs, and the National Guard, and may one day be committed to action. On the civilian front, it is obvious that steps thus far taken to gear our economy to the war effort must be expanded and intensified. In addition, more serious attention must be given to measures for civil defense. The civilian economy, and rightly so, must be converted where necessary in order to assure a maximum of effort to support the defense program.

During such critical times, it is incumbent upon government, be it Federal, State, or local, to set the good example for the rest of the populace. A government that will not make the same sacrifices that it asks of its people is not one to inspire confidence. If the people are going to be regulated and controlled, then the government must undertake the same strict measures for itself. Non-essential services and unnecessary spending must be eliminated. Payrolls must be reduced, travel scaled down, and capital improvements held to a minimum. Every conceivable effort must be made which in any way will accelerate and promote the defense of our country — for the struggle at hand is one of survival.

Two years ago, when I first addressed the Legislature, the situation confronting us was quite different. Then, I was able to begin my talk by setting forth in straight-forward language, my fundamental beliefs in our Constitutional form of government. The intervening years have not weakened these beliefs, for I am more convinced than ever that our Constitutional system is the most perfect form of government ever devised by man. Much of the progress and the greatness of this country can be attributed to the many freedoms and safeguards which the Constitution and Bill of Rights provide for the people. Yet there are those in this country who would scrap these precious documents of our democracy in favor of other forms of government, none of which has ever proved successful.

History will bear me out when I say that no group of people anywhere has been able to improve upon our Constitution and Bill of Rights as they were originally written. In light of this, it has been said that the patriots who framed these Constitutional provisions were divinely inspired, and who is there among us to deny it? These men lived under the yoke of oppression and learned, through bitter experience, the dangers and weaknesses of men and of government. Learning this, they took special care to provide safeguards in the documents of their own creation against the evils of both.

Checks and Balances

The separation of government into three distinct branches was one of the safeguards that our forebears provided for the protection of the people. They envisioned the need for a system of checks and balances, and over the years we have seen the wisdom of their foresight. Still there have been attempts by individuals and groups of individuals to control or dominate two or all of these branches of government. The success of such attempts, of course, would defeat the purpose of the checks and balances, and it is to the credit of the people of this nation that almost all such attempts have failed.

In appearing here today, I have no intention or desire to dominate or control the Legislature. My only purpose, as required by the Constitution, is to report to you the condition of our State government, and to recommend measures that I believe to be important to the general welfare of our people. To this end, I assure you of the fullest cooperation and assistance from my office and from the various departments and institutions of the State. We have a common cause, but there may be times when we will be in honest disagreement. When this occurs, I shall respect your opinions and recommendations and, by the same token, I trust you will respect mine. Above all, we should never forget that, despite the fact that we represent the Executive and Legislative branches of government and were elected to office under the banner of the two major political parties, our only obligations are to the people and the general welfare. Furthermore, we must never forget that we are the servants of the people, not their masters, and we must conduct ourselves as we would expect others to if present conditions were reversed.

There has been a growing belief that the only way individuals or groups can achieve favorable legislative action is to organize and bring pressure to bear against legislators and other public officials. To some extent this has been true, but the result has not been in the interests of good government or the people as a whole. In fact, it is my opinion that a continuation of these pressure tactics may bring about the downfall of our State and Nation. Once groups have been successful in organizing and pressuring, they invariably begin to abuse their newly-found power by demanding from government more than their equitable share. Other groups, in self-defense, feel they must adopt similar pressure tactics in order to survive. Soon, a vicious cycle is set in motion in which groups are competing against each other for appropriations and legislative favors without regard to the general welfare.

Withstand Pressure

When the Executive or Legislative branches of government bow to such pressure, they only lend aid to this cycle which continues to grow larger and move faster. If there is no stopping place, the ultimate results will be higher and higher taxes, more and more regulations, and less and less freedom, until we shall awaken one day and

find that we, ourselves, have destroyed our birthright. It requires both ability and courage to resist the ever-increasing demands upon government, but it must be done. I, therefore, specifically warn you to avoid those groups and individuals whose personal wish and selfish interests transcend the general welfare.

Over the years, there have been repeated warnings that we must not create more governmental services than we can afford to support. This principle is just as true on the Federal level of government as it is on the local or State level, even though in recent years we have seen it disregarded and ignored. Individuals and groups who recognize the fact that local and State governments cannot make appropriations in excess of their revenues, show no hesitation whatsoever in taking their financial problems to an already over-burdened and debt-ridden Federal government. As a result, we have seen the creation by the score of new Federal services which have in great measure contributed to the national debt of 260 billion dollars that we now carry. It is difficult to understand why intelligent people, who would not think of asking their clubs, businesses, or local and State governments to go into debt, will besiege Congress for financial support. There are enough functions of a purely national nature for the Federal government to finance, without even attempting the support of local and State responsibilities.

We must awaken to the hard realities of finances if we are going to preserve the economy of this Nation and, in time of emergency, that awakening will require sacrifices on the part of everyone. Sacrifices are not easy to make when one is used to luxury, but I ask you if the meager sacrifices we make today are not worth the preservation of our country and way of life tomorrow? Government does not differ from the family, the corner drugstore, or the large corporation. Each must live within its income, or otherwise face eventual bankruptcy. And it is a well-known fact that the bankruptcy of this Nation would be the worst possible calamity for the free world which is dependent upon our support to resist Communism.

Costs vs. Services

On the State level, we set out to prove two years ago that reductions in the cost of government could be made without impairing essential services. The record that has been achieved by departments under my jurisdiction has shown conclusively that this can be done and service improved at the same time. The Public Service and Business Regulation Commission, for instance, has operated with nine fewer employees and at a saving of $37,700, while clearing up an inherited backlog of over 50 public service hearings. Another good example of efficient and economical operation is the Liquor Control Commission, which has been returning a greater profit to the State, even though liquor sales have declined. The savings they have made in the last two years will approximate $400,000, as compared with the previous biennium, and service, if anything, has been improved. It is true that the abolishment of the liquor enforcement division has

accounted for some of this saving, but to my mind, this only re-emphasizes the economies that can be made when duplication of effort is eliminated.

These examples I have cited are typical of almost all other departments under my control, and are not unusual or isolated cases. What is more, the record can be improved upon where there are other instances of overlapping and duplicating services. Certain required inspections, for example, very likely can be consolidated with a resulting saving of funds. I suggest, therefore, that the Legislature authorize and direct whatever consolidations and reductions are possible, or that it grant the Governor the necessary authority to make such consolidations and reductions by himself.

TAX REDUCTIONS

Experience has shown, however, that reductions of services and the effecting of desirable economy and efficiency reforms are difficult to enforce if the funds for a more elaborate operation are at hand. In that connection, it might be well for this Legislature to review the Governor's message to the 24th Legislature, ten years ago. It was just as true then as it is today that the tendency of all public officials is to increase the size and scope of their departments, even though the costs necessarily must also increase. Now, the easiest way that I know to call an abrupt halt to such expansion and force the necessary retrenchment in government, is for the Legislature to reduce taxes, then fit its appropriations to the anticipated revenue.

I need not remind you that in the past, it has been customary for just the opposite procedure to prevail; that is, taxes are levied to meet the budgeted appropriations. The result has been a steady growth in the size of government coupled with an equally steady growth in the number of taxes. It is obvious that we cannot continue this practice much longer, and I can think of no better time than in the present emergency to reverse the procedure. Immediately, the objection will be raised that this will prevent the establishment of any new services, even though they may be more essential than some we now have. The answer to this, of course, is that we should either eliminate some of the less essential services or reduce the appropriations made for them. As matters stand, and I am sure you are aware of it, our first resort is always to increase the tax levy and our last to reduce or eliminate the non-essential services. At this rate, it will never be possible to reduce the size and cost of government.

Income Tax

A reduction in taxes will, I am sure, bring about a halt to government expansion. This, in itself, may not be sufficient reason for granting a tax reduction, but it is far from being the only reason. It is an indisputable fact that Utah is one of the highest-taxed states in the Union, on a per-capita income basis. Proposed increases in Federal Taxes will emphasize this even more. It is also a fact that present

exemptions being granted by the State to individual income taxpayers and their dependents are among the lowest in the Nation. This is unrealistic and decidedly unfair in this era of inflation. A man with a wife and two children, for instance, is allowed an exemption on his State income tax totaling only $1800. The same individual in California would be allowed an exemption totaling $4300. The inequity is obvious and immediate steps should be taken to begin rectifying the situation. We can only make a start on such a program, but such action will provide a much-needed tax reduction.

There are several methods which might be followed to achieve this necessary tax reduction. The first of these would be to increase existing exemptions from their present level of $600 for an adult, $1200 for married couples, and $300 for each dependent, to somewhat more realistic figures of $750 for an adult, $1500 for married couples, and $500 for each dependent. At the same time, attention should be given to simplifying the present income tax forms so as to reduce the red tape for the taxpayers and the administrative costs for the State.

The reduction and simplification provisions of the foregoing plan might better be achieved by basing the State tax on a percentage of the net taxable income reported by taxpayers in their Federal returns. Such a system, if the percentage levy were properly adjusted to include the same measure of tax relief as recommended in the first plan, would provide simplification and tax reduction in one easy operation. In addition, it would eliminate some of the work of the Tax Commission and enable it to make corresponding reductions in its overhead.

A third plan, which the Tax Commission only recently has proposed, would abolish individual income and inheritance taxes in favor of a three per cent sales tax (instead of two per cent) on all purchases except groceries and prescription medicines. The latter commodities, now subject to the present two per cent sales tax, would be exempted entirely from the sales tax levy. The Commission, in its study of this plan, has estimated that the loss of income tax revenue would almost be offset by the increased sales tax levy, in which case the slight difference would provide practically the same tax relief as contemplated in other plans. In addition, this plan would be the simplest method by far, and would have the added advantage to the taxpayer of providing a pay-as-you-go tax system.

It is my recommendation that the Legislature give careful study and attention to all three of these plans along with any other such proposals as may be introduced. I further recommend that the Legislature amend or repeal existing statutes to provide for the adoption of the most favorable of the plans, which, of course, should include both tax reduction and simplification among its provisions. Should the Legislature retain the income tax, I again recommend that the nuisance requirement for notarization of income tax returns be eliminated.

Sales Tax

The proposal to abolish income and inheritance taxes in favor of a three per cent sales tax, with certain exemptions, prompts a discussion of sales tax by itself. In approaching this discussion, I must assume that both income and inheritance taxes will be retained although somewhat reduced. To begin with, let me briefly review the conditions which prevailed when the last Legislature convened.

At that time, the postwar industrial boom was showing signs of nearing an end, and it seemed likely that increased unemployment and decreased spending would result. These results would have had the double-barreled effect of throwing an additional burden on the State's welfare program while cutting down the amount of sales tax collections. Faced with these prospects and with an appropriations bill that provided for more expenditures than there were expected revenues, I was compelled to veto certain item appropriations. In the meantime, however, the step-up of defense spending, which came as the result of the Korean war, has radically changed this picture to the extent that unemployment has been reduced and sales tax collections greatly increased.

At the present time, the vetoes and the unforeseen increase in sales tax revenues, coupled with the economies we have made in the operation of government, have enabled the State to build a surplus of about three million dollars. Already, there are numerous groups anxious to spend this money, but I would prefer returning it to the taxpayers in the form of additional tax relief.

To accomplish this, still assuming that income and inheritance taxes will be retained, I recommend that the sales tax levy be removed from certain items of necessity; namely, bread, fresh meats, fruits and vegetables, dairy products of all kinds, and prescription medicines. Enactment of legislation to this effect would provide immediate tax relief to the many hard-pressed families and individuals who desperately need such assistance, without creating any serious financial problems.

Objections and Conclusions

Now there are individuals and groups in this State who are opposed to any form of tax reduction, but I do not believe their objections can overcome the compelling reasons for tax relief. Some people may fear that a reduction in income tax revenues may result in offsetting increases in their property taxes or harm to the school system, since income taxes are earmarked for the support of the Uniform School Fund. Neither fear is justified for these reasons: first, the tax exemptions granted to World War II Veterans have expired, which means that increased revenue will be available during the coming year from this source; and secondly, the Uniform School Fund can be reimbursed from the general fund, without requiring any increased property tax.

Additional objection may be made relative to the proposed abolishment of income taxes, since the funds from this tax presently are earmarked solely for the support of the Uniform School Fund. This objection is unreasonable, since it matters little from where funds are derived, just so long as they are available. Under this tax revision proposal, the increase in sales tax would replace much of the loss in income tax revenue. Furthermore, the Tax Commission undoubtedly could make substantial reductions in its costs of operation, since a sales tax is much easier to administer and collect than an income tax. Resulting savings would revert to the general fund, from which the Uniform School Fund could be reimbursed.

As for the objections that may be raised relative to the recommended sales tax exemptions for groceries and prescription medicines, it should be observed that the sales tax on groceries amounts to about 15 per cent of total sales tax collections. The figure for prescription medicines is substantially less. Obviously, the removal of sales tax from all groceries and prescription medicines, as contemplated in one plan, or from a few selected grocery items plus prescription medicines, as contemplated in another, would not create a financial crisis.

The adoption of any of these tax reduction plans will be beneficial in many ways for the taxpayers, and not at all harmful for the State. I recommend, therefore, that tax reduction and simplification be made your first order of business, after which I further recommend that you create a new precedent by fitting appropriations to expected revenues.

CONSTITUTIONAL AMENDMENTS

While on the subject of taxes, I cannot refrain from reminding you that the power to tax is the power to destroy. This is an axiom that our forefathers observed and respected, but in the last generation we have witnessed a wholesale departure from this principle. The Federal government, which has invaded almost all fields of taxation, has been the greatest offender. The results of its invasion are seen in the tremendous growth of centralized government, and in the limited sources of revenue left to State and local governments. Neither development is in the interests of the people or the general welfare.

Accordingly, I suggest that steps be taken to limit further increases in Federal taxation, except, of course, during times of national emergency. At least eighteen States already have taken such action by approving a joint resolution repealing the 16th Constitutional amendment and substituting a new amendment limiting the Federal government to a maximum tax rate of 25% on incomes, inheritances, and gifts. I recommend that this State take similar action since two-thirds of the States must adopt such a resolution before it can be submitted to the people for ratification.

State Amendments

There are several amendments to our State Constitution which have been ratified by the people and which require your careful attention. The first of these is the amendment providing for a nonpartisan judiciary, as outlined in the joint resolution approved by the 25th Legislature. Several attempts have been made to pass legislation conforming to the intent of the original resolution, but for one reason or another, the proposed bills have not been satisfactory. I suggest that every effort be made during this Legislature to prepare a bill that will overcome these objections.

One way this might be accomplished would be to have all candidates for the judiciary, including incumbents, run for office on a headless ballot during a general election before being permanently seated in office. Such a provision would be in keeping with the nonpartisan aspect of the amendments, and I urge you to give careful consideration to its inclusion in any legislation you enact.

Three other amendments requiring your consideration are those approved by the people during the last election, two of which pertain to education. I shall discuss these in greater detail later on. The third is the amendment to increase the pay of the legislators, and I feel rather certain I will not have to say anything to you concerning its enactment.

There is also a Constitutional mandate requiring the Legislature to reapportion the number of State legislators in accordance with the population. The results of the 1950 National Census, which are available, show the need for reapportionment because of the growth and shifts in population that have taken place during the last decade. This is a legislative problem that no longer should be deferred, since there have been no changes made in the legislative lineup since 1937. I urge you to give careful consideration to this matter and adopt the necessary legislation to provide for the required reapportionment.

One other Constitutional provision that I sincerely believe deserves attention is the section specifying when the Legislature shall meet in regular session. At the present time, these biennial sessions must begin on the second Monday in January following a general election, which means that the newly-elected officials, including the Governor and most members of the Legislature, are faced with the tremendous task of preparing for a legislative session immediately upon taking office.

I believe it would be in the interests of better government if biennial sessions of the Legislature were scheduled to begin the first week in March, or even February, following a general election, since the newly-elected officials would then have more time to prepare for their first session. Therefore, I suggest that you give earnest consideration to the adoption of a joint resolution providing for such a Constitutional amendment.

CIVIL DEFENSE

Over a year ago, your State government began making civil defense plans, even though there were few, if any, signs that we would shortly be confronted with a national emergency. A three-man Defense Council was established to prepare such plans in accordance with instructions received from Sixth Army headquarters at San Francisco. When war broke out in Korea, it became apparent that swifter and more elaborate planning would have to be made in conformity with existing laws. Accordingly, I proclaimed a state of emergency and appointed a new Civil Defense Council, charging it with the responsibility of carrying out this assignment. Today, I am happy to report that great strides have been made in preparing this State for any emergency that may arise.

Obviously, there is much more that remains to be done. Thus far, the work of the Civil Defense Council has been carried on with a minimum of expense. Much of the credit for this must go to the Salt Lake City Chamber of Commerce, which cooperated generously in promoting this activity during its early stages. Later on, the State Board of Examiners provided funds, but it was recognized that the Legislature would have to supplement this amount in order to assure the continuation of the Council's efforts during the remainder of this biennium. The appropriation which has been requested is exceedingly small, when considering the importance of civil defense planning, but it, nevertheless, is essential to the progress of this important work. I am, therefore, requesting that you consider as one of the first items of legislation the appropriation of necessary funds to the Civil Defense Council to be used during the remainder of this biennium.

It perhaps would be appropriate for me at this juncture to point out that the towns, cities, and counties, not the State, are charged with the primary responsibility for civil defense. Although I have no intention of interfering in their respective administrations, I cannot refrain from urging them to reduce their non-essential spending so as to be better prepared financially to cope with civil defense emergencies. The State's role, in the civil defense plans thus far prepared, is merely to supervise and coordinate the activities of its various political subdivisions. It is not contemplated or recommended that the State make funds available to these subdivisions for civil defense planning or preparation. But if a disaster occurs, creating an emergency too great for any town, city, or county to handle by itself, the State should stand ready to lend whatever assistance is necessary.

Emergency Reserve

To meet such emergencies, vast sums of money, perhaps more than we dare imagine, may be required. No one, of course, knows if such an emergency will ever confront us or what its costs might be, but we must be prepared for the worst. Under such circumstances, it appears both necessary and desirable that legislation be

enacted to permit the State to use whatever reserve funds are required to cope with the emergency problems anticipated in civil defense. It also seems necessary that provision be made to permit the State to join with other surrounding States in perfecting plans for mutual aid and assistance. A legislative bill to meet both problems is being prepared by the Civil Defense Council, with the authority to allocate emergency funds being vested in the Board of Examiners, and the authority to enter into Interstate Civil Defense compacts being vested in the Civil Defense Council.

I recommend that you give careful attention to this measure which, if adopted, should be written to include a definite termination date for any unusual powers that may be granted the Governor or the Council in emergencies of this kind. If the termination date is fixed to coincide with Legislative sessions, the Legislature could always renew the powers if the need continued to exist.

Still another civil defense problem that is almost certain to confront us is the activation of a State Civil Guard to replace the National Guard, if and when it is called into Federal service. The Civil Defense Council has made no request for an appropriation to support this activity, since there are enough National Guard units still in the State to provide for our defense. Furthermore, it is felt that if all National Guard units are called to service, an emergency would be created which would enable the Board of Examiners, under the proposed legislation, to appropriate necessary State Civil Guard funds. I might add that a nucleus of officers for a State Civil Guard has been organized, and plans have been implemented to utilize members of the ROTC units of our colleges and university when the need arises.

HIGHWAY PATROL

Under the State's civil defense plan, the Utah Highway Patrol has been assigned new and important responsibilities. In most respects, the Patrol is well prepared and equipped to handle this assignment, in view of the remarkable improvements that have been made in the last two years under the direction of the present Superintendent. During the past biennium, the members of the Patrol were instrumental in preventing violence and bloodshed when the coal strike gripped central and eastern Utah. In addition, they have been called upon for a variety of other services, including first-aid work, safety lectures, road blockades, vehicle inspections, and so forth. The Patrol is a valued and respected organization, but its personnel are spread extremely thin to accomplish their important assignments. This deficiency is bad enough in ordinary times but, in view of the present emergency, it is critical. I therefore urge that you give favorable consideration to the recommendations of the Superintendent and the Highway Patrol Civil Service Commission.

EDUCATION

Two Constitutional amendments pertaining to public education were ratified by the people during the last election and require legislative enactment. The most careful study and thought should be given to these measures because of their unprecedented importance. Adequate provisions should be made in the legislation adopted to assure the proper function of our system of checks and balances among the branches of government. It would be extremely unwise to establish a so-called "Fourth Branch" of government over which none of the other branches would have control. Such a departure from our principles of government would only serve as an opening wedge in the destruction of Constitutional government. There is nothing so important, including the ratified amendments, as to warrant such action. Aside from this, I believe it would be advantageous for the Legislature to provide that the required elections of State Board of Education members be conducted in conjunction with general elections but by separate ballot. This would reduce the costs of the election and certainly would assure a heavier and more representative vote.

Along with meeting the Constitutional problems, the Legislature must provide a solution to the school-building crisis that now faces the State. It is possible that the national emergency and the restrictive measures on new construction will prevent the school districts from launching a building program, in which case we will have to do the best we can with what we have. In the meantime, however, I believe the Legislature should carefully consider the recommendations made by the Legislative Council with reference to this situation. In considering a building program, the Legislature should make every effort to assist and encourage the local school districts to help themselves. Only when critical needs still exist should the State be called upon for support.

Vocational Education

The Salt Lake Area Vocational School submitted a budget last biennium calling for an expenditure of over one million dollars. The Legislature somewhat reduced this amount, but the prospect of our appropriations exceeding our revenues compelled me to veto the entire appropriation for this particular item. As a result, the school was left without operating funds. Nevertheless, it has continued its operations without interruption, relying principally on the tuition paid by World War II Veterans under the G. I. Bill of Rights. The operation has shown that the Vocational School can function properly without requiring the huge appropriation that was originally requested. The Legislature should keep this in mind in making appropriations for this biennium; and, in addition, should investigate the possibility of discontinuing some of the courses now being taught, such as beauty culture and barbering, which already are available in recognized private schools.

The purchase of the present Vocational School property may come before this Legislature and should receive careful consideration. In view of the age and condition of the buildings, it is my recommendation that the purchase be deferred and that plans be prepared for constructing a modest school building on the old State Prison property. I believe a better school could be built at the Prison site for the money required to purchase the present Vocational School property. Furthermore, if construction plans are coordinated with Salt Lake City's plans for a new high school, some of the facilities, such as the heating plant and parking space, could be shared jointly.

Higher Education

During the present biennium, our institutions of higher learning received more money than ever before in the history of this State, despite the fact that I vetoed certain of their funds. The fact that these schools have continued to provide the same fine educational opportunities to our young people is ample indication that they have not suffered as a result of the vetoes. In the coming biennium, it is quite likely that the expansion of industry and the armed forces, and the drafting of men, will cause a decrease in enrollment in all of our educational institutions. Under the circumstances, I believe that a carefully-considered reduction in their appropriations might be in order. Properly applied, such a reduction would in no way harm the institutions or lessen their effectiveness.

Last year, the eleven Western States appointed a committee to consider ways and means of permitting States not having medical, dental, and veterinary schools, to send their students to other States where such schools are established. This study was undertaken because of the admitted fact that it is not economically feasible for most of the sparsely-settled and relatively poor mountain States to support all three of these technical studies. The committee concluded that it would be desirable for the Western States to establish a regional education plan, enabling students from States lacking the technical schools to enroll in these schools in other States, the costs involved to be borne by the home State of the student. An interstate compact containing these provisions was prepared by the committee, and it is my recommendation that you give it your approval. Under such a compact, our medical school will be strengthened, and the demand for the establishment of a dental or veterinary school will be adequately met.

STATE PRISON

Several investigations of State institutions and departments were made during the past eighteen months, two of them being concerned with the State Prison. I ordered the first investigation when it became apparent that the Prison administration was extremely deficient, as evidenced by the continual and inexcusable Prison escapes. A committee of citizens, under the capable direction of Senate President Alonzo F. Hopkin, made an exhaustive survey of Prison condi-

tions and recommended a sweeping series of reforms, all of which have been adopted. An experienced officer from a Federal penitentiary was loaned to the State to help revamp the Prison administration, and later was appointed warden. Under his guidance, the administration of the Prison has shown marked improvement, and the number of escapes has been cut to a minimum.

The second investigation was made by another group of citizens whom I appointed to study the advisability of changing the membership of the present Board of Pardons and of revising the methods used to grant pardons and paroles. The recommendations of this committee will be made available to you during the course of this session, and I urge that you give serious consideration to their adoption.

With the near completion of the new Point-of-the-Mountain Prison, which will enable the State to abandon the old and dilapidated Sugarhouse Prison site, still another problem is presented — the disposal of the Sugarhouse property. Legislation was enacted in 1947 setting this property aside as a State park, but it is my recommendation that this section be repealed. I do not believe it is wise for the State to provide, construct, or maintain parks in or adjacent to any city, since this more properly is the function of the city itself. If this principle is not observed in the case of the old Prison property, it will set a precedent of far-reaching proportions. I recommend, therefore, that present legislation be repealed and that new legislation be enacted to permit the sale of thirty acres of the property to the Salt Lake City School Board; the reservation of an additional 2nd adjoining plot of ground for construction of a Salt Lake Area Vocational School; and the sale of the remainder by the Board of Examiners to either Salt Lake City, Salt Lake County, or other interested bidders.

PUBLIC HEALTH

Statutory restrictions on the qualifications of a State Health Commissioner and the salary that can be paid him have made it virtually impossible to fill this position. At the present time, a doctor on loan from the United States Public Health Service is serving as Acting Commissioner, but his services will end just as soon as he is recalled to his former position. Under the circumstances, it is urgent that changes in the laws be made to modify the restrictive qualifications required of a Health Commissioner and to increase the salary that can be paid him. Only then will the Board of Health be able to obtain a competent person to fill this position. Changes in the laws also should be made to permit the various cities and counties to join together on a regional or district basis to establish and support their own public health units. Should this be accomplished, the present payroll of the State Board of Health can be reduced from 187 employees to only 50. At the same time, I believe better health services would be made available to the people through bringing public health functions closer to home.

I also recommend that attention be given to finding new quarters for the Board of Health offices, particularly the laboratory. One possible site that might be considered in the search for new quarters is the present Governor's Mansion. The Mansion, if it is to be retained as the home of the Governor, must be extensively renovated, both inside and out, the total cost of which is estimated at over $50,000. Rather than spend this sum in this manner, I would prefer to see the Legislature turn the Mansion property over to the Board of Health and, in turn, provide the Governor with the necessary funds to lease a smaller and more comfortable home.

CRIPPLED CHILDREN'S HOSPITAL

One of the important problems that should be resolved during this session concerns the Utah Hospital for Poliomyelitis and Other Crippling Diseases of Children. During the last Legislature, I not only questioned the advisability of constructing this building, but called a halt to construction to provide time for an investigation of certain irregularities attendant to this project. Despite my objections, it was ruled that the construction must proceed. Today, the hospital stands near completion, and the defects in its planning are even more apparent than they were two years ago.

I invite the Legislature to visit this structure and then compare it with the two private children's hospitals now being completed in Salt Lake City. The deficiencies in the State building, which such a comparison will emphasize, could have been avoided had this project been properly and more carefully handled. Instead it was hastily and haphazardly undertaken, the results being inevitable under such circumstances.

Aside from this, there is ample evidence to show that private hospitals have sufficient beds to care for our needs, and that personnel for the new hospital, in view of the present emergency, would be difficult if not impossible to obtain. Furthermore, the cost of operating the State hospital will approximate one million dollars for the biennium. At this time, however, I do not intend to make recommendations as to the future of the hospital. I shall furnish this information later when a complete report on the hospital, together with recommendations for the future, will be made by the hospital's Board of Trustees.

PUBLIC WELFARE

The hospitals and other welfare institutions presently being operated by the State have been sadly neglected over the past number of years. I do not believe this situation should be permitted to prevail any longer. The Department of Public Welfare, in planning its new budget, has made appropriate provisions to meet this problem without greatly increasing its appropriation request. This has been made possible because of anticipated reductions in expenditures in the welfare portion of the Department's program. These reduc-

tions are based on the increased employment opportunities, which are expected to reduce welfare rolls, and the decrease in supplemental assistance the State has been required to provide for social security recipients. To further explain this latter point, it should be noted that the State has had to supplement social security payments in many instances since the payments, by themselves, were insufficient to meet the recipient's needs. With increased social security benefits, the amount of supplemental State assistance has correspondingly decreased.

Much improvement has been made by the present Welfare commission in the administration of its many activities. This administration could be further improved, I believe, if the Commission had more authority to deal with welfare cases of extreme hardship. Legal restrictions and regulations sometimes prevent the Commission from providing sufficient aid to individuals and families in such cases. It is my suggestion, therefore, that the Legislature consider the advisability of permitting the Welfare Commission to increase assistance payments beyond legal maximums in individual cases of extreme hardship. If such a measure is approved, adequate provision should be made to see that the authority so granted cannot be overworked or abused.

RETIREMENT AND SOCIAL SECURITY

An extensive study of State retirement plans and pensions has been made by the Legislative Council. It again is recommended by the Council that these plans and pensions be centralized in one administrative agency. In its study, the Council paid particular attention to the Public Employees' Retirement System which, in its short operation, has been found defective in many instances and unsound from an actuarial standpoint. The latter deficiency, according to the Council, is common to all State retirement and pension systems. It is obvious that any continuation of this situation will present an increasingly serious financial obligation for the State. I strongly urge, therefore, that the Council's recommendations to meet these many problems be given favorable consideration during this session of the Legislature.

The Legislative Council also has considered the recent amendments to Federal Social Security laws as they relate to public retirement systems. The amendments permit public employees not covered by a public retirement system to participate in social security benefits beginning January 1, 1951, provided enabling legislation is passed and an agreement entered into between the State and the Social Security Administrator. The Council has recommended that the necessary enabling legislation be adopted, and I urge that this recommendation be followed. The enabling legislation, in addition, should be made retroactive to January 1, 1951, to permit public employees to receive maximum benefits.

Still another recommendation of the Legislative Council is that a study be made of the advisability and possibility of terminating the Public Employees' Retirement System in favor of Federal Social Security. A special committee that I named has given consideration to this same matter. While the termination of the present State system would be somewhat complicated, I do not believe it would present as many problems as would accompany a continuation of the system. I recommend, therefore, that the Public Employee's Retirement System be terminated in favor of social security, provided that the vested rights and service credits of members are adequately settled, and that the termination plan is acceptable to the Federal Security Administration.

Both the enactment of social security enabling legislation and the termination of the present Retirement system should be completed during this session of the Legislature, since further delays in meeting these problems will only tend to increase the complications involved.

P I D AND STATE FAIR BOARD

Another matter that will be complicated with further delays concerns the old Department of Publicity and Industrial Development. In the last session of the Legislature, I recommended that this department be abolished but that an appropriation for State advertising be made, the fund to be administered by the Governor. The Legislature, by failing to appropriate funds for either P I D or direct advertising, effectively halted both activities. Among other functions left dangling in mid-air by this action has been the State Fair Board, whose members can only be appointed by the P I D Commission. I urge that this session of the Legislature resolve these problems by repealing the statutes creating the P I D and enacting new legislation to provide for the appointment and proper function of the State Fair Board and the disposition of other activities. I suggest, in addition, that the disposition of these and other matters should be handled by either abolishing the activity concerned or transferring its functions to other existing departments. For example, the Utah Historical Society has suggested that the administration of all State monuments be consolidated under its supervision, without interfering with or deposing present caretakers. This proposal has much merit.

WATER AND POWER BOARD

New legislation should also be studied in connection with the operation of the Utah Water and Power Board, in accordance with my 1949 recommendation. Specifically, I suggest that the Legislature appropriate to the Board only those funds necessary for planning and administration, while reserving to itself the authority to allocate construction funds. Under this arrangement, the Water and Power Board would investigate and plan projects, as in the past, but then would refer them to the Legislature, rather than act upon them

itself, insofar as the appropriation, allocation, or loaning of funds is concerned. In view of the present emergency, however, I suggest that careful attention be given to the advisability of undertaking any new projects whatsoever at this time.

FISH AND GAME

Last month, I named a committee to investigate the handling of fish and game problems in this State. I ordered the investigation because of what seemed to me to be general dissatisfaction with the operation of our present Fish and Game Commission. The committee has prepared a series of suggestions and recommendations to remedy this operation, which I will send to you by separate communication. I am certain the report will be worthy of the most careful consideration.

OTHER RECOMMENDATIONS

There are many other suggestions and recommendations I should like to present here today, but time will not permit; however, I should like to mention a few of them briefly before closing.

The greatest extradition problem confronting the State is the return of husbands and fathers who have deserted their wives and families. I recommend that a Uniform Support of Dependents Law be enacted to permit the prosecution of these fugitives in the State where they are apprehended without requiring extradition. Such legislation already has been passed by a number of States.

In my message to the 28th Legislature, I recommended that study be given to the advisability of reducing some of the present three-man Commissions to a single director, and of consolidating the Juvenile Courts with the District Courts. I again urge that you give attention to these problems, since I believe the adoption of both recommendations will result in increased efficiency and economy. In considering the reduction of Commission members, the Legislature should take note of the present statutory limitations on the salaries of these public servants. The limitations are unrealistic, in view of the importance of the work and the commensurate salaries paid in private industry, and make it extremely difficult to employ capable men to fill the Commission positions. I suggest that necessary changes in the laws be made not only to reduce the number of Commissioners but to increase the pay of the remainder.

Despite the lack of garage facilities at or near the Capitol, the State Motor Pool has been operated successfully during the past two years, and travel costs among the departments have been materially reduced. An even better operation could be effected if the Finance Commission were given the authority to use enough of its Motor Pool profits to construct a modest garage near the Capitol. I recommend that the Legislature grant this authority.

Numerous other recommendations have been and will be made by the various Departments and Commissions of State government. These should be given careful study and attention. Among the many recommendations of merit are those to revise the issuance of drivers' licenses and to equalize the taxation of private automobiles and heavy trucks.

CONCLUSION

The preceding two years have been important ones in the progress of this State. With some difficulty, a once-honored and still-important principle of government has been re-introduced in State affairs; namely, that the measure of government is not in the amount of money spent but in the job accomplished. It is misleading to say that so many thousands of dollars have been spent for road construction, for example, if the accomplishments are not commensurate with the expenditure. But during the past two years, I believe I can say without qualification that the State has been getting more value returned for the money expended than it has for many years.

In the coming biennium, I am confident that even more can be accomplished in streamlining government and providing more efficiency and economy, and I pledge myself to achieving that end. I have suggested a number of measures that will assist me in accomplishing this objective which I sincerely hope the Legislature will look upon with favor.

Again, let me remind you that these are not ordinary times that we are facing. The President has declared a national emergency, and any intelligent appraisal of this Nation's present defense problems shows that the emergency is real. The same problems that confronted this State during the World War II emergency, such as shortages of manpower and materiels, the rationing of commodities and the drafting of men, are certain to confront us once again. Some of them, in fact, have been a reality for months. Under these circumstances, the State has an obligation to do its utmost to cooperate with the defense effort in every way possible, even to the extent of deferring or discontinuing some of its proposed construction and present functions.

The survival of this Country should be uppermost in our minds during the days of deliberation that lie ahead. With this understanding, let us join together in mutual cooperation, without regard to partisan politics, to solve the problems and achieve the objectives of this legislative session. We have much to accomplish.

The Joint Committee then escorted Governor Lee to his chambers.

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

The Senate re-assembled at 12:00 noon with all Senators present except Senators Adams, Brockbank and Paxton, excused.

Senator Marthakis moved that the Governor's Message be printed in the Journal.

Motion carried.

INTRODUCTION OF BILLS

S. B. No. 1 By Messrs. Fowles, Gibson, and Hopkin

AN ACT PROVIDING FOR THE COVERAGE OF CERTAIN OFFICERS AND EMPLOYEES OF THE STATE AND LOCAL GOVERNMENTS UNDER THE OLD-AGE AND SURVIVORS' INSURANCE PROVISIONS OF TITLE II OF THE FEDERAL SOCIAL SECURITY ACT, AS AMENDED; AUTHORIZING THE STATE FINANCE COMMISSION TO ACT AS THE STATE AGENCY FOR THE ADMINISTRATION THEREOF AND APPROPRIATING MONEY TO DEFRAY COSTS OF ADMINISTRATION, was read the first time and under suspension of the rules, ordered printed and referred to the Committee on Banking and Commerce.

S. B. No. 2 By Messrs. Fowles, Gibson, and Hopkin

AN ACT PROVIDING FOR THE COMPILATION, PUBLICATION AND ANNOTATION OF THE STATUTES OF THE STATE OF UTAH AND CREATING AND APPOINTING A COMPILATION COMMISSION AND MAKING APPROPRIATION THEREFOR, was read the first time and under suspension of the rules, ordered printed and referred to the Committee on Judiciary.

S. B. No.3 By Messrs. Fowles, Gibson, and Hopkin

AN ACT AMENDING SECTION 57-12-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 71, LAWS OF UTAH 1947; PROVIDING FOR AN EXCISE TAX UPON THE SALE AND USE OF MOTOR FUELS, was read the first time and under suspension of the rules, ordered printed and referred to the Committee on Highways.

S. B. No. 4 By Messrs. Fowles, Hopkin, and Gibson

AN ACT AMENDING SECTIONS 57-12-44, 57-12-45, AS AMENDED BY CHAPTER 12, LAWS OF UTAH 1945, 57-12-46, 57-12-47, 57-12-48, 57-12-49, 57-12-50, 57-12-51, 57-12-52, 57-12-53, 57-12-54, 57-12-55, 57-12-57, 57-12-59, 57-12-61, 57-12-62, 57-12-63, 57-12-65, 57-12-67 AND 57-12-68 UTAH CODE ANNOTATED 1943, AND ENACTING NEW SECTIONS 57-12-47.10, AND 57-12-68.10, IMPOSING AN EXCISE TAX ON THE SALE OR USE OF FUEL AS DEFINED HEREIN, FOR THE PROPELLING OF VEHICLES ON THE HIGHWAYS OF THIS STATE; PROVIDING FOR THE IS-

SUANCE OF LICENSES AND PERMITS TO USER-DEALERS IN AND USERS OF SUCH FUEL; REVOCATION OF SUCH PERMITS AND LICENSES; PROVIDING FOR THE RIGHT OF A PERMITEE TO A HEARING BEFORE THE REVOCATION IS EFFECTIVE; REQUIRING OF A BOND TO GUARANTEE PAYMENT OF TAX; REQUIRING DISPLAY OF PERMIT WHERE NECESSARY; PROVIDING FOR LEVY ASSESSMENT AND COLLECTION OF SUCH TAX BY THE UTAH STATE TAX COMMISSION; PROVIDING DUE DATES AND DELINQUENCY DATES OF SUCH TAX AND REQUIRING MONTHLY REPORTS, MAINTENANCE OF RECORDS AND AUDITING OF SUCH RECORDS; PRESCRIBING PENALTIES FOR DELINQUENCY OF SUCH TAX AND REPORTS; PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREOF; PRESCRIBING METHODS TO BE USED IN OBTAINING AND GIVING INFORMATION; PRESCRIBING ADDITIONAL AND ARBITRARY DETERMINATION OF TAX UNDER CERTAIN CONDITIONS, PROVIDING FOR HEARINGS BEFORE THE TAX COMMISSION; PRESCRIBING REMEDIES FOR COLLECTION OF PAYMENTS OF OBLIGATIONS HEREUNDER; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF THE TAX; PROVIDING FOR THE REFUND OF TAXES COLLECTED THROUGH ERROR, was read the first time and under suspension of the rules, ordered printed and referred to the committee on Highways.

For the Legislative Council
S. B. No. 5 By Messrs. Fowles, Gibson, and Hopkin

AN ACT REPEALING SECTION 57-3a-133, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 57-3a-133 UTAH CODE ANNOTATED 1943, RELATING TO REGISTRATION OF VEHICLES AND PROVIDING THE FEES THEREFOR,was read the first time and under suspension of the rules, ordered printed and referred to the Committee on Highways.

S. B. No. 6 By Messrs. Fowles, Gibson, and Hopkin

AN ACT AMENDING SECTION 57-12-7, UTAH CODE ANNOTATED 1943, RELATING TO DEDUCTION FOR EVAPORATION IN THE MOTOR FUELS TAX, was read the first time and under suspension of the rules, was ordered printed and referred to the Committee on Highways.

For The Legislative Council
S. B. No. 7 By Messrs. Fowles, Gibson, and Hopkin

AN ACT AMENDING SECTION 57-3a-88, UTAH CODE ANNOTATED, 1943, AS AMENDED BY THE LAWS OF UTAH, 1943, CHAPTER 64, RELATING TO NONRESIDENT OWNERS EXEMPT FROM LICENSING AND REGISTRATION, DUTY OF OWNER, RECIPROCITY, TEMPORARY PERMIT, was read the first time and under suspension of the rules, ordered printed and referred to the Committee on Highways.

For the Legislative Council

S. B. No. 8 By Messrs. Fowles, Gibson, and Hopkin

AN ACT AMENDING SECTION 57-3a-136, UTAH CODE ANNOTATED, 1943, RELATING TO REDUCED FEES FOR PORTION OF YEAR, was read the first time and under suspension of the rules, ordered printed and referred to the Committee on Highways.

S. B. No. 9 By Messrs. Fowles, Gibson, and Hopkin

AN ACT AMENDING SECTION 36-1-31, UTAH CODE ANNOTATED, 1943, AS AMENDED BY THE LAWS OF UTAH, 1947, CHAPTER 46, AND SECTION 36-1-32, UTAH CODE ANNOTATED, 1943, LIMITING THE MAXIMUM WEIGHTS OF VEHICLES AND COMBINATIONS OF VEHICLES DRIVEN OR MOVED ON ANY HIGHWAY AND PROVIDING FOR ENFORCEMENT THEREOF, AND PENALTIES FOR OVERLOADING, was read the first time and under suspension of the rules, ordered printed and referred to the Committee on Highways.

S. B. No. 10 By Messrs. Fowles, Gibson, and Hopkin

AN ACT AMENDING SECTION 57-12-9, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 67, LAWS OF UTAH 1943, RELATING TO DISTRIBUTION OF RECEIPTS FROM AN EXCISE TAX ON MOTOR FUEL, was read the first time and under suspension of the rules, ordered printed and referred to the Committee on Highways.

S. B. No. 11 By Messrs. Fowles, Gibson, and Hopkin

AN ACT AMENDING SECTION 57-4-10, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1943; SECTION 57-4-13, AND SECTION 57-4-17, UTAH CODE ANNOTATED, 1943; AND SECTION 57-4-19, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1943, RELATING TO APPLICATION FOR OPERATOR'S OR CHAUFFEUR'S LICENSE, EXAMINATION OF APPLICANTS, EXPIRATION OF LICENSE, RENEWAL, LICENSE FEES, DISPOSITION OF REVENUE, AND EXTENDING THE TERMINATION DATE OF LICENSES HELD BY MEN IN THE ARMED FORCES, was read the first time and under suspension of the rules, ordered printed and referred to the Committee on Judiciary.

S. B. No. 12 By Messrs. Fowles, Gibson, and Hopkin

AN ACT AMENDING SECTION 35-2-16.10, CHAPTER 47, LAWS OF UTAH 1949, AND SECTION 36-2-17, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 47, LAWS OF UTAH 1949, RELATING TO DISTRIBUTION OF MOTOR VEHICLE REGISTRATION FUND TO A GENERAL HIGHWAY FUND AND A PORTION

THEREOF TO CLASS "B" AND "C" ROADS, was read the first time and under suspension of the rules, ordered printed and referred to the Committee on Highways.

S. B. No. 13 By Messrs. Fowles, Tippetts, Marthakis, Ashton and Milliman

AN ACT AUTHORIZING THE CREATION AND ORGANIZATION OF FIRE PROTECTION DISTRICTS IN ANY COUNTY OR COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICT, AUTHORIZING THE ACQUISITION OF PROPERTY AND IMPROVEMENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSES FOR WHICH SUCH DISTRICTS ARE CREATED, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING, was read the first time and under suspension of the rules, ordered printed and referred to the Committee on Banking and Commerce.

S. B. No. 14 By Messrs. Elggren, Day and Gibson

AN ACT AMENDING SECTION 50-2-2 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 79, LAWS OF UTAH 1945, RELATING TO COMPENSATION OF MEMBERS OF THE LEGISLATURE, was read the first time and under suspension of the rules, ordered printed and referred to the Committee on Appropriations and Claims.

S. B. No. 15 By Messrs. Day, Marthakis and Elggren

AN ACT AMENDING SECTION 17, CHAPTER 140, LAWS OF UTAH, 1947, RELATING TO THE STATE DEPARTMENT OF VETERANS AFFAIRS, TO EXTEND THE PERIOD OF ACTIVITY, was read the first time and under suspension of the rules, ordered printed and referred to the Committee on Military Affairs.

S. B. No. 16 By Messrs. Tippetts, Elggren, Watson, Day, Burns, Marthakis and Mrs. Jensen

AN ACT MAKING DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, RELIGIOUS BELIEF, COLOR, OR ANCESTRY UNLAWFUL; DECLARING STATE POLICY IN REGARD THERETO; DEFINING UNLAWFUL EMPLOYMENT PRACTICES IN CONNECTION THEREWITH; INVESTING THE INDUSTRIAL COMMISSION OF UTAH WITH POWER AND JURISDICTION TO ADMINISTER THE ACT; DEFINING THE INDUSTRIAL COMMISSION'S POWERS AND DUTIES; MAKING IT A MISDEMEANOR TO VIOLATE THE ORDERS OF THE INDUSTRIAL COMMISSION; AND PROVIDING FOR JUDICIAL REVIEW, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 17 By Mr. Watson.

AN ACT AMENDING SECTIONS 80-13-2, 80-13-3, 80-13-7, UTAH CODE ANNOTATED 1943, RELATING TO TAXATION OF CORPORATIONS, CHANGING FROM A FRANCHISE TAX TO AN INCOME TAX AND CHANGING THE RATE OF TAXATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 18 By Mr. Watson

AN ACT AMENDING SECTION 57-12-7 UTAH CODE ANNOTATED 1943, RELATING TO THE DEDUCTION FOR EVAPORATION FROM THE TAX ON MOTOR FUELS, was read the first time.

On motion of Senator Watson, S. B. No. 18 was withdrawn.

S. B. No. 19 By Messrs. Clegg, Cannon, Jenkins, Day and Fowles

AN ACT TO AMEND SECTION 20-3-1, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 3, LAWS OF UTAH, 1949, PROVIDING FOR THE NUMBER OF JUDGES IN EACH JUDICIAL DISTRICT OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 20 By Messrs. Day, Gibson, Reese, Fowles and Paxton

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 THE JUDGES OF THE DISTRICT COURTS OF UTAH; AND ENACTING NEW SECTIONS 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 RENUMERATION; 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, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 21 By Messrs. Fowles, Elggren, Marthakis, Jenkins and Watson

AN ACT AMENDING SECTION 42-4-2, UTAH CODE ANNOTATED, 1943; SECTION 42-4-4 UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 69, LAWS OF UTAH, 1945, AS

AMENDED BY CHAPTER 61, LAWS OF UTAH, 1947; SECTION 42-4-7, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 70 LAWS OF UTAH, 1945, AND SECTION 42-4-8 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 71, LAWS OF UTAH, 1945, RELATING TO THE SOURCE OF MONIES OF THE UTAH FIREMEN'S PENSION FUND; THE GRANTING OF SERVICE AND DISABILITY PENSIONS TO PAID AND VOLUNTEER FIREMEN, THE AMOUNTS AND PAYMENTS THEREOF, THE PROCEDURE IN APPLYING FOR AND GRANTING SAID PENSIONS; PAYMENT FROM THE FIREMEN'S PENSION FUND OF DEATH BENEFITS TO THE WIDOW AND DEPENDENT MINOR CHILDREN OF PAID AND RETIRED FIREMEN; AND THE PAYMENT FROM THE FIREMEN'S PENSION FUND OF DEATH BENEFITS TO THE WIDOW AND DEPENDENT CHILDREN OF FIREMEN WHERE DEATH RESULTS FROM ACCIDENT OR EXPOSURE IN THE PERFORMANCE OF DUTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 22 By Messrs. Day, Marthakis, Clegg, Thorn, Watson, Paxton and Ashton

AN ACT AMENDING SECTIONS 1, 2, 3, 5, 7, 8, AND 11, CHAPTER 24, LAWS OF UTAH 1949 ENABLING IMPROVEMENT DISTRICTS TO INCLUDE INCORPORATED MUNICIPALITIES AND AREAS, PROVIDING FOR OBJECTION BY MORE THAN FIFTY PER CENT IN NUMBER OF PROPERTY OWNERS, FOR APPOINTMENT OF BOARD OF TRUSTEES FOR SEWER DISTRICTS INCLUDING A COMBINATION OF TWO OR MORE MUNICIPALITIES OR OTHER AREAS, TIME LIMIT FOR MATURITY OF BONDS, AND FOR THE POWERS OF IMPROVEMENT DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 23 By Messrs. Muir, Reese, Burns, Elggren, Milliman, Tippetts and Ashton

AN ACT AMENDING SECTION 80-15-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 83, LAWS OF UTAH 1949, RELATING TO THE COLLECTION OF TAX RETURNS TOKENS DEPOSIT OF SECURITY PENALTIES FOR VIOLATIONS, AND PROVIDING FOR COMPENSATION TO VENDOR IN THE AMOUNT OF 5% OF THE TAX COLLECTED WITH $100.00 ANNUAL CEILING PROVISION FOR EACH STORE AS EXPENSE OF ACCOUNTING AND REMITTING, AND PROVIDING FOR THE PAYMENT OF TAX DIRECTLY TO THE STATE TAX COMMISSION IN CERTAIN INSTANCES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 24 By Messrs. Muir, Reese, Elggren, Milliman, Burns and Ashton

AN ACT AMENDING SECTION 16A-4-7, UTAH CODE ANNOTATED 1943 RELATING TO COMMERCE AND TRADE—UNFAIR TRADE PRACTICES SALES LESS THAN COST, AND PROVIDING

THAT IN DETERMINING "COSTS TO THE RETAILER" THE INVOICE COST SHALL BE WITHIN THIRTY DAYS PRIOR TO THE DATE OF SALE OR THE DATE OF OFFERING FOR SALE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 25 By Messrs. Marthakis, Tippetts, Milliman, Watson, Cannon and Mrs. Jensen

AN ACT AMENDING CHAPTER 124, LAWS OF UTAH 1947, RELATING TO DESIGNATION OF THE OLD UTAH PRISON SITE AS A STATE PARK, was read and referred to the Committee on Revision and Enrolling.

S. B. No. 26 By Mr. Milliman

AN ACT AMENDING SECTION 57-7-113 UTAH CODE ANNOTATED 1943, RELATING TO AND FIXING SPEED RESTRICTIONS OF VEHICLES ON HIGHWAYS, AND EXTENDING AUTHORITY TO THE GOVERNOR TO CHANGE SUCH RESTRICTIONS IN TIME OF WAR OR NATIONAL EMERGENCY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 27 By Mr. Milliman

AN ACT AMENDING SECTION 12, CHAPTER 89, LAWS OF UTAH 1947, 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. 28 By Messrs. Milliman and Burns

AN ACT TO AMEND 40-3-6 UTAH CODE ANNOTATED 1943 PERTAINING TO INTERLOCUTORY DECREES OF DIVORCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 29 By Messrs. Burns, Milliman, Tippetts, and 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 SEPERATE 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. 30 By Messrs. Cannon, Watson, Day, Gibson and Adams

AN ACT AMENDING SECTION 6-0-12, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION TO BE KNOWN AS

6-0-12, TO EXTEND THE AUTHORITY OF THE BOARD OF COMMISSIONERS OF THE UTAH STATE BAR TO INVESTIGATE AND MAKE RECOMMENDATIONS CONCERNING COMPLAINTS AGAINST ATTORNEYS INCLUDING THOSE HOLDING JUDICIAL OFFICE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 31 By Messrs. Cannon, Burns, Thorn, Day, Adams, Clegg and Gibson

AN ACT AMENDING SECTION 28-5-1, UTAH CODE ANNOTATED 1943, RELATING TO WITNESS FEES AND MILEAGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 32 By Messrs. Cannon, Burns, Clegg, Thorn, Day, Gibson and Adams

AN ACT TO REVISE, CODIFY AND RE-ENACT INTO LAW UNDER TITLE 104 ALL OF THOSE SECTIONS OF TITLE 20, UTAH CODE ANNOTATED 1943, KNOWN AS "COURTS," AND TITLE 104, UTAH CODE ANNOTATED 1943, KNOWN AS THE "CODE OF CIVIL PROCEDURE," AND ALL SUBSEQUENT ACTS AMENDATORY THEREOF OR SUPPLEMENTAL THERETO, INCLUDING CHAPTERS 18, 19, 20, 21, 33, 34, 35, 36 LAWS OF UTAH 1943; CHAPTERS 25, 26, 39 AND 40, LAWS OF UTAH 1945; CHAPTERS 8, 9, 10, 11 AND 31, LAWS OF UTAH 1947, AND CHAPTERS 17, 26 AND 76, LAWS OF UTAH 1949, WHICH HAVE NOT BEEN SUPERSEDED BY THE UTAH RULES OF CIVIL PROCEDURE AS ADOPTED BY THE SUPREME COURT OF UTAH, SAID NEW ENACTMENT TO BE KNOWN AS "THE JUDICIAL CODE"; ALSO ADDING THERETO NECESSARY SECTIONS TO CARRY INTO EFFECT SAID ENACTMENT WITHOUT AFFECTING EXISTING RIGHTS OR OBLIGATIONS; ALSO REPEALING TITLE 20 AND TITLE 104, UTAH CODE ANNOTATED 1943, AS AMENDED, AND CHAPTERS 19, 33 AND 34, LAWS OF UTAH 1943; CHAPTERS 8 AND 10, LAWS OF UTAH 1947; AND CHAPTER 76, LAWS OF UTAH 1949, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 33 By Messrs. Day, Jenkins, Clegg and Elggren

AN ACT TO AMEND SECTION 75-13-12, UTAH CODE ANNOTATED 1943, PERTAINING TO THE LIMIT ON THE AMOUNT OF BONDS THAT MAY BE ISSUED BY SCHOOL DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 34 By Messrs. Elggren, Burns, Milliman and Marthakis

AN ACT AMENDING SECTION 5, CHAPTER 89, LAWS OF UTAH 1947, AND SECTIONS 19 AND 35, CHAPTER 89 LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 9, LAWS OF UTAH 1948,

FIRST SPECIAL SESSION RELATING TO PUBLIC WELFARE AND REPEALING THE LIENS ON PROPERTY AS A PREREQUISITE TO ELIGIBILITY, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Day the Senate adjourned until Monday, January 15, 1951 at 2:00 P.M.

EIGHTH DAY

January 15, 1951

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

Roll Call All Senators present except Senators Brockbank and Milliman, excused.

Prayer by the Chaplain.

January 15, 1951

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman.

Report adopted and filed.

President Fowles appointed Senators Milliman, Elggren, Burns, Beal, and Cannon to act as the Committee on Appointments.

COMMUNICATIONS FROM THE GOVERNOR

January 12, 1951

Honorable J. Francis Fowles
President, Utah State Senate
Building

Dear Mr. President:

Because of the delay in the organization of the House of Representatives, I would like to delay the presentation of my Budget Message until Tuesday, January 23, at 2:30 p.m.

If consistent with the view of your honorable body, I would like to present my Budget Message to joint session of both Houses of the Legislature at that time.

I would appreciate receiving your favorable consideration to this request.

Respectfully,

J. BRACKEN LEE,
Governor

Communication filed.

The Senate voted to meet with the House in joint session on Tuesday, January 23, at 2:30 P.M. to receive the Governor's Budget Message, and to so notify the Governor.

January 15, 1951

Honorable J. Francis Fowles
President, Utah State Senate
Building

Dear Mr. President:

In compliance with Section 87-2-2, Utah Code Annotated 1943, I am submitting the following names of appointments made by me during the recess of the Legislature:

DIRECTOR, DEPARTMENT OF VETERANS AFFAIRS:

Appointed R. O. Peterson, Ogden, to succeed E. T. O'Brien, resigned; effective April 16, 1949, for unexpired term.

MEMBER, ADVISORY COUNCIL, BUSINESS REGULATION:

Appointed Chris Jouflas, Helper, to succeed B. H. Hyde, resigned; effective May 7, 1949, for unexpired term ending March 1, 1951.

COMMISSIONER, DEPARTMENT OF FINANCE:

Appointed Truman S. Curtis, Logan, to succeed J. Fred Pingree, resigned, effective May 19, 1949, for unexpired term ending March 1, 1951.

COMMISSIONER, PUBLIC WELFARE COMMISSION:

Appointed H. C. Shoemaker, Bountiful, to succeed Dr. A. C. Lambert, resigned; effective September 19, 1949, for unexpired term ending March 1, 1955.

COMMISSIONER, STATE TAX COMMISSION:

Appointed Patrick Healy, Jr., Ogden, to succeed H. C. Shoemaker, transferred; effective January 7, 1950, to fill unexpired term ending March 1, 1953.

MEMBERS, ADVISORY COUNCIL DEPARTMENT OF FINANCE:

Appointed S. G. Dye, Ogden, to succeed Mrs. Maude Leaver, resigned; effective November 28, 1949, for unexpired term ending March 1, 1952.

Reappointed Oscar K. Carlson, Salt Lake City, effective March 1, 1950, for six-year term, ending March 1, 1956.

MEMBER, STATE BOARD OF CORRECTIONS:

Appointed Kingsley E. Clawson, to succeed Adrian B. Pembroke, resigned, effective October 27, 1949, to fill unexpired term ending April 1, 1953.

MEMBERS, BOARD OF TRUSTEES FOR THE UTAH STATE HOSPITAL FOR POLIOMYELITIS AND OTHER CHILDREN'S CRIPPLING DISEASES:

Appointed Dr. Mowatt Muirhead, Salt Lake City, to succeed Dr. John A. Anderson, resigned; effective January 4, 1950, to fill unexpired term ending March 31, 1953.

Appointed Mrs. A. M. Gurnea, Salt Lake City, to succeed Mrs. George S. Ballif, Provo, term expired; effective March 31, 1950, for term ending March 31, 1957.

Appointed Dr. Sol G. Kahn, Salt Lake City, to succeed Dr. Edwin R. Murphy, resigned; effective July 11, 1950, for unexpired term ending March 31, 1955.:

Apointed Dr. Charles Ruggeri, Jr., Salt Lake City, to succeed Dr. John W. Spies, resigned; effective October 18, 1950, for unexpired term ending March 31, 1954.

COMMISSIONER, DEPARTMENT OF AGRICULTURE:

Appointed Alden K. Barton, Manti, to succeed R. Harvey Dastrup, resigned; effective February 27, 1950, for unexpired term ending March 1, 1951.

MEMBER, UTAH STATE HIGHWAY PATROL CIVIL SERVICE COMMISSION:

Reappointed Gomer Peacock, Price, effective March 1, 1950, for complete term, ending January 1, 1954.

MEMBERS UTAH STATE BOARD OF HEALTH:

Appointed Howard M. Hurst, Salt Lake City, to succeed Richard A. Hart, term expired; effective March 1, 1950, for term ending March 1, 1957.

Appointed J. R. Bachman, Ogden, to succeed Frank S. Emery, resigned; effective September 25, 1950, for unexpired term ending March 1, 1952.

Appointed Dr. Charles Ruggeri, Jr., Salt Lake City, to succeed Dr. A. Cyril Callister, resigned; effective September 25, 1950, for unexpired term ending March 1, 1953.

MEMBER, ADVISORY COUNCIL, DEPARTMENT OF ENGINEERING:

Reappointed Peter Giachino, Ogden, effective March 8, 1950, for term ending March 1, 1956.

MEMBERS, UTAH WATER AND POWER BOARD:

Appointed J. A. Howell, Ogden; Raymond Hammond, Grantsville; P. L. Jones, Nephi; J. W. Gillman, Orem; B. O. Colton, Roosevelt; effective March 30, 1950, for the terms expiring March 1, 1956.

MEMBER, ADVISORY COUNCIL FOR THE SCHOOL FOR THE DEAF & BLIND:

Appointed Elmer E. Brown, Ogden, to succeed T. Earl Pardoe, Provo, term expired; effective April 12, 1950, for the term ending March 1, 1955.

STATE ENGINEER:

Appointed Joseph M. Tracy, Ogden, to succeed Harold A. Linke, resigned, effective August 19, 1950, for term ending March 1, 1953.

COMMISSIONER, UTAH STATE LIQUOR CONTROL COMMISSION:

Appointed Terry McGowan to succeed K. M. Doan, resigned; effective August 18, 1950, for unexpired term ending July 1, 1955.

MEMBERS, VETERANS COUNCIL OF DEPARTMENT OF VETERANS AFFAIRS:

Appointed Franklin Riter to succeed Clarence C. Neslen, resigned; effective September 18, 1950, for unexpired term ending April 26, 1951.

Appointed Charles F. Crippen, Ogden, to succeed Frank H. Jonas, resigned; effective November 14, 1950, for unexpired term ending April 26, 1951.

Respectfully,

J. BRACKEN LEE,

Governor

Communication referred to the Committee on Appointments.

COMMUNICATIONS

January 15, 1951

Honorable J. Francis Fowles,
President, Utah State Senate
Building

Dear Mr. President:

The Utah Legislative Council is desirous of making a report of its activities during the past two years to a joint session of the 29th Legislature.

If it is agreeable with you, we would like to present our report Friday, January 19th, at 10:30 A. M. Approximately one or one and one-half hour's time should suffice, in which time each member can briefly report his activities on the Council, with a summary to be made by the Director of Research.

Will you kindly advise if such a joint session can be arranged at the above time?

Respectfully,

ALONZO F. HOPKIN,
Chairman Utah Legislative Council

Communication filed.

The Senate voted to meet with the House in joint session on Friday, January 19, 1951, at 10:30 A.M. to hear the report of the Legislative Council.

PRESENTATION OF RESOLUTIONS

S.C.R. No. 1 By Messrs. Day, Marthakis and Hopkin

A CONCURRENT RESOLUTION OF CONDOLENCE TO THE FAMILY OF LYNN ORSER, was read the first time.

On motion of Senator Day the rules were suspended and *S. C. R. No. 1* was placed before the Senate for consideration.

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

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Larsen and Milliman.

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

On motion of Senator Hopkin *S. B. No. 14* was lifted from the Committee on Appropriations and Claims and, under suspension of the rules, considered at this time on second reading.

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

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

Line 5, after the word "each" insert the word "calendar."

Line 6, delete the word "this" and insert in lieu thereof the word "the".

Line 8, after the period insert the following sentence:

"The expense money for regular session shall be payable on January 15th of each year that the Legislature convenes commencing January 15, 1951, and the expense money for special sessions shall be payable within 10 days after the adjournment of each said special session."

Line 8, after the period after the word "route" the balance of line 8, and lines 9, 10, 11, 12 ,13 to be made a new paragraph.

S. B. No. 14 was placed on the Third Reading Calender on the following roll call:

Ayes, 18; Nos, 3; Absent, 2.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Muir, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Cannon, Paxton and Reese.

Absent and not voting: Senators Brockbank and Milliman.

On motion of Senator Hopkin the rules were suspended and *S. B. No. 14* was read the third time and placed on its final passage.

S. B. No. 14 then passed on the following roll call:

Ayes, 18; Nos, 3; Absent 2.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Muir, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Cannon, Paxton and Reese.

Absent and not voting: Senators Brockbank and Milliman.

S. B. No. 14 was transmitted to the House.

The Senate voted to accept the invitation of the Utah Motor Transportation Ass'n to attend a luncheon, Elks Club, Wednesday, January 17, 1951 at 12:15 P.M.

The Senate voted to accept the invitation of the Kiwanis Club to attend a luncheon on Thursday, January 18, 1951 at 12:00 noon at the Lafayette Ball Room of the Hotel Utah.

Senator Clegg presented President Fowles with a gavel made by the students at Central Utah Area Vocational School, Provo, Utah.

President Fowles accepted the gavel and expressed his sincere appreciation to the donors.

INTRODUCTION OF BILLS

S. B. No. 35 — By Messrs. Cannon, Burns, Clegg, Day and Gibson

AN ACT REQUIRING A NON-RESIDENT PERSON DOING BUSINESS IN THE STATE OF UTAH TO FILE A CERTIFICATE WITH THE SECRETARY OF STATE DESIGNATING AN AGENT UPON WHOM PROCESS CAN BE SERVED AND UPON FAILURE SO TO DO AUTHORIZING SERVICE OF PROCESS ON ANY PERSON EMPLOYED BY OR ACTING AS AGENT FOR SUCH NON-RESIDENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 36 — By Messrs. Cannon, Watson, Day and Gibson

AN ACT AUTHORIZING THE SUPREME COURT TO SUPERVISE THE VARIOUS COURTS OF THIS STATE, ASSIGN TEMPORARILY JUDGES FROM ONE DISTRICT, CITY OR PRECINCT TO ANOTHER, ASSIGN CITY AND JUVENILE JUDGES TO THE DISTRICT COURTS TEMPORARILY WHEN NECESSARY AND APPOINT NOT TO EXCEED TWO ADDITIONAL JUSTICES OF THE SUPREME COURT FOR A TEMPORARY PERIOD WHEN NECESSARY; ALSO PROVIDING FOR THE APPOINTMENT OF AN ADMINISTRATOR FOR THE COURTS OF THE STATE OF UTAH TO ACT UNDER THE SUPERVISION OF THE SUPREME COURT AND FIXING HIS POWERS AND DUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 37 — By Messrs. Day, Gibson and Cannon

AN ACT AMENDING SECTION 20-4-2, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 35, LAWS OF UTAH 1943, RELATING TO CITY JUDGES NUMBER, ELECTION, AND TERM OF OFFICE; AMENDING SECTION 20-4-3, UTAH CODE ANNOTATED 1943, RELATING TO CITY JUDGES APPOINTMENT BY MAYOR PENDING ELECTION; AND AMENDING SECTION 20-4-9,

UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 31, LAWS OF UTAH 1947, RELATING TO CITY JUDGES — ABSENCE FORFEITS OFFICE; VACANCY, HOW FILLED; AND ENACTING A NEW SECTION, 20-4-40, PROVIDING FOR A NON-PARTISAN METHOD OF SELECTING JUDGES OF THE CITY COURTS; A NEW SECTION, 20-4-41, PROVIDING FOR THE CREATION OF JUDICIAL SELECTION COMMISSIONS TO SELECT PERSONS FOR AND TO FILL VACANCIES IN THE OFFICES OF CITY JUDGE; FOR THE SELECTION OF THE MEMBERS OF SUCH COMMISSIONS, THEIR TERMS OF OFFICE, AND THEIR DUTIES; A NEW SECTION, 20-4-42, PROVIDING THAT MEMBERS OF THE JUDICIAL SELECTION COMMISSIONS SHALL NOT BE ELIGIBLE FOR SELECTION FOR JUDICIAL OFFICE; AND RELATING TO THE REMUMERATION FOR THE MEMBERS AND SECRETARIES OF THE JUDICIAL SELECTION COMMISSIONS; A NEW SECTION, 20-4-43, PROHIBITING INCUMBENTS OF AND CANDIDATES FOR THE OFFICE OF JUDGE OF THE CITY COURTS FROM ENGAGING IN PARTISAN POLITICAL ACTIVITIES AND BEING CANDIDATES FOR OR ACCEPTING CERTAIN OFFICES; AND A NEW SECTION, 20-4-44, 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. 38 By Messrs. Milliman and Cannon

AN ACT AMENDING SECTION 4-0-20, 4-0-21, and 4-0-22, UTAH CODE ANNOTATED 1943, RELATING TO THE CREATION OF AN AERONAUTICS COMMISSION, PROVIDING FOR ITS ORGANIZATION AND EMPLOYMENT OF A DIRECTOR AND OTHER PERSONNEL, AND ADDING NEW SECTIONS 4-0-20.1, 4-0-21.1, 4-0-22.1, 4-0-22.2, 4-0-22.3, 4-0-22.4, 4-0-22.5, 4-0-22.6, 4-0-22.7, 4-0-22.8, PROVIDING FOR TENURE, AND QUALIFICATIONS OF MEMBERS OF THE COMMISSION, PRESCRIBING THEIR POWERS AND DUTIES, MAKING THE DIRECTOR THE EXECUTIVE OFFICER OF THE COMMISSION AND PRESCRIBING HIS POWERS AND DUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 39 By Mr. Watson

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; PROVIDING FOR CERTIFICATES AS TO FREEDOM FROM SUCH DISEASE, AND PRESCRIBING PERSONS WHO MAY ISSUE SUCH CERTIFICATES; PRESCRIBING TIME AND PROCEDURE REQUIRED BEFORE ISSUANCE OF MARRIAGE LICENSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 40 By Mr. Watson - By request

AN ACT AMENDING SECTION 79-11-13, UTAH CODE ANNOTATED 1943, SPECIFYING PERSONS WHO ARE EXEMPT FROM THE PROVISIONS OF CHAPTER 11, TITLE 79, UTAH CODE ANNOTATED 1943, RELATING TO OPTOMETRISTS, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE GOVERNOR

January 15, 1951

Dear Mr. President:

The reception honoring the members of the 29th Legislature will be held at the Governor's Mansion on February 1, 1951, at 8:30 P. M. Formal invitations will be sent in the immediate future.

It would be appreciated if a copy of the names of the present members of the Utah State Senate and their employees, together with their Salt Lake City addresses would be sent to my office at your earliest convenience.

Respectfully,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

January 15, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended, under suspension of the rules, *S. B. No. 14*, by Messrs. Elggren, Day and Gibson entitled:

AN ACT AMENDING SECTION 50-2-2, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 79, LAWS OF UTAH 1945, RELATING TO COMPENSATION OF MEMBERS OF THE LEGISLATURE, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 14 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

On motion of Senator Marthakis, the name of Senator Day was added as a co-author of S. B. No. 25.

On motion of Senator Marthakis, the name of Mrs. Jensen was added as a co-author of S. B. No. 34.

On motion of Senator Marthakis the Senate recessed until 3:30 P.M.

The Senate re-assembled.

REPORTS OF STANDING COMMITTEES

January 15, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 14*, by Messrs. Elggren, Day, Gibson and Hopkin, entitled,

AN ACT AMENDING SECTION 50-2-2 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 79, LAWS OF UTAH 1945, RELATING TO COMPENSATION OF MEMBERS OF 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,

EDWIN B. CANNON,
Chairman.

Report filed.

S. B. No. 14 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 the Senate recessed for ten minutes.

The Senate re-assembled.

COMMUNICATIONS FROM THE HOUSE

January 15, 1951

Mr. President:

I am directed 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. 14*, by Messrs. Elggren, Day, Gibson and Hopkin, entitled, "AN ACT AMENDING SECTION 50-2-2, UTAH CODE ANNOTATED

1943, AS AMENDED BY CHAPTER 79, LAWS OF UTAH 1945, RELATING TO COMPENSATION OF MEMBERS OF THE LEGISLATURE.", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 14 was transmitted to the Governor.

On motion of Senator Marthakis the Senate adjourned until Tuesday, January 16, 1951 at 2:00 P.M.

NINTH DAY

January 16, 1951

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

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

Prayer by the Chaplain.

January 16, 1951

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman.

Report adopted and filed.

REPORTS OF SPECIAL COMMITTEES

January 16, 1951

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:

Minute Clerk—Allen T. Billeter
Day Custodian—Leo W. Kelly
Night Custodian—George A. Neal
Elevator Operator—James J. Scott
Doorman—W. A. Adams (to succeed J. M. Mortensen, resigned)
Committee Clerks—Lucy S. Taylor,
Edith B. James
Helen M. Scott
Messenger to the Governor—Ivan P. Dahlquist
Messenger—Mrs. Samuel D. Wynn

Respectfully,

J. HAROLD REESE,
Chairman

Committee report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 16, 1951

Mr. President:

I am directed to inform your Honorable Body that the House extends to you an invitation to meet with them in joint convention, January 23, at 2:30 P.M. to hear his Excellency, Governor J. Bracken Lee, deliver his budget message.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Marthakis the Senate voted to accept the invitation extended by the House.

January 16, 1951

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 Utah Legislative Council on January 19th, at 10:30 A.M.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Day the Senate voted to accept the invitation extended by the House.

January 11, 1951

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 Mr. Gammell, entitled, "A RESOLUTION OF CONDOLENCE TO THE FAMILY OF GEORGE H. LOWE.", and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

On motion of Senator Day 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:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Brockbank.

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

January 11, 1951

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 Mrs. Cazier and Mr. Rees, entitled, "A RESOLUTION OF CONDOLENCE TO THE FAMILY OF BARLO T. LUKE.", and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
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:

Ayes, 22; Nos, 0; Absent 1.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Brockbank.

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

January 11, 1951

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. White, entitled, "A RESOLUTION OF CONDOLENCE TO THE FAMILY OF F. JOSEPH LAW.", and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

On motion of Senator Reese 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:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Brockbank.

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

January 11, 1951

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. 4*, by Messrs. Postma and Woolley, entitled, "A RESOLUTION OF GREETINGS TO JOHN A. MURCH, FORMER REPRESENTATIVE FROM CACHE COUNTY, NOW SERVING IN KOREA AS AN OFFICER IN THE ARMED FORCES OF THE UNITED STATES.", and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 4 was read the first time.

On motion of Senator Day the rules were suspended and *H. J. R. No. 4* was read the second and third times and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Gibson.

H. J. R. No. 4 was returned to the House.

REPORTS OF STANDING COMMITTEES

January 16, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 19*, by Messrs. Clegg, Cannon, Jenkins, Day and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 20-3-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 26, LAWS OF UTAH 1949, RELATING TO THE NUMBER OF JUDGES IN EACH JUDICIAL DISTRICT OF THE STATE OF UTAH AND PROVIDING FOR THE APPOINTMENT OF ADDITIONAL JUDGES, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman.

Committee report read and adopted.

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

January 16, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman.

Report filed.

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

January 16, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 31*, by Messrs. Cannon, Burns, Thorn, Day, Adams, Clegg and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman.

Report filed.

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

January 16, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 16*, by Messrs. Tippetts, Elggren, Watson, Day, Burns, Marthakis and Mrs. Jensen, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT MAKING DISCRIMINATION IN EMPLOYMENT BECAUSE OF RACE, RELIGIOUS BELIEF, COLOR, OR ANCESTRY UNLAWFUL; DECLARING STATE POLICY IN REGARD THERETO; DEFINING UNLAWFUL EMPLOYMENT PRACTICES IN CONNECTION THEREWITH; INVESTING THE INDUSTRIAL COMMISSION OF UTAH WITH POWER AND JURISDICTION TO ADMINISTER THE ACT; DEFINING THE INDUSTRIAL COMMISSION'S POWERS AND DUTIES; MAKING IT A MISDEMEANOR TO VIOLATE THE ORDERS OF THE INDUSTRIAL COMMISSION; AND PROVIDING FOR JUDICIAL REVIEW, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman.

Committee report read and adopted.

S. B. No. 16 was ordered printed and referred to Committee on Education.

January 16, 1951

Mr. President:

Your Committee on Military Affairs, to which was referred *S. B. No. 15* by Messrs. Day, Marthakis and Elggren, has carefully considered said bill and reports the same out favorably.

Respectfully,

FRED J. MILLIMAN,
Chairman.

Report filed.

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

January 16, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 11*, by Messrs. Fowles, Gibson and Hopkin, 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 Calender.

January 16, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 2*, by Messrs. Fowles, Gibson and Hopkin, has carefully considered said bill and reports the same out favorably with the following amendments in title and body:

Body, line 2, page 2, after the words "UNITED STATES" strike the comma and insert the words "and American Law Reports"; line 9, delete comma after the word "major"; line 10, delete comma after the word "major"; line 23, page 3, after the word "State" insert "Supreme Court Law"; line 24, after the word "states" delete comma and insert the word "and"; line 26, after the word "attorneys" delete the comma and the words "sheriff, assessor, treasurer, recorder", and at the beginning of line 27, delete the word 'surveyor".

Title, line 1, page 1, after the word "COMPILATION," insert the word "ANNOTATION,"; line 2, delete the word "ANNOTATION" and insert in lieu thereof the word "DISTRIBUTION".

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 41 By Mrs. Jensen and Messrs. Day, Burns, Thorn, Marthakis and Elggren

AN ACT DIRECTING THE BOARD OF EXAMINERS TO APPROPRIATE FROM THE RESERVE BUILDING FUND THE SUM OF $312,000.00 TO THE STATE BOARD FOR VOCATIONAL EDUCATION, FOR THE PURCHASE OF REAL PROPERTY FOR THE SALT LAKE AREA VOCATIONAL SCHOOL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 42 By Messrs. Larsen, Watson, Adams, Clegg, Marthakis, Elggren, Burns, Fowles and Gibson

AN ACT AMENDING SECTIONS 42-1a-6, 42-1a-13, 42-1a-18, 42-1a-19, 42-1a-23, 42-1a-24, 42-1a-29, 42-1a-30, 42-1a-34, 42-1a-46, 42-1a-48, 42-1a-49, 42-1a-53, 42-1a-55, UTAH CODE ANNOTATED 1943, AND SECTIONS 42-1a-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 51, LAWS OF UTAH 1949, AND SECTIONS 42-1a-57, 42-1a-58, UTAH CODE ANNOTATED 1943, AS ENACTED BY CHAPTER 51, LAWS OF UTAH, 1949, AND SECTION 42-1a-15 AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1945, AS AMENDED BY CHAPTER 51, LAWS OF UTAH 1949, RELATING TO OCCUPATIONAL DISEASE, DISABILITY COMPENSATION; PROVIDING FOR AN OCCUPATIONAL DISEASE FUND, PRESCRIBING RATES OF BENEFIT, GIVING INDUSTRIAL COMMISSION CONTINUING JURISDICTION AND REPEALING SECTIONS 42-1a-16, 42-1a-17, 42-1a-22, 42-1a-51 UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 43 By Messrs. Larsen, Watson, Adams, Clegg, Marthakis, Elggren, Burns, Fowles and Gibson

AN ACT AMENDING SECTIONS 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, AS AMENDED BY CHAPTER 52, LAWS OF UTAH 1949, RELATING TO WORKMEN'S COMPENSATION, PROVIDING FOR INCREASED BENEFITS AND THE REPLACEMENT OF ARTIFICIAL APPLIANCES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 41 By Mrs. Jensen, Messrs. Adams, Elggren, Marthakis, Burns and Gibson

AN ACT AMENDING SECTION 80-14-16, UTAH CODE ANNOTATED 1943, RELATING TO ORIGINAL INDIVIDUAL INCOME TAX RETURNS AND PROVIDING THAT SUCH RETURNS NEED NOT BE MADE UNDER OATH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 45 By Messrs. Cannon, Day and Marthakis

AN ACT AMENDING TITLE 21, SECTION 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, AS AMENDED BY CHAPTER 27, LAWS OF UTAH 1949, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 46 By Messrs. Day, Cannon and Marthakis

AN ACT AMENDING SECTION 21-0-4, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE COMPENSATION OF COURT REPORTERS FOR FURNISHING TRANSCRIPTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 47 By Messrs. Larsen, Ashton, Burns, Muir, Paxton, Beal, Tippetts, Milliman, Hopkin, Reese and Adams

AN ACT AMENDING SECTIONS 50-1-1, 50-1-2 and 50-1-3, UTAH CODE ANNOTATED 1943, RELATING TO FIXING THE REPRESENTATION AND THE METHODS OF THE ELECTION OF MEMBERS OF THE SENATE AND FIXING THE REPRESENTATION IN THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH, PROVIDING FOR THE DIVISION OF COUNTIES HAVING MORE THAN ONE REPRESENTATIVE, INTO REPRESENTATIVE DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 48 By Messrs. Larsen, Marthakis, Tippetts, Thorn, Muir, Adams, Clegg, Burns, Ashton, Jenkins, Watson, Beal, Day and Milliman

AN ACT CREATING THE DEPARTMENT OF RESOURCES DEVELOPMENT, PROVIDING FOR THE ADMINISTRATION THEREOF, THE APPOINTMENT OF A NON-SALARIED EXECUTIVE BOARD, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS THEREOF, MAKING AN APPROPRIATION, ESTABLISHING A RESOURCES DEVELOPMENT SPECIAL FUND, REPEALING CHAPTER 3, TITLE 42, UTAH CODE ANNOTATED 1943, AND REPEALING CHAPTER 3, TITLE 82C, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 116, LAWS OF UTAH 1945, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 49 By Mr. Larsen

AN ACT TRANSFERRING PROTECTION OF RELICS AND SCENIC FEATURES, CONTROL OF EXCAVATION AND EXPLORATION FROM THE STATE BOARD OF PARK COMMISSIONERS TO THE STATE LAND BOARD AND REPEALING SECTIONS 68-0-8 AND 68-0-9, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 50 By Mr. Larsen

AN ACT TRANSFERRING THE ADMINISTRATION AND MAINTENANCE OF CERTAIN HISTORICAL MONUMENTS FROM THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOP-

MENT TO THE UTAH STATE HISTORICAL SOCIETY, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS OF THE UTAH STATE HISTORICAL SOCIETY WITH RESPECT THERETO AND REPEALING SECTIONS 68-0-10, 68-0-11, 68-0-12, 68-0-13, 68-0-14, 68-0-15 AND 68-0-16, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 51 By Mr. Larsen

AN ACT AMENDING SECTIONS 85-4-1, 85-4-2, 85-4-3, 85-4-4, 85-4-5, 85-4-8, 85-4-9, 85-4-10, UTAH CODE ANNOTATED 1943, RELATING TO THE ORGANIZATION, PRESCRIBING THE POWERS AND DUTIES OF THE UTAH STATE FAIR ASSOCIATION AND ENACTING A NEW SECTION PROVIDING FOR AN EFFECTIVE DATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 52 By Messrs. Day, Adams, Clegg and Fowles

AN ACT PROVIDING THAT THE PURCHASER OF TAX DEED PROPERTY FROM THE COUNTY SHALL HAVE A LIEN AGAINST THE PROPERTY SO PURCHASED FOR THE RECOVERY OF THE PURCHASE PRICE SO PAID AND FOR INTEREST THEREON AND PROVIDING FOR TIME WITHIN WHICH SUCH LIEN MAY BE FORECLOSED, TO BE KNOWN AS SECTION 80-10-68.1, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 53 By Messrs. Day, Adams, Clegg and Fowles

AN ACT AMENDING SECTIONS 104-2-5, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 18, LAWS OF UTAH 1943; 104-2-7 UTAH CODE ANNOTATED 1943 AND 104-2-12, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 104-2-5.10, CHAPTER 19, LAWS OF UTAH 1943 AS AMENDED BY CHAPTER 8 LAWS OF UTAH 1947, AND ENACTING NEW LAWS TO BE KNOWN AS SECTIONS 104-2-5.10 AND 104-2-5.11, LIMITING THE THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR RECOVERY OF REAL PROPERTY SOLD AND CONVEYED TO THE COUNTY UNDER TAX DEED OR FOR THE POSSESSION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Day, the rules were suspended and *S. B. No. 15* was placed before the Senate for its consideration.

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

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

Line 3, strike the second word "TO".

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson (explained vote), Hopkin, Jenkins, Jensen, Larsen (explained vote), Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson (explained vote) and Mr. President.

Absent and not voting: Senator Brockbank.

COMMUNICATIONS FROM THE HOUSE

January 16, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed under suspension of the rules, *S. C. R. No. 1* by Messrs. Day and Marthakis, entitled, "A CONCURRENT RESOLUTION OF CONDOLENCE TO THE FAMILY OF LYNN ORSER.", and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

On invitation of Senator Elggren, Senator Gibson explained the procedure followed in the preparation of a bill amending an existing law.

On motion of Senator Hopkin the Sergeant-at-Arms was instructed to contact the Secretary of State regarding automobile indicia for the the members of the Twenty-Ninth Legislature.

On motion of Senators Elggren and Marthakis, the President was requested to send a letter of appreciation to the Salt Lake Tribune, the Salt Lake Telegram, the Deseret News, the Utah Statesman and the Salt Lake Times for courtesies extended to the Senate.

On behalf of the Salt Lake Area Vocational School, Mrs. Jensen presented all members with a paper weight made by its students.

On motion of Senator Marthakis, the Secretary was instructed to send a letter of appreciation to the President of the University of Utah and to the Principal of the Salt Lake Area Vocational School for the courtesies extended to the members of the Senate.

Senator Marthakis announced that the facilities of KDYL were made available for a weekly panel discussion of issues of interest to the members of the Senate.

On motion of Senator Day the Senate adjourned.

TENTH DAY

January 17, 1951

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

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

Prayer by the Chaplain.

January 17, 1951

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

January 16, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. C. R. No. 1*, by Messrs. Day and Marthakis, entitled:

A CONCURRENT RESOLUTION OF CONDOLENCE TO THE FAMILY OF LYNN ORSER, 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,

EDWIN B. CANNON,
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.

January 17, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 22*, by Messrs. Day, Marthakis, Clegg, Thorn, Paxton and Ashton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 22 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 17, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 20*, by Messrs. Day, Gibson, Reese, Fowles and Paxton, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT CARRYING INTO EFFECT SECTION 3, ARTICLE VIII OF THE CONSTITUTION AS AMENDED BY SENATE JOINT RESOLUTION NO. 2, LAWS OF UTAH 1943, ADOPTED AT THE GENERAL ELECTION NOVEMBER 7, 1944, BY AMENDING SECTION 25-1-7, UTAH CODE ANNOTATED 1943, AND AMENDING SECTION 25-3-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 14, 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 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 recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 20 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 17, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 26*, by Mr. Milliman, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 57-7-113 UTAH CODE ANNOTATED 1943 RELATING TO AND FIXING SPEED RESTRICTIONS OF VEHICLES ON HIGHWAYS, AND AUTHORIZING THE GOVERNOR TO CHANGE SUCH RESTRICTIONS IN TIME OF WAR OR NATIONAL EMERGENCY, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

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

January 17, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 27*, by Mr. Milliman, 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, RELATING TO PAYMENT OF PUBLIC ASSISTANCE TO OTHER THAN THE APPLICANT OR RECIPIENT, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

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

January 17, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 25*, by Messrs. Marthakis, Tippetts, Milliman, Watson, Cannon and Mrs. Jensen, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 1, CHAPTER 124, LAWS OF UTAH 1947, RELATING TO DESIGNATION OF THE OLD UTAH

PRISON SITE AS A STATE PARK AND PROVIDING THAT A PORTION THEREOF MAY BE SOLD BY THE GOVERNOR FOR A HIGH SCHOOL AND CIVIC CENTER, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 25 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 17, 1951

Mr. President:

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

AN ACT AMENDING SECTIONS 19 AND 35, CHAPTER 89, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 9, LAWS OF UTAH 1948, FIRST SPECIAL SESSION RELATING TO PUBLIC WELFARE AND REPEALING SECTION 5, CHAPTER 89, LAWS OF UTAH 1947, REQUIRING LIENS ON PROPERTY OF RECIPIENT AS PREREQUISITE TO ELIGIBILITY, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

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

January 17, 1951

Mr. President:

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

AN ACT AMENDING SECTION 40-3-6, UTAH CODE ANNOTATED 1943 PERTAINING TO INTERLOCUTORY DECREES OF DIVORCE, PROVIDING FOR SUSPENSION OF ATTORNEYS WHO FAIL TO PRESENT FINDINGS OF FACT, CONCLUSIONS OF LAW

AND DECREE TO THE TRIAL JUDGE WITHIN TEN DAYS AFTER DECREE IS GRANTED AND PROVIDING NOTICE TO PARTIES OF DATE OF ENTRY OF DECREE, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

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

January 17, 1951

Mr. President:

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

AN ACT AMENDING SECTION 75-13-12, UTAH CODE ANNOTATED 1943, PERTAINING TO THE LIMIT ON THE AMOUNT OF BONDS THAT MAY BE ISSUED BY SCHOOL DISTRICTS, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

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

January 17, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 30*, by Messrs. Cannon, Watson, Day, Gibson and Adams, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 17, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 23*, by Messrs. Elggren, Muir, Reese, Burns, Milliman, Tippetts and Ashton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 23 was ordered printed and referred to the Committee on Revenue and Taxation.

January 17, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 13* by Messrs. Fowles, Tippetts, Marthakis, Ashton and Milliman, has carefully considered said bill and reports the same out favorably.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

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

REPORTS OF SPECIAL COMMITTEES

January 8, 1951

President of Senate
Speaker of House:

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-eighth Legislature be adopted as the joint rules for the Twenty-ninth Session of the Legislature.

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

Respectfully,

SENATE JOINT COMMITTEE
LORENZO E. ELGGREN,
Chairman

HOUSE JOINT COMMITTEE
CHARLES C. GARDNER,
Chairman

Committee report read and adopted.

PRESENTATION OF RESOLUTIONS

S. C. R. No. 2 By Messrs. Paxton and Hopkin

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT, THE SECRETARY OF DEFENSE, AND THE CONGRESS OF THE UNITED STATES OF AMERICA TO REESTABLISH A FORTHRIGHT, UNIFIED BIPARTISAN FOREIGN POLICY IN VIEW OF THE PRESENT EMERGENCY, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 54 By Messrs. Fowles and Jenkins

AN ACT APPROPRIATING $500,000.00 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. 55 By Messrs. Clegg, Thorn, Burns, Marthakis and Jenkins

AN ACT APPROPRIATING $752,000.00 FOR THE CONSTRUCTION OF BUILDINGS FOR THE CENTRAL UTAH VOCATIONAL SCHOOL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 56 By Messrs. Burns, Muir and Milliman

AN ACT AMENDING SECTION 7 OF CHAPTER 89, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 9, LAWS OF UTAH 1948, FIRST SPECIAL SESSION RELATING TO AID TO THE BLIND AND DISREGARDING EARNED INCOME UP TO $50.00 PER MONTH IN THE DETERMINATION OF NEED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 57 By Messrs. Marthakis, Day and Gibson

AN ACT RELATING TO SANITARIANS, QUALIFICATIONS OF APPLICANTS FOR LICENSE TO PRACTICE AS REGISTERED SANITARIANS, EMPLOYMENT AND OFFICIAL DESIGNATION OF SANITARIANS, AND AMENDING SECTION 79-1-5, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 77, LAWS OF UTAH, 1949 TO PROVIDE FOR A COMMITTEE OF SANITARIANS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 58 By Messrs. Day, Elggren, Tippetts and Mrs. Jensen

AN ACT AMENDING SECTIONS 1, 3, 4, AND 8, CHAPTER 58, LAWS OF UTAH 1949, RELATING TO THE CREATION, COMPOSITION, EMPLOYED PERSONNEL, AND AUTHORITY OF THE UTAH STATE BOARD ON ALCOHOLISM; DIRECTING THAT PROGRAMS OF RESEARCH, PREVENTION, AND REHABILITATION RELATIVE TO ALCOHOLISM BE CARRIED OUT; CREATING A NEW SECTION 9; AND PROVIDING AN APPROPRIATION THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Larsen, *S. B. No. 15* was made a Special Order of Business for January 18, 1951 at 3:00 P.M.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

Page 3, line 23, strike the word "six" and insert in lieu thereof the word "twelve".

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

Ayes, 20; Nos, 1; Absent, 2.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senator Larsen.

Absent and not voting: Senators Brockbank and Clegg.

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

Committee report read and adopted.

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

Page 2, line 2, after the comma after the word "courts" strike the word "and".

Page 3, line 27, strike the words "superintendent of schools" and insert in lieu thereof " boards of education of the school districts of the state".

S. B. No. 2 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Brockbank and Watson.

On motion of Senator Marthakis the Senate voted to accept the invitation of the Utah Copper Division of the Kennecott Copper Corporation to visit its new electrolytic copper refinery at Garfield, on Thursday, January 25.

On motion of Senator Marthakis the Secretary was instructed to send a letter of appreciation to the Utah State Association of County Officials for courtesies extended to the Senate.

On motion of Senator Marthakis the Secretary was instructed to send a letter expressing appreciation for the combination note pad and telephone number index presented by the Utah Municipal League.

President Fowles recognized the presence of William E. Allison who has been recognized by a national magazine as the "beloved lobbyist of the United States" who addressed the Senate briefly.

On motion of Senator Martakis the Senate voted to meet with the House in joint session on Friday, January 19, to hear Maj. Alexander P. Seversky, areonautical expert on "National Defense", at the close of the joint session called for that day.

On motion of Senator Marthakis the Senate adjourned.

ELEVENTH DAY

January 18, 1951

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

Roll Call--All Senators present except Senator Brockbank, excused.

Prayer by the Chaplain.

January 18, 1951

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the tenth day and find it correct with minor amendments noted on the final copy.

Respectfully,

A. I. TIPPETTS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

January 16, 1951

Dear Mr. President and Members of the Senate:

This is to advise that I have approved and transmitted to the Secretary of State, *Senate Bill No. 14*, by Messrs. Elggren, Day, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 50-2-2, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 79, LAWS OF UTAH 1945, RELATING TO COMPENSATION OF MEMBERS OF THE LEGISLATURE.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

January 17, 1951

Dear Mr. President and Members of the Senate:

Last week in my message to the Legislature, I brought to your attention a number of reasons why the State of Utah should immediately provide some measure of tax relief to its citizens through the reduction of State taxes. I proposed three tax revision plans and recommended that tax reduction and simplification be made your first order of business and that appropriations then be fitted to revenues.

Today I am transmitting to you my specific recommendations for tax reductions in the form of two bills, one pertaining to income tax and the other to sales tax. It is estimated that the enactment of these bills would reduce tax collections by $2,600,000.00, while providing tax relief to every citizen of the State, principally those in the low-income group.

The first of these proposed measures would increase existing exemptions allowed as credits against net income from the present level of $600 for single persons, $1200 for married couples, and $300 for each dependent, to somewhat more realistic figures of $750 for single persons, $1500 for married couples and $500 for each dependent.

The overall effect of these adjusted exemptions must be considered together with the lapsing of servicemen's exemptions which were granted to veterans of World War II. The two factors, considered together, will provide for a total reduction of $1,500,000 compared with estimated collections for the current fiscal year. Another effect of the bill is that it will reduce the total number of tax returns filed, which in turn would provide a saving in administrative costs of collection, processing, and filing.

Also a part of this measure is the provision to eliminate the nuisance requirement for notorization of income tax returns, in accordance with my recommendation. A statement to the effect that the return is signed under penalty of perjury is provided in lieu thereof.

The other bill which I request that you enact provides for removing the sales tax from certain items of necessity; namely, prescription medicines, bread, fresh and frozen meats, fish and poultry, fresh fruits, fresh vegetables, fresh milk and canned milk, butter, cheese and eggs. Enactment of legislation to this effect will provide immediate tax relief to many hard-pressed families and individuals who desperately need such assistance, without creating any serious state financial problems.

Revenue from the State sales tax has been increasing beyond all previous estimates. In the fiscal year ended June 30, 1941, the last fiscal year prior to World War II, sales tax collections were $4,563,094. In the first complete fiscal year after the war, ended June 30, 1947, collections from this tax were $11,162,221. For the last fiscal year, ended June 30, 1950, sales tax collections totaled $14,014,232, and at the rate it is being collected at the present time it is estimated that this tax will yield at least $15,500,000 for the current fiscal year, ended June 30, 1951.

It is estimated by the Tax Commission that elimination of tax on the specified foods and medicines will reduce the yield from sales tax approximately 7.25% or about $1,100,000 annually, based on current collections. This reduction will be more than offset by the growing increase in sales tax receipts.

As I stated before, there are individuals and groups in this State who are opposed to any form of tax reduction, but I do not believe their objections can overcome the compelling reasons for tax relief. Some people may fear that a reduction in income tax revenues may result in offsetting increases in their property taxes or harm to the school system, since income taxes are earmarked for the support of the Uniform School Fund. Neither fear is justified. The Uniform School Fund can be reimbursed from the general fund, which now has a $3,400,000 surplus, without requiring any increased property tax.

The other tax reduction and simplification proposals which I mentioned in my first message to the Legislature have much to be said in their favor. There is insufficient information available, however, to determine with any degree of accuracy the overall effect of either proposal. The apparent advantages of these and other proposals are sufficient to

merit thorough study by the Legislature, and I, therefore, recommend that the Legislature delegate to the Legislative Council the task of reviewing the entire State tax structure and recommending such measures to the 1953 Legislature as will bring about further equity and simplification.

Respectfully,

J. BRACKEN LEE,
Governor

Communication filed.

REPORTS OF STANDING COMMITTEES

January 18, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 24*, by Messrs. Elggren, Muir, Reese, Milliman, Burns and Ashton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 18, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 35*, by Messrs. Cannon, Burns, Clegg, Day and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 18, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 37*, by Messrs. Day, Gibson and Cannon, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 18, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 38 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 18, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

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

January 18, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 40 was ordered printed and referred to the Committee on Health and Labor.

January 18, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 44*, by Mrs. Jensen, Messrs. Adams, Elggren, Burns Marthakis and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

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

January 18, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 18, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 41*, by Mrs. Jensen, Messrs. Day, Burns, Thorn, Marthakis and Elggren, with a few minor changes assented to by the authors and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 18, 1951

Mr President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. C. R. No. 2 was ordered printed and referred to the Committee on Military Affairs.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 1 By Committee on Contingent Expenses

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

On motion of Senator Hopkin the rules were suspended and *S. J. R. No. 1* was placed before the Senate for its consideration.

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

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Brockbank, excused.

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

INTRODUCTION OF BILLS

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

AN ACT RELATING TO THE TERMINATION OF CONTRACTS FOR PUBLIC WORK BECAUSE OF NATIONAL EMERGENCIES WHICH CAUSE A STOPPAGE OF CONSTRUCTION OR WORK THEREON, AND TO PRESCRIBE PROCEDURE, THE ADJUSTMENT AND PAYMENT OF COMPENSATION, AND TO PROVIDE A METHOD FOR SETTLEMENT OF DISPUTES IN CONNECTION THEREWITH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 60 By Messrs. Day, Fowles, Jenkins, Watson, Clegg and Cannon

AN ACT AMENDING SECTIONS 82-2-5, 82-2-6, 82-2-9, 82-2-11, 82-2-12 AND 82-2-17, UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF THE SECURITIES COMMISSION IN CONNECTION WITH REAL ESTATE BROKERS AND SALESMEN; ESTABLISHING A BOARD OF REAL ESTATE EXAMINERS AND A REAL ESTATE ADMINISTRATOR AND PROVIDING FOR LICENSING, SUPERVISION, AUDITING AND CONTROLLING REAL ESTATE SALESMEN AND BROKERS IN THE PUBLIC INTEREST; PROVIDING FOR APPLICATION FEES; FOR REVOCATION OF LICENSES AND HEARINGS ON APPLICATIONS AND REVOCATIONS; REQUIRING THE KEEPING OF RECORDS BY REAL ESTATE BROKERS AND ENACTING NEW SECTIONS 82-2-18, 82-2-19, 82-2-20, 82-2-21, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 61 By Mr. Watson

ACT RELATING TO STATE EMPLOYEES WHO ARE MEMBERS OF THE RESERVE COMPONENTS OF THE UNITED STATES

ARMED FORCES, AND PROVIDING FOR COMPENSATION FOR TIME SPENT ON DUTY DURING ANNUAL ENCAMPMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 62 By Mr. Watson

AN ACT AMENDING SECTIONS 100-9-7, 100-9-11 and 100-9-19, UTAH CODE ANNOTATED 1943, RELATING TO IRRIGATION DISTRICTS, AND MORE PARTICULARLY TO OFFICE LOCATION; PRE-ELECTION PROCEEDINGS; PROVIDING FOR CONTINUANCE IN OFFICE OF DIRECTOR WHEN NO CANDIDATE FILES FOR OFFICE; ORGANIZATION OF BOARD OF DIRECTORS; ITS POWERS AND DUTIES; WATER ALLOTMENTS AND CHANGE THEREOF; CONTRACTING WITH THE UNITED STATES; REMOVAL OF LANDS FROM ASSESSMENT ROLLS; CONTRACTING FOR SUPPLY OF WATER TO MUNICIPALITIES, CORPORATIONS, ASSOCIATIONS OR INDIVIDUALS FOR BENEFICIAL USE; PUBLIC MEETINGS; FIXING TAX LEVIES, DETERMINATION OF AMOUNTS THEREOF; AND ESTABLISHING TAXES AS BEING SPECIAL TAXES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 63 By Messrs. Marthakis, Jenkins and Tippetts

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 TEACHERS' RETIREMENT FUND TO SUCH OTHER ORGANIZATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 64 By Messrs. Marthakis, Jenkins and Clegg

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. 65 By Mr. Gibson

AN ACT RELATING TO THE MERGER, CONSOLIDATION AND CONVERSION OF NATIONAL AND STATE BANKS AND LOAN AND TRUST COMPANIES, AMENDING TITLE 7, UTAH CODE ANNOTATED 1943, BY ADDING THERETO A NEW CHAPTER CONSISTING OF SECTIONS TO BE KNOWN AS SECTIONS 7-4b-1, 7-4b-2, 7-4b-3, 7-4b-4, 7-4b-5, 7-4b-6, 7-4b-7, 7-4b-8 and 7-4b-9, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 66 By Messrs. Day, Burns, Cannon and Watson

AN ACT APPROPRIATING TO THE STATE BOARD FOR VOCATIONAL EDUCATION THE SUM OF $37,550.00, FROM THE GENERAL FUND OF THE STATE TREASURY, FOR THE PURPOSE OF COSTS OF OPERATION OF THE SALT LAKE AREA VOCATIONAL SCHOOL DURING THE REMAINDER OF THE PRESENT BIENNIUM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 67 By Mr. Hopkin

AN ACT AMENDING SECTIONS 82C-2-13, 82C-2-14, 82C-2-15, AND 82C-2-21 UTAH CODE ANNOTATED, 1943, RELATING TO THE POWERS AND DUTIES OF THE COMMISSION OF FINANCE TO FIX SALARY SCHEDULES FOR STATE OFFICERS, APPROVE OR DISSAPPROVE REQUESTS FOR PERSONNEL, ESTABLISH MILEAGE SCHEDULES FOR STATE EMPLOYEES, AND EXAMINE REQUISITIONS AND PRE-AUDIT CLAIMS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 68 By Messrs. Reese and Jenkins

AN ACT REPEALING SECTION 57-13-4, LAWS OF UTAH, 1943, AND AMENDING SECTIONS 57-13-5, 57-13-11, AND 57-13-30, LAWS OF UTAH, 1943, RELATING TO THE SUSPENSION OR REVOCATION OF THE OPERATOR'S OR CHAUFFEUR'S LICENSE OF PERSONS CONVICTED OF OFFENSES UNDER THE MOTOR VEHICLE LAWS, was read the first time and referred to the Committee on Revision and Enrolling.

For Utah Legislative Council

S. B. No. 69 By Mr. Fowles

AN ACT AMENDING SECTION 100-3-16, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 97, LAWS OF UTAH, 1949, RELATING TO PROOF OF APPROPRIATION OR PERMANENT CHANGE OF WATER RIGHTS, AND AMENDING SECTION 100-3-17, UTAH CODE ANNOTATED, 1943 RELATING TO CERTIFICATES OF APPROPRIATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 70 By Messrs. Adams, Tippetts, Jenkins, Watson and Elggren

AN ACT AMENDING SECTIONS 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 EXEMPTIONS WITHHOLDING BY CORPORATIONS AND ENACTING NEW SECTIONS TO BE KNOWN AS 80-14-10.10 AND 80-14-10.20, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Day the Senate resolved itself into a Committee of the Whole to hear Richard W. Clayton, student body president of the University of Utah, extend an invitation to the Senate to attend its Junior Prom at the State Capitol, on Friday, February 2, 1951

The Committee of the Whole was dissolved.

On motion of Senator Reese, the Secretary was directed to send flowers and a letter to J. M. Mortensen, Senate employee, extending the well wishes of the members of the Senate for his speedy recovery.

CONSIDERATION OF BILLS ON THIRD READING

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

On motion of Senator Milliman, *S. B. No. 11* was made a Special Order of Business for Monday, January 22, 1951 at 3:00 P.M.

S. B. No. 2 was read the third time and placed on its final passage.

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

Page 3, line 19, following the word "sets" delete the words "for the use of the members of the Legislature of the State of Utah during the time said Legislature is in session" and insert in lieu thereof, "one of which he shall furnish without cost to each legislator of each subsequent Legislature".

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Hopkin.

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

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 13 was read the second time.

Committee report read and adopted.

S. 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Brockbank and Watson.

SPECIAL ORDER

S. B. No. 15, being a special order of business, was before the Senate.

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

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Brockbank.

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

On motion of Senator Day the Senate adjourned until Friday, January 19, 1951 at 10.00 A.M.

TWELFTH DAY

MORNING SESSION

January 19, 1951

The Senate was called to order at 10:00 A.M. President Fowles in the chair.

Roll Call—All Senators present except Senators Brockbank and Adams, excused.

Prayer by the Chaplain.

January 19, 1951

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the eleventh day and find it correct with minor amendments noted on the final copy.

Respectfully,

A. I. TIPPETTS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 18, 1951

Mr President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. J. R. No. 1*, by Committee on Contingent Expenses, entitled, "A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TWENTY-NINTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH.", and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

January 18, 1951

Mr President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 4*, by Mr. Lundell, entitled, "AN ACT AMENDING SECTIONS 8, 9, AND 10, CHAPTER 17, LAWS OF UTAH 1945, RELATING TO CEMETERY MAINTENANCE DISTRICTS AND PROVIDING FOR METHOD OF APPOINTING AND ELECTING CEMETERY MAINTENANCE DISTRICT COMMISSIONERS.", and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

January 18, 1951

Mr President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 3*, by Mr. Albert J. Cope, entitled, "AN ACT AMENDING SECTION 19-20-5, UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF COUNTY SURVEYOR.", and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,

Communication filed. Chief Clerk

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

INTRODUCTION OF BILLS

S. B. No. 71 By Messrs. Day, Paxton, Muir, Gibson and Ashton

AN ACT AMENDING SECTION 80-15-4, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 93, LAWS OF UTAH, 1943, RELATING TO THE IMPOSITION OF A TAX UPON CERTAIN SALES AND SERVICES AND PROVIDING, IN ADDITION TO CERTAIN EXEMPTIONS THEREIN, FOR AN EXEMPTION OF SALES OF PRESCRIPTION DRUGS AND CERTAIN FOOD PRODUCTS FOR HUMAN CONSUMPTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 72 By Messrs. Day, Paxton, Muir, Gibson and Ashton

AN ACT TO INCREASE THE PERSONAL EXEMPTION AND EXEMPTIONS FOR DEPENDENTS OR CREDITS AGAINST NET INCOME FOR INCOME TAX PURPOSES, AND TO PROVIDE THAT ANY INCOME TAX RETURN REQUIRED TO BE MADE UNDER OATH MAY IN LIEU THEREOF, BE SIGNED BY THE TAXPAYER UNDER A WRITTEN DECLARATION THAT IT IS MADE UNDER PENALTY OF PERJURY, AMENDING SECTIONS 80-14-7, 80-14-16, 80-14-46 AND 80-14-52, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 117, LAWS OF UTAH, 1947, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 73 By Messrs. Day, Larsen, Reese and Elggren

AN ACT RELATING TO UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT AND PROVIDING FOR RECIPROCAL ENFORCEMENT OF DUTIES OF SUPPORT UNDER COURT ORDERS, DECREES AND JUDGMENTS, PROVIDING FOR WARRANT OF ARREST AND ORDERS AND POWERS OF COURTS OF THIS STATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 74 By Messrs. Muir, Paxton, Jenkins and Tippetts

AN ACT AMENDING SECTION 57-3a-43, UTAH CODE ANNOTATED, 1943, RELATING TO REGISTRATION PLATES AND AUTHORITY OF THE STATE TAX COMMISSION TO ISSUE, ADOPT AND REQUIRE THE USE OF SUCH INDICIA OF REGISTRATION AS IT MAY DEEM ADVISABLE IN LIEU OF OR IN CONJUNCTION WITH REGISTRATION PLATES, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Marthakis the Senate recessed until 10:30 A.M.

The Senate re-assembled.

On motion of Senator Marthakis the Senate recessed to meet with the House as a Joint Committee of the Whole to hear the report of the Utah Legislative Council.

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

On motion of Senator Day, the members of the Senate and House of Representatives extended a vote of appreciation to the Utah Legislative Council for the comprehensive report presented and the commendable work accomplished by the Council during the past two years.

On motion of Senator Hopkin the Joint Committee of the Whole recessed until 2:00 P.M.

AFTERNOON SESSION

The Joint Committee of the Whole re-assembled.

President Fowles introduced Major Alexander P. Seversky, who spoke on "National Defense".

On motion of Senator Day a vote of appreciation was extended to Major Seversky.

The Joint Committee of the Whole was dissolved.

The Senate reassembled at 3:15 P.M. with all Senators present except Senator Brockbank, excused.

COMMUNICATIONS FROM THE HOUSE

January 19, 1951

Mr. President:

I am directed 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. Day and Marthakis, entitled, "A CONCURRENT RESOLUTION OF CONDOLENCE TO THE FAMILY OF LYNN ORSER," and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

REPORTS OF STANDING COMMITTEES

January 19, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 1*, by Committee on Contingent Expenses, entitled:

A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TWENTY-NINTH SESSION OF THE 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,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 19, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 56*, by Messrs. Burns, Muir and Milliman, with a few minor changes assented to by the authors, including the following revision of the title: AN ACT AMENDING SECTION 7 OF CHAPTER 89, LAWS OF UTAH 1947, RELATING TO AID TO THE BLIND AND PROVIDING THAT IN-

COME UP TO $50.00 PER MONTH SHALL BE DISREGARDED IN THE DETERMINATION OF NEED, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 56 was ordered printed and referred to the Committee on Welfare.

January 19, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 47*, by Messrs. Larsen, Ashton, Burns, Muir, Paxton, Beal, Milliman, Tippetts, Hopkin, Reese and Adams, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 47 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 19, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 29*, by Messrs. Burns, Milliman, Tippetts and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 19, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 49 was ordered printed and referred to the Committee on Public Institutions.

January 19, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 19, 1951

Mr. President:

Your Committtee on Revision and Enrolling reports back *S. B. No. 36*, by Messrs. Cannon, Watson, Day and Gibson, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AUTHORIZING THE SUPREME COURT TO SUPERVISE THE VARIOUS COURTS OF THIS STATE, ASSIGN TEMPORARILY JUDGES FROM ONE DISTRICT, CITY OR PRECINCT TO ANOTHER, ASSIGN CITY COURT JUDGES TO THE DISTRICT COURTS TEMPORARILY WHEN NECESSARY AND APPOINT NOT TO EXCEED TWO ADDITIONAL JUSTICES OF THE SUPREME COURT FOR A TEMPORARY PERIOD WHEN NECESSARY; ALSO PROVIDING FOR THE APPOINTMENT OF AN ADMINISTRATOR FOR THE COURTS OF THE STATE OF UTAH TO ACT UNDER THE SUPERVISION OF THE SUPREME COURT AND FIXING HIS POWERS AND DUTIES, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

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

January 19, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 43*, by Messrs. Larsen, Watson, Adams, Clegg, Marthakis, Elggren, Burns, Fowles and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 19, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 45*, by Messrs. Cannon, Day and Marthakis, with a few minor changes assented to by the authors, including the following revision of the title:

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, AS AMENDED BY CHAPTER 27, LAWS OF UTAH 1949, RELATING TO COMPENSATION OF COURT REPORTERS AND PROVIDING THAT SUCH COMPENSATION SHALL BE DETERMINED BY THE GOVERNOR WITHIN DESIGNATED LIMITATIONS, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

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

January 19, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 46*, by Messrs. Day, Cannon and Marthakis, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 21-0-4, UTAH CODE ANNOTATED 1943, RELATING TO THE COMPENSATION OF COURT REPORTERS FOR FURNISHING TRANSCRIPTS, AND PROVIDING FOR AN INCREASE IN SAID COMPENSATION, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 46 was ordered printed and referred to the Committee on Judiciary.

January 19, 1951

Mr. President:

Your Committee on Judiciary to which was referred *S. B. No. 19*, by Messrs. Clegg, Cannon, Jenkins, Day and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

January 19, 1951

Mr. President:

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

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

January 19, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 30*, by Messrs. Cannon, Watson, Day, Gibson and Adams, 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 19, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 31*, by Messrs. Cannon, Burns, Thorn, Day, Adams, Clegg and Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

PRESENTATION OF RESOLUTIONS

S. J. R. No. 2 By Messrs. Larsen and Hopkin

A JOINT RESOLUTION MEMORIALIZING CONGRESS TO CALL A CONVENTION FOR THE PURPOSE OF CONSIDERING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATIVE TO TAXES ON INCOME, INHERITANCES AND GIFTS, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 75 By Messrs. Jenkins, Jensen, Milliman, Clegg, Tippetts, Muir, Elggren, Burns, Day and Marthakis

AN ACT AMENDING SECTIONS 75-12-5 AND 75-12-8 UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 80 LAWS OF UTAH 1947 TO FIX THE COST OF THE UNIFORM MINIMUM SCHOOL PROGRAM FOR ELEMENTARY SCHOOLS, INCLUDING KINDERGARTEN, AND HIGH SCHOOLS AT $3800 FOR EACH CLASSROOM UNIT, PLUS AN ADDITIONAL AMOUNT FOR TRANSPORTATION OF PUPILS IN THE SUM OF $1,000,000, AND AN ADDITIONAL AMOUNT EQUAL TO ONE-HALF THE BUDGET OF THE STATE BOARD OF EDUCATION AS PROVIDED FOR THE BIENNIUM BY THE LEGISLATURE AND ALTERING THE STATUTORY LIMITS ON THE AMOUNT OF TAXES ON TANGIBLE PROPERTY FOR SCHOOL PROGRAMS ABOVE THE UNIFORM MINIMUM LOCAL LEVY AUTHORIZED BY LAW, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 76 By Mr. Watson

AN ACT AMENDING SECTION 28-3-1, UTAH CODE ANNOTATED, 1943, RELATING TO FEES TO BE CHARGED BY JUSTICES OF PEACE, was read the first time and referred to the Committee on revision and Enrolling.

S. B. No. 77 By Mr. Day

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

President Fowles recognized the presence of the county officials from Morgan County.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 13 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 9, following the word "taken" add the following words "to a district court".

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

Page 1, line 6, insert the word "documentary" before the word "evidence".

Page 1, line 9, following the word "or" insert "documentary".

Page 7, line 15, stike the word "or" after the word "title" and insert in lieu thereof "to".

S. B. No. 13 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Milliman and Thorn.

S. B. No. 13 was transmitted to the House.

On motion of Senator Marthakis the Secretary was instructed to send a letter of appreciation to the editor of the Salt Lake Telegram thanking him for his comments with reference to the work of the Senate appearing in the Salt Lake Telegram, January 18, 1951.

On motion of Senator Day the Senate adjourned until Monday, January 22, 1951 at 2:00 P. M.

FIFTEENTH DAY

January 22, 1951

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

Roll Call—All Senators present except Senators Brockbank and Burns, excused.

Prayer by the Chaplain.

January 22, 1951

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the twelfth day and find it correct with minor amendments noted on the final copy.

Respectfully,

A. I. TIPPETTS,
Chairman

Report adopted and filed.

The President appointed Senators Adams, Clegg and Thorn to revise the Journal for the week commencing January 22, 1951.

COMMUNICATIONS FROM THE GOVERNOR

January 19, 1951

Dear Mr. President and
Members of the Senate:

I am transmitting herewith two copies each of four sub-committee reports that were made by the Investigating Committee I named to study Fish and Game problems here in the State of Utah. I respectfully suggest that these reports be referred to the appropriate committee for its information and guidance.

The committee that I named has not completed its final report. As soon as I receive additional information I shall transmit it to you. The Committee has made a thorough study of a number of complaints that were registered at my office during the course of two years.

They have arrived at numerous, worthwhile recommendations which I commend to you for careful study.

Respectfully,

J. BRACKEN LEE,
Governor

Communication referred to the Committee on Fish and Game.

January 19, 1951

Dear Mr. President and
Members of the Senate:

I am transmitting herewith a copy of the proposed Western Regional Higher Education compact which I referred to in my opening message to the Legislature.

I suggest that the compact be referred to the appropriate committee for necessary study and action.

As I stated in my message to the Legislature, I believe such a compact is very much worthwhile and deserves the favorable action of the Legislature.

Respectfully,

J. BRACKEN LEE,
Governor

Communication referred to the Committee on Education.

January 19, 1951

Dear Mr. President and
Members of the Senate:

I am transmitting herewith two copies of a letter I have received from Dillard M. Lasseter, Administrator of the Farmers Home Administration of the U. S. Department of Agriculture, concerning the now defunct Utah Rural Rehabilitation Corporation.

You will note that there are assets of approximately a value of $574,072.54 being held in Washington, by the Secretary of Agriculture, which are to be liquidated as soon as possible.

Also attached are two copies of a letter I have received from Karl J. Magleby, State Director of the Farmers Home Administration of the U. S. Department of Agriculture, with reference to this same matter. Attached to his letter is a suggested bill providing for the return of, and future administration of, the assets of the Utah Rural Rehabilitation Corporation.

I am forwarding these to you to be referred to the appropriate committee for study and the necessary action.

Respectfully,

J. BRACKEN LEE,
Governor

Communication referred to the Committee on Agriculture and Irrigation.

January 22, 1951

Dear Mr. President and
Members of the Senate:

I am directing your attention to the necessity of clarifying our statutes pertaining to the State Insurance Fund, and of making adequate provision to refund excess earnings to the holders of State Insurance Fund policies covering industrial accidents and occupational diseases.

Section 42-2-10, Utah Code Annotated, 1943, the present statute governing this fund, provides a method for distributing excess earnings to the assureds, but the method is cumbersome and inequitable, the result being that for many years no attempts have been made to distribute this surplus. The surplus, as of June 30, 1950, totaled $4,001,072.26, including the excess earnings of the past fiscal year of $147,323.47.

It should be observed that excess earnings are over and above what are considered adequate reserves for presently filed claims and contingencies. The reserve for presently filed claims amounts to $2,195,966.94, and the reserve for contingencies is $1,138,737.39, making a combined reserve of $3,334,704.33.

It appears obvious to me that the accumulation of excess earnings over and above the necessary reserves is both improper and unjustified. Other insurance companies refund their surplus to policy holders, and I believe the State should do the same.

Accordingly, I am transmitting herewith a proposed amendment to existing statutes which will permit the returning to the policy holders of any earnings over and above the actual claim payments and the proper reserve necessary to maintain the stability of the fund. The amendment is retroactive so as to premit the return of the $147,323.47 excess earnings accumulated in the fiscal year ending June 30, 1950. For various reasons, it is not feasible to attempt to carry the refund further back.

Passage of this legislation will make it possible for the State, in future years, to return to policy holders annually their pro rata share of excess earnings. I recommend that you give favorable consideration to the measure.

Respectfully,

J. BRACKEN LEE,
Governor

Communication referred to committee on Banking and Commerce.

January 22, 1951

Dear Mr. President:

Tuesday afternoon, January 23, from two until five p.m. there will be a public tea at the Governor's Mansion, sponsored by the women of the Lions Clubs.

The program for this occasion is to be an unusually fine one. The sponsors and Mrs. Lee cordially invite the wives of any of the legislators who would like to attend.

Respectfully,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

January 19, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 13*, by Messrs. White and Swenson, entitled,

"AN ACT AMENDING SECTION 15-6-30, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE APPOINTMENT OF CITY RE-

CORDER IN CITIES OF THE THIRD CLASS AND MAKING THE CITY RECORDER EX-OFFICIO THE CITY AUDITOR.", and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 13 was read the first time and referred to the Committee on State and Municipal Affairs.

January 18, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 11*, by Messrs. Peterson, Postma, Luke and Davis, entitled,

"AN ACT AUTHORIZING THE CREATION AND ORGANIZATION OF FIRE PROTECTION DISTRICTS IN ANY COUNTY OR COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICTS, AUTHORIZING THE ACQUISITION OF PROPERTY AND IMPROVEMENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSES FOR WHICH SUCH DISTRICTS ARE CREATED, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING.", and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 11 was read the first time.

January 19, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 10*, by Messrs. White and Swenson, entitled,

"AN ACT AMENDING SECTION 15-6-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 14, LAWS OF UTAH 1949, 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,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

January 19, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 14*, by Messrs. White and Swenson, entitled,

"AN ACT AMENDING SECTION 15-6-3, UTAH CODE ANNOTATED 1943, VESTING THE MUNICIPAL GOVERNMENT IN THIRD CLASS CITIES IN THE MAYOR AND CITY COUNCIL COMPOSED OF FIVE COUNCILMEN.", and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 14 was read the first time and referred to the Committee on State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

January 22, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No 55*, by Messrs. Clegg, Thorn, Burns, Marthakis and Jenkins, with a few minor changes assented by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 55 was ordered printed and referred to the Committee on Public Institutions.

January 22, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 54 was ordered printed and referred to the Committee on Public Institutions.

January 22, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 52*, by Messrs. Day, Adams, Clegg 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 80-10-68.1, UTAH CODE ANNOTATED 1943, PROVIDING THAT THE PURCHASER OF TAX DEED PROPERTY FROM THE COUNTY SHALL HAVE A LIEN AGAINST THE PROPERTY SO PURCHASED FOR THE RECOVERY OF THE PURCHASE PRICE SO PAID AND FOR INTEREST THEREON AND PROVIDING FOR TIME WITHIN WHICH SUCH LIEN MAY BE FORECLOSED, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

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

January 22, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 51*, by Mr. Larsen, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTIONS 85-4-1, 85-4-2, 85-4-3, 85-4-4, 85-4-5, 85-4-8, 85-4-9, 85-4-10, UTAH CODE ANNOTATED 1943, RE-

LATING TO THE ORGANIZATION AND PRESCRIBING THE POWERS AND DUTIES OF THE UTAH STATE FAIR ASSOCIATION, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 51 was ordered printed and referred to the Committee on Public Institutions.

January 22, 1951

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 27* by Mr. Milliman, has carefully considered said bill and reports the same out favorably with the following amendments:

Body, line 9, the word "shall" was changed to the word "may"; line 12, the words "or person" were inserted after the word "institution".

Respectfully,

JAMES E. BURNS,
Chairman

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 78 By Messrs. Reese and Paxton

AN ACT AMENDING SECTION 57-12-1, UTAH CODE ANNOTATED 1943, RELATING TO DEFINITIONS AS USED IN THE MOTOR FUELS TAX LAW; EXCEPTING PROPANE AND BUTANE FROM THE DEFINITION OF "MOTOR FUELS" AS THEREIN USED; AND REDEFINING THE TERMS "DISTRIBUTOR" AND "RETAIL DEALER", was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 79 By Mrs. Jensen and Messrs. Watson, Adams, Elggren, Gibson, Tippetts, Clegg, Larsen, Marthakis, Jenkins, Milliman and Ashton

AN ACT PROVIDING FOR THE CONSERVATION OF OIL AND GAS IN THE STATE OF UTAH; CREATING THE UTAH OIL AND GAS CONSERVATION COMMISSION AND GRANTING CERTAIN POWERS TO THAT COMMISSION FOR THE PURPOSE OF EFFECTUATING CONSERVATION OF OIL AND GAS WITHIN THIS STATE, INCLUDING THE POWER TO ESTABLISH AND REGULATE

THE DEVELOPMENT AND OPERATION OF DRAINAGE UNITS FOR OIL AND GAS POOLS; FOR THE ESTABLISHMENT OF FEES TO PAY THE COST OF OPERATION OF SUCH COMMISSION; PROVIDING A METHOD FOR JUDICIAL REVIEW OF ACTS OF THE COMMISSION; PROVIDING FOR A SECRETARY TO THE COMMISSION AND PRESCRIBING HIS POWERS AND DUTIES, AND PROVIDING CERTAIN PENALTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 80 By Messrs. Day, Fowles and Milliman

AN ACT AMENDING SECTIONS 57-4-3, 57-4-6, 57-4-7, 57-4-8, 57-4-9, 57-4-12, 57-4-16 AND 57-4-17, UTAH CODE ANNOTATED 1943; AND AMENDING SECTION 57-4-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1943; AND AMENDING SECTION 57-4-19, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1943; AND AMENDING SECTION 57-4-21, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1949; RELATING TO THE LICENSING OF MOTOR VEHICLE OPERATORS AND CHAUFFEURS; PROVIDING FOR LIMITATION IN ISSUANCE, USE, EXPIRATION, SUSPENSION AND REVOCATION OF LICENSES; CHANGING THE FEES FOR LICENSES; AND AUTHORIZING A REPORT FROM THE JUVENILE COURT REGARDING THE REVOCATION OF CERTAIN LICENSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 81 By Messrs. Day and Muir

AN ACT ASSENTING TO THE PROVISIONS OF THE ACT OF CONGRESS ENTITLED "AN ACT TO PROVIDE THAT THE UNITED STATES SHALL AID THE STATES IN FISH RESTORATION AND MANAGEMENT PROJECTS, AND FOR OTHER PURPOSES," APPROVED AUGUST 9, 1950, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 82 By Messrs. Paxton and Day

AN ACT AMENDING SECTION 30-0-11 UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH, 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH, 1947, RELATING TO FISH AND GAME FUND, PRESCRIBING MANNER OF WITHDRAWING FUNDS FOR EXPENDITURES BY STATE FISH AND GAME DEPARTMENT, AND AUTHORIZING STATE DEPARTMENT OF FISH AND GAME TO TAKE TITLE TO REAL ESTATE IN NAME OF STATE DEPARTMENT OF FISH AND GAME WHEN SUCH REAL ESTATE IS PURCHASED FROM FISH AND GAME FUNDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 83 By Messrs. Hopkin, Marthakis and Fowles

AN ACT MAKING AN APPROPRIATION TO THE STATE COUNCIL OF DEFENSE, APPOINTED BY THE GOVERNOR ON JULY 25, 1950, PURSUANT TO THE PROVISIONS OF CHAPTER 5, TITLE 82C, UTAH CODE ANNOTATED, 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 84 By Messrs. Hopkin, Marthakis and Fowles

AN ACT CREATING STATE AND LOCAL COUNCILS OF DEFENSE AND DISASTER; AUTHORIZING THE GOVERNOR TO DECLARE AN EMERGENCY; PRESCRIBING THE POWERS, RIGHTS, AND DUTIES OF THE GOVERNOR, THE STATE COUNCIL OF DEFENSE AND DISASTER, AND LOCAL COUNCILS OF DEFENSE AND DISASTER HEREUNDER; ALLOWING THE TAKING OF PUBLIC AND PRIVATE PROPERTY DURING AN EMERGENCY; PERMITTING THE STATE AND LOCAL COUNCILS TO COOPERATE WITH AND ENTER INTO MUTUAL AID COMPACTS WITH THE FEDERAL DEFENSE ADMINISTRATOR AND DEFENSE COUNCILS OF OTHER STATES; CONSENTING TO THE ACCEPTANCE OF PROPERTY OFFERED FOR CIVIL DEFENSE OR DISASTER PURPOSES; GRANTING IMMUNITY TO CIVIL DEFENSE WORKERS; PROVIDING FOR AN APPROPRIATION; AND REPEALING CHAPTER 5, TITLE 82C, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 85 By Messrs. Thorn and Watson

AN ACT TO AMEND SECTION 79-1-38 UTAH CODE ANNOTATED, 1943, RELATING TO UNAUTHORIZED PRACTICE OR BUSINESS, BY ADDING REQUIREMENT THAT NO PLANS, DRAWINGS OR SPECIFICATIONS SHALL BE FILED, ACCEPTED OR APPROVED UNLESS STAMPED WITH OFFICIAL SEAL OF INDIVIDUAL AUTHORIZED BY LAW TO EXECUTE THE SAME, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 86 By Messrs. Thorn and Watson

AN ACT TO AMEND SECTION 79-3-6 OF THE UTAH CODE ANNOTATED, 1943, RELATING TO THE DEFINITION OF THE PRACTICE OF ARCHITECTURE, MODIFYING THE EXEMPTIONS THEREFROM BY DELETING THE MONETARY LIMITATION ON SIZE OF HOUSES, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

January 21, 1951

Mr. President:

I am directed 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. 1* by Committee on Contingent Expenses, entitled, "A JOINT RESOLUTION FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TWENTY-NINTH SESSION OF THE LEGISLATURE OF THE STATE OF UTAH." and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

On motion of Senator Marthakis, the Senate voted to accept the invitation of the Daughters of Utah Pioneers to be their guests at a luncheon in the Pioneer Museum on Tuesday, January 23, 1951.

On motion of Senator Marthakis the Senate voted to meet with the House in joint session to hear a report by representatives of the Utah State School Boards Association and the Board of Education of Salt Lake City.

A resolution which was passed and adopted by the Salt Lake City Kiwanis Club concerning the disposing of the old prison site at Sugarhouse was read and referred to Committee on Education.

A letter from Mr. Minor W. Bailey regarding our national defense was read and referred to Committee on Military Affairs.

On motion of Senator Milliman the Senate voted to accept the invitation of the Commanding Officer of the Tooele Ordnance Depot to visit its installations on Tuesday, January 30, 1951.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 19 was read the second time.

Committee report read and adopted.

S. B. No. 19 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 Ashton, Beal, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson, and Mr. President.

Absent and not voting: Senators Adams, Brockbank and Burns.

S. B. No. 28 was read the second time.

Committee report read and adopted.

On motion of Senator Milliman *S. B. No. 28* was made a special order of business for January 24, 1951 at 3:00 P. M.

SPECIAL ORDER

S. B. No. 11, being a special order of business, was before the Senate.

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

Page 1, line 2, delete "57-4-13, and".

Page 1, line 12, delete the word "five" and insert in lieu thereof "on the birthday of the applicant in the fifth year following year of issuance of the license."

Page 1, line 13, delete the words "years from date of issuance."

Page 2, delete lines 14 to 24, both inclusive.

Page 3, line 2, insert a period after the last word.

Page 3, line 3, delete the words "or otherwise revoked as provided by law."

Page 3, delete lines 4 to 12 inclusive, and insert in lieu thereof:

"(b) Any time within three months before its expiration, an operator's or chauffeur's license may be extended ( ) five years or until revoked, by applying in person, by mail, or by agent, on a department form accompanied by a fee of ( ) one dollar and all of a specified part of the license certificate for voiding or surrendering. Upon extending the privilege, the department shall issue a new license certificate which shall be issued without examination except when it appears that the applicant has been convicted of three or more moving traffic violations within 18 months preceeding the date of application. Original licenses may be renewed without probation, and such license issued in accordance with section 8 may be renewed without examination at the discretion of the department. Chauffeur's licenses may be renewed as operator's licenses."

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

Line 3, delete "SECTION 57-4-13, AND".

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

Page 1, line 2, delete the semi-colon and insert a comma in lieu thereof.

Page 1, line 3, delete the semi-colon and insert a comma in lieu thereof.

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

Line 2, delete the semi-colon and insert a comma in lieu thereof.

Line 4, delete the semi-colon and insert a comma in lieu thereof.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Burns.

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

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 30 was read the second time.

Committee report read and adopted.

S. B. No. 30 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 Adams, Ashton, Beal, Cannon, Clegg, Day, Elggren, Jenkins, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Burns, Gibson, Hopkin and Jensen.

S. B. No. 31 was read the second time.

Committee report read and adopted.

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

Line 4, strike the figure "$3" and insert the figure "$6".

S. B. No. 31 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 Adams, Ashton, Beal, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Burns and Milliman.

On motion of Senator Milliman the Senate adjourned.

SIXTEENTH DAY

January 23, 1951

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

Roll Call– All Senators present except Senator Brockbank, excused.

Prayer by the Chaplain.

January 23, 1951

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the fifteenth day and find it correct with minor amendments noted on the final copy.

Respectfully,

DONALD T. ADAMS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

January 22, 1951

Dear Mr. President and
Members of the Senate:

I am transmitting herewith four copies of a report that has been made by a Committee I named to:

(a) consider the re-organization of the structure and function of the parole authority in the State of Utah, and,

(b) prepare and submit such recommendations as may be necessary for the needed changes in the law.

The necessary bills to provide the changes in legislation which have been recommended are also enclosed. An appropriation of $20,000 has been requested to make this plan operative during the coming biennium.

This committee has made a most thorough study of this problem and has reached certain conclusions which I sincerely believe are in the best interests of the State.

I recommend, therefore, that you give serious consideration to the enactment of both of the measures that have been recommended.

Respectfully,

J. BRACKEN LEE,
Governor

Communication referred to the Committee on State and Municipal Affairs.

COMMUNICATIONS FROM THE HOUSE

January 21, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 33*, by Messrs. Howe, Bushnell, Davis and Sheffield, entitled, "AN ACT AMENDING SECTION 28-5-4, UTAH CODE ANNOTATED 1943, RELATING TO WITNESS FEES AND MILEAGE.", and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 33 was read the first time and referred to the Committee on Judiciary.

January 21, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 25*, by Messrs. Howe, Davis, Sheffield, Bushnell and Sagers, entitled, "AN ACT AMENDING SECTION 6-0-12, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION TO BE KNOWN AS 6-0-12.5, TO EXTEND THE AUTHORITY OF THE BOARD OF COMMISSIONERS OF THE UTAH STATE BAR TO INVESTIGATE AND MAKE RECOMMENDATIONS CONCERNING COMPLAINTS AGAINST ATTORNEYS INCLUDING THOSE HOLDING JUDICIAL OFFICE.", and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 25 was read the first time and referred to the Committee on Judiciary.

The Senate voted to accept the invitation of the Utah State Symphony to be its guests at a concert to be held Wednesday, January 24, 1951 at 8:30 P.M. in the Salt Lake Tabernacle.

REPORTS OF STANDING COMMITTEES

January 22, 1951

Mr. President:

Your Committee on Military Affairs, to which was referred *S. C. R. No. 2*, by Messrs. Paxton and Hopkin, has carefully considered said bill and reports the same out without recommendations, with the following amendment:

Title, line 4, page 1, after the word "BIPARTISAN" delete the word "FOREIGN".

Respectfully,

FRED J. MILLIMAN,
Chairman

Report filed.

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

January 23, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 38*, by Messrs. Milliman and Cannon, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 23, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 22*, by Messrs. Marthakis, Clegg, Thorn, Day, Paxton and Ashton, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 23, 1951

Mr. President:

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

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 87 By Messrs. Fowles and Jenkins

AN ACT AMENDING SECTION 20, CHAPTER 17, LAWS OF UTAH 1945, RELATING TO CEMETERY MAINTENANCE DISTRICTS AND PROVIDING FOR THE LEVY OF TAXES BY THE CEMETERY BOARDS THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 88 By Committee on Rules and Contingent Expenses

AN ACT MAKING AN APPROPRIATION TO THE TWENTY-NINTH LEGISLATURE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 89 By Committee on Rules and Contingent Expenses

AN ACT MAKING AN APPROPRIATION TO THE TWENTY-NINTH LEGISLATURE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 90 By Messrs. Jenkins, Reese, and Muir

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. 91 By Mr. Muir

AN ACT AMENDING CHAPTER 20-5a, PARAGRAPHS 1, 4 and 10, UTAH CODE ANNOTATED 1943 RELATING TO SMALL CLAIMS COURTS, AND PROVIDING THAT JURISDICTION BE EXTENDED TO CASES WHERE AMOUNT CLAIMED DOES NOT EXCEED ONE HUNDRED DOLLARS ($100.00); THAT DEFENDANT BE GIVEN THIRTY DAYS TO APPEAR; AND THAT PLAINTIFF IN CASE OF JUDGMENT AGAINST HIM IN COUNTERCLAIM HAVE FIVE DAYS IN WHICH TO APPEAL, was read the first time and referred to the Committee on Revision and Enrolling.

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.

President Fowles appointed a joint committee consisting of Senators Paxton, Thorn and Elggren and Representatives Taylor, Jarman and Thurston 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 Fowles.

The Governor then delivered the following message:

Governor's Budget Message

LADIES AND GENTLEMEN OF THE LEGISLATURE:

One of the major problems of any Legislative session is to divide State revenues equitably by way of appropriations among the various departments and institutions of government. I assure you that I have approached this problem fully aware of its magnitude and importance. The conclusions I have reached may not meet with universal approval, but I am submitting them as recommendations in the sincere belief that they are in the best interests of the people and the general welfare.

The experience of two years has implanted in me more firmly than ever before the philosophies and principles of governmental operation that I brought to the attention of the last Legislature. The present State administration has demonstrated successfully that efficiency and economy can be accomplished without curtailing in the slightest any essential services. Furthermore, it has been shown beyond a shadow of a doubt that it is possible for your goverment to live comfortably within its income. These achievements are a matter of record, but they mean little to the stockholders in government—meaning the taxpayers —unless we can provide them with proof in some tangible form.

But we have made it a practice of long standing to neglect and abuse our taxpayers. We neglect them when revenues are high and expenditures low by finding ways and means of spending surpluses without refunding the money to the rightful owners. Similarly, we abuse them when revenues are low and expenditures high by collecting more and more taxes without reducing non-essential spending. I submit that it is high time for us to give our taxpayers the attention and consideration they deserve.

First of all, we must remember there are several factors which limit the ability of our people to keep paying high taxes.

We are in an era of inflation in which the costs of almost every article of living have greatly increased. Federal taxes, already at a high level, are certain to be raised even higher. The combination of these and other factors has the inevitable result of placing an increasingly heavy burden on the taxpayers. Here on the State level of government, there is little we can do to relieve the general situation, since most of these factors are beyond our control. But it certainly is incumbent upon us to do whatever we can, no matter how insignificant it may appear, to lighten the taxpayers' burden.

Last week I transmitted to you specific recommendations for a $2,600,000 tax reduction which, if enacted, will provide tax relief to every citizen in the State, particularly those in the low income brackets. I also repeated my original recommendations that you make tax reduction your first order of business, then fit appropriations to expected revenues. The latter procedure may be unusual in government, but it is the same wise policy we practice in our homes, businesses, and organizations; and what is wise at this level of society certainly is just as wise at the State level. We cannot and must not appropriate more funds than we have expected revenues.

APPROPRIATION REQUESTS

Each biennium, as you know, the various departments and institutions of government submit appropriation requests for the ensuing biennium. Two years ago, these requests reached the astronomical heights of over $81,000,000—an increase of almost 60% over the previous biennium's appropriations. Obviously this figure was so far out of reasonable proportions that it was necessary for me to recommend some rather drastic reductions. Despite my recommendations, however, an appropriations bill was enacted which provided more expenditures than there were expected revenues. Confronted with this dilemma, I was compelled to veto certain item appropriations so as to assure a balanced budget.

GENERAL FUND SURPLUS

Since 1949, the increase in defense spending, coupled with the vetoes I made and the economies we have achieved, have enabled the State to compile a surplus in the general fund which we estimate will be $3,400,000 at the close of the present biennium. As I indicated in my opening message, some groups are anxious to spend this money, but I would prefer returning a substantial part of it to the taxpayers. This can be accomplished by reducing income taxes as I have recommended and transfering a compen-

sating amount from the general fund surplus to the Uniform School Fund. This transfer will be necessary because all income tax revenues are earmarked for the support of the Uniform School Fund. The transfer, however, will obviate the possibility of requiring an increase in property taxes to support this fund.

CURRENT REQUESTS

Appropriation requests made for the coming biennium stand at approximately $61,900,000. This is a tremendous improvement over the requests made two years ago, but to my mind, the amount still is unreasonable and unrealistic when considered in light of our ability to pay. It was necessary, therefore, for me to make certain reductions and deletions of requests amounting to about $12,600,000 so as to bring the total into proper balance. In so doing, I have given consideration to the taxpayers, the needs of the people, and the solvency of the State. All three of these factors must be considered in order to keep a proper perspective of government and to arrive at reasonable conclusions. The reductions I have recommended, if properly applied, need not cause the curtailment of any essential departmental or institutional service. The reductions will, however, bring appropriations within the estimated income of the State, provide for a sufficient reserve to meet extraordinary expenditures, and permit the tax reductions I have previously recommended.

GENERAL FUND REQUESTS

The unfortunate but growing practice of earmarking revenues for certain specific purposes places an increasingly heavy burden on the State's general fund. Earmarking has reduced the amount of money which accrues to this fund, even though all of the general functions of government, plus the institutions for higher learning, must receive their support from this source. During the coming biennium, it is estimated that monies credited to the general fund, together with the surplus, will total only $15,058,000. Appropriation requests from this overworked fund, however, stand at $25,248,000, of which some $14,880,000 has been requested by the vocational schools, colleges and university, and only $10,368,000 by the remaining departments of government. Obviously it was necessary for me to reduce these requests rather severely. Were it not for earmarking, which restricts the amount of money available to the general fund, the reductions could have been spread more equitably among other departments and institutions. As it is, it was necessary to make practically all of the reductions from the departments and institutions supported by the general fund.

HIGHER EDUCATION

Requests made by the vocational schools, colleges, and university, as I have previously indicated, are so large that, if granted, they would virtually exhaust the general fund and leave almost nothing for the rest of government. The recent history of appropriations made for the colleges and university presents an interesting study as to the rapidity with which these amounts have grown. Commencing with the 1913-15 biennium, the appropriations for these institutions have increased as follows:

1913-15	$3,718,141.27
1915-17	$5,358,631.26
1917-19	$8,169,111.20
1949-51	$9,937,100.00 (after vetoes)

This represents a tremendous increase in the expenditures for higher education. It is true that enrollment also has increased, but it must be remembered that tuition and other dedicated credits have increased proportionately. The present national emergency is bound to reverse the enrollment trend, if its effects haven't done so already. This would seem to require a corresponding decrease in the appropriation requests made by these institutions, but none of them has so indicated. Their requests, in fact, total $13,986,000, which is about 40% greater than their effective appropriations (appropriations less vetoes) for last biennium.

It is obvious, I believe, that it will be impossible to grant the requested appropriations these institutions have made if we are to preserve any general fund revenues for the operations of the other functions of government. Consequently I have been compelled to recommend that appropriations for the colleges and university be reduced to $9,520,000. You will note this represents a slight reduction from the effective appropriation of last biennium but, with that single exception, it is much higher than in any previous biennium.

In making appropriations to these institutions, the Legislature should again take notice of the continued practice of underestimating dedicated credits. I brought this matter to your attention two years ago. Since then, our further studies have shown a consistent pattern of under-estimating dedicated credits. For the fiscal year ending June 30, 1950, for example, the actual collections exceeded the estimate by over $1,500,000. In view of this, I believe the Legislature should give consideration to

making lump sum appropriations to each institution, while requiring all their earnings and collections to revert to the general fund.

VOCATIONAL SCHOOLS

The operation of vocational schools continued uninterrupted during the last two years despite the fact that I was compelled to veto the entire appropriation for the Salt Lake Area school. Funds that remained for vocational education included $171,000 appropriated to the Department of Public Instruction and $225,000 appropriated to the Central Utah Vocational school, making a grand total of $396,000. This year I am recommending a reduced appropriation of $100,000 to the Department of Public Instruction for vocational education, and a combined appropriation of $350,000 for the Central Utah and Salt Lake Area Vocational school, making a grand total of $450,000 for vocational education.

I am making the latter recommendation because it appears to me that the two area schools should be coordinated under one board of control in order to better correlate their activities and provide the most beneficial program. The Department of Public Instruction will still be able to supplement the appropriation to either school as the need may arise. It will be noted that appropriations recommended will exceed the effective appropriations of last biennium by $54,000.

DEPARTMENT OF PUBLIC INSTRUCTION

The Department of Public Instruction itself will bear investigation because of the increased costs of its supervisory overhead. A study made by a group of visiting educators showed that the number of supervisory employees has increased from 19 employees in 1910 to 68 in 1950. In some respects, such an increase may be justified, but such increases should always be measured in terms of their need and our ability to pay for them. This department, as well as all others, should receive no more than its equitable share of the revenue available.

INCREASED EMERGENCY RESERVE

Present statutes governing the reserve building fund provide for a quarterly transfer to the reserve building fund of all sales tax revenues in excess of appropriations and a $5,000,000 emergency reserve. In accordance with this statute, it is anticipated that a transfer of about $2,000,000 can be made to this fund on April first of this year, but I am recommending against it. In view of the national emergency and the needs for civil

defense, I recommend that the State utilize this excess revenue by increasing the amount of the emergency reserve from $5,000,000 to $7,000,000. This should be done in lieu of the usual April transfer to the reserve building fund. The Board of Examiners should then be authorized to direct the expenditure of the emergency fund so as to cope with any disaster or emergency that may arise.

BUILDING PROGRAM

The urgent priority needs for defense have virtually eliminated any prospects for a State building program. It is regretable that this situation exists, because there are a number of long-overdue construction projects which the State otherwise could undertake. Under the circumstances, the State should abide by the restrictions and cooperate with the defense effort in every way possible. I strongly recommend that this be done.

CIVIL DEFENSE

It is contemplated that the aforementioned $7,000,000 reserve fund would be available for use in any emergency, including those anticipated in our civil defense plans. Although we have no way of knowing if this fund will be adequate in such cases, it appears to be ample for the present time. Operating and planning funds for civil defense will be provided through regular appropriation. Provision should be made to permit the redistribution of portions of this money to other State agencies operating under the direction of or in connection with the Civil Defense Council. I have reduced the amount requested very slightly, since it appeared that more funds for travel were included than are actually necesary.

HIGHWAY PATROL

I am recommending that the Utah Safety Council and State Bureau of Criminal Identification and Investigation be consolidated with the Highway Patrol. An increased appropriation for the Patrol not only will provide for the operations of the consolidated agencies, but will permit the proposed expansion that has been recommended by the Highway Patrol Superintendent.

The citizens' advisory council to the Utah Safety Council by all means should be retained under this proposal, and some Patrol member should be charged with the responsibilities of the present council director. Safety programs other than traffic,

such as those in industry and agriculture, could be carried on by other appropriate State departments without requiring any increases in their appropriations.

A transfer of responsibility for the drivers' licensing program from the Tax Commission to the Highway Patrol deserves consideration. This would provide a better licensing system in rural areas than is afforded under the present arrangement. I have not included any provision for such transfer in my recommended appropriations for the Patrol. Therefore, in the event it is made, appropriate funds should be made available.

OTHER CONSOLIDATIONS

I have recommended no appropriation for the State Board of Forestry and Fire Control since I believe this function should properly be administered by the State Land Board under their recommended appropriation. There are many other duplications in government involving inspections and enforcement activities, extension service programs, and so forth. If these functions are consolidated in proper departments, I am confident the elimination of duplication would result in substantial savings to the taxpayers. In my opening message, I suggested that the Legislature authorize and direct such consolidations, or grant the Governor the authority to make them by himself.

PUBLIC WELFARE

Substantial increases in appropriations have been recommended for State institutions that are supervised by the Department of Public Welfare. The increases amount to $514,564, which is about 20% more than was appropriated last biennium. The increases will apply to the following institutions: Industrial School, Training School, State Hospital, and Tuberculosis Sanitorium. The increases should enable these institutions to provide much better schooling, treatment, and care than have been available in the past.

My recommendations for general welfare appropriations are identical with the amount appropriated last year. I feel this action is justified despite the higher costs of living, in view of the increased employment opportunities made available because of the defense effort, and the increased benefits being paid to Federal Social Security recipients.

TEACHERS' RETIREMENT FUND

The Legislative Council has compiled a study of State retirement and pension plans, including the relation of the newest of them to present Social Security laws. I discussed this rather fully in my opening message. Now I must direct attention to the State Teachers' Retirement Fund in which the State has fallen behind in its payments by approximately $5,000,000. The statutes governing this fund require the State to provide an appropriation each biennium to match the amounts paid in by the individual teachers. The State's continual neglect of this obligation over the years has created a serious financial problem.

I suggest that the Legislature make a careful study of this matter in connection with the other retirement programs. Particular attention should be given the question as to whether the appropriation of matching funds from the State can properly and legally be made from the general fund. It would seem that this appropriation more logically should be made from the same account from which teacher salaries are paid. This principle is being observed in the case of the Public Employees' Retirement System and the State, therefore, is current with its obligations in this program.

Pending the suggested study, I am making no recommendations for appropriations to the State Teachers' Retirement Fund. I strongly urge, however, that the Legislature provide an immediate solution to this problem since further delay will only increase the complications involved.

WATER AND POWER BOARD

There are several other matters which deserve passing comment. I have made no recommendations for a Water and Power Board revolving fund, in keeping with my opening message to the Legislature. Furthermore, I have reduced the requested appropriation for the operation of this board, inasmuch as I do not feel the State should concentrate on this activity during the present emergency. The appropriation I have recommended should be ample to carry on a minimum program during the next two years.

GOVERNOR'S MANSION

I have recommended an appropriation of $54,936 for the renovation of the Governor's Mansion. The major portion of this amount will be required to repair and recondition the exterior. As I have previously mentioned, such renovation is necesary if the Mansion is to be retained as a suitable home for the Gov-

ernor. I would prefer to see the Legislature turn the Mansion property over to the Board of Health and, in turn, provide the Governor with the necesary funds to lease a smaller and more comfortable home.

CONCLUSION

A budget message at its best is certain to cause disappointment to those individuals and groups whose requests are not realized. It is generally not well received by those who desire special favor at the expense of the general welfare. But to my mind, our primary obligation is not to certain individuals or pressure groups, but rather to the people as a whole, including the heavily-burdened taxpayer.

Because of the emergency, I have recommended that we provide some measure of tax relief to the people and then fit appropriations to expected revenues. This will call for some reduced appropriations, as I have indicated, but it is the very least we can do when the people are being called upon to make all kinds of sacrifices on their own part. Certainly the effort we put into rigid economy is insignificant when compared with the effort and sacrifice our fighting men are makng in Korea. These are not the times for business as usual, taxes as usual, spending as usual, or government as usual. These are times of emergency when the survival of our country and our way of life should be uppermost in our minds.

In submitting this budget, I offer you and your committees the fullest cooperation, not only from myself, but from the various departments and institutions of government as well. I ask in return that you extend your utmost cooperation in preparing our State for emergencies, relieving our people of a portion of their heavy tax burden, and in showing the rest of the nation that the government of the State of Utah is willing to make the same sacrifices that it asks of its people.

The Joint Committee then escorted Governor Lee to his chambers.

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

The Senate re-assembled at 3:20 P.M. with all Senators present except Senator Brockbank, excused.

Senator Marthakis moved that the budget message of His Excellency, Governor J. Bracken Lee be printed in the Journal.

Motion carried.

COMMUNICATIONS FROM THE GOVERNOR

January 22, 1951

Dear Mr. President and
Members of the Senate:

This is to advise that I have approved and transmitted to the Secretary of State, *S. C. R. No. 1*, by Messrs. Day and Marthakis, entitled:

A CONCURRENT RESOLUTION OF CONDOLENCE TO THE FAMILY OF LYNN ORSER.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 3 By Messrs. Cannon, Ashton, Thorn and Gibson

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH AUTHORIZING THE LEGISLATIVE COUNCIL AND THE STATE BOARD OF HEALTH TO FORMULATE AN APPROPRIATE CODE OF HEALTH LAWS FOR THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 92 By Mr. Day

AN ACT AMENDING SECTIONS 30-0-12 AND 30-0-13, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, RELATING TO LICENSES FOR FISHING AND HUNTING AND LICENSE FOR TRAPPING FUR BEARERS; 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; SECTION 30-0-25, UTAH CODE ANNOTATED 1943, RELATING TO LICENSE AGENTS, PRESCRIBING THEIR DUTIES AND FIXING THEIR COMPENSATION; AND REPEALING SECTION 30-0-22, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 30-0-14, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947; SECTION 30-0-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947; AND SECTION 30-0-16, UTAH CODE ANNOTATED

1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 93 By Messrs. Marthakis, Muir, Fowles, Watson and Mrs. Jensen

AN ACT AMENDING SECTION 2 OF CHAPTER 88, LAWS OF UTAH 1945, RELATING TO PENSIONS FOR POLICEMEN OF CITIES OF THE FIRST AND SECOND CLASS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 94 By Mr. Gibson

AN ACT AMENDING SECTION 102-11-25, UTAH CODE ANNOTATED, PROVIDING FOR THE COMPENSATION OF EXECUTORS AND ADMINISTRATORS OF THE ESTATES OF DECEASED PERSONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 95 By Messrs. Cannon, Ashton and Thorn

AN ACT AMENDING SECTIONS 35-1-1.14 RELATING TO THE STATE HEALTH COMMISSIONER; AUTHORIZING THE STATE BOARD OF HEALTH TO DETERMINE THE COMMISSIONER'S SALARY, AND AUTHORIZING THE BOARD TO APPOINT AN ACTING STATE HEALTH COMMISSIONER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 96 By Messrs. Day, Marthakis and Elggren

AN ACT CREATING AND ESTABLISHING A STATE DEPARTMENT OF VETERANS' AFFAIRS FOR THE PURPOSE OF AIDING, ASSISTING, COUNSELING AND ADVISING PERSONS KNOWN AS VETERANS; DEFINING THE POWERS AND DUTIES OF SUCH A STATE DEPARTMENT OF VETERANS' AFFAIRS; PROVIDING FOR A VETERANS' COUNCIL AND THE ADMINISTRATION RELATING THERETO AND FOR THE APPOINTMENT OF A DIRECTOR; DEFINING POWERS AND DUTIES, AND FIXING SALARY; PROVIDING FOR OPERATING AND ADMINISTRATIVE ASSISTANTS, TRAVELING EXPENSES, AND OPERATING EXPENSES IN CONNECTION THEREWITH; PROVIDING FOR AN ADVISORY COUNCIL TO SUCH A DEPARTMENT; REQUIRING THE STATE ATTORNEY GENERAL TO RENDER LEGAL ASSISTANCE TO SUCH A DEPARTMENT AND PROVIDING FOR A TRANSFER OF RECORDS NOW HELD FOR THE STATE VETERANS' SERVICE TO THE STATE DEPARTMENT OF VETERANS' AFFAIRS, AND MAKING AN APPROPRIATION THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 97 By Messrs. Day and Muir

AN ACT AMENDING SECTION 30-0-47, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 44, LAWS OF UTAH 1949, RELATING TO DEER SEASON, REGULATING HUNTING, DEFINING GAME ANIMALS, FORBIDDING SALES AND FIXING PENALTIES, was read the first time and referred to the Committee on Revision and Enrolling.

REPORTS OF STANDING COMMITTEES

January 23, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 72*, by Messrs. Day, Paxton, Muir, Gibson and Ashton, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 80-14-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 117, LAWS OF UTAH 1947, AND AMENDING SECTIONS 80-14-16, 80-14-46 AND 80-14-52, UTAH CODE ANNOTATED 1943, RELATING TO INDIVIDUAL INCOME TAX; PROVIDING FOR AN INCREASE IN PERSONAL EXEMPTION AND EXEMPTIONS FOR DEPENDENTS, FOR CREDITS AGAINST NET INCOME, AND THAT ANY INCOME TAX RETURN REQUIRED TO BE UNDER OATH MAY, IN LIEU THEREOF, BE SIGNED BY THE TAXPAYER UNDER A DECLARATION THAT IT IS MADE UNDER PENALTY OF PERJURY, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 72 was ordered printed and referred to the Committee on Revenue and Taxation.

January 23, 1951

Mr. President:

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

AN ACT AMENDING SECTIONS 104-2-5, UTAH CODE ANNOTATED 1943 AS AMENDED BY SECTION 1, CHAPTER 18, LAWS OF UTAH 1943; 104-2-7 UTAH CODE ANNOTATED 1943 AND 104-2-12, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 1, CHAPTER 19, LAWS OF UTAH 1943 AS AMENDED BY SECTION 1, CHAPTER 8 LAWS OF UTAH 1947, AND ENACTING

NEW LAWS TO BE KNOWN AS SECTIONS 104-2-5.10 AND 104-2-5.11, LIMITING THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR RECOVERY OF REAL PROPERTY SOLD AND CONVEYED TO THE COUNTY UNDER TAX DEED OR FOR THE POSSESSION THEREOF, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,

Committee report read and adopted. Chairman

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

January 23, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 60*, (introduced by title only), by Messrs. Day, Fowles, Jenkins, Watson, Clegg and Cannon, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

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

January 23, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 61 was ordered printed and referred to the Committee on Military Affairs.

January 23, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 62*, by Mr. Watson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 62 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 23, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 23, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 74* by Messrs. Muir, Paxton, Jenkins and Tippetts, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 74 was ordered printed and referred to the Committee on Highways.

January 23, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 57*, by Messrs. Marthakis, Day and Gibson, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT RELATING TO SANITARIANS, PRESENTING QUALIFICATION OF APPLICANTS FOR LICENSE TO PRACTICE AS REGISTERED SANITARIANS, EMPLOYMENT AND OFFICIAL DESIGNATION OF SANITARIANS AND AMENDING SECTION 79-1-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 41, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 32, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 77, LAWS OF UTAH 1949, RELATING TO THE DEPARTMENT OF REGISTRA-

TION, ITS SUPERVISION, CONTROL AND OPERATION WITH COMMITTEES FROM VARIOUS PROFESSIONS, TRADES AND OCCUPATIONS AND PROVIDING FOR A COMMITTEE OF SANITARIANS, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 57 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 23, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 48*, by Messrs. Larsen, Beal, Milliman, Clegg, Burns, Day, Ashton, Jenkins, Watson, Thorn, Muir, Adams, Marthakis and Tippetts, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 48 was ordered printed and referred to the Committee on Public Institutions.

January 23, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 66*, by Messrs. Day, Burns, Cannon and Watson with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 23, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 44*, by Mrs. Jensen, Messrs. Adams, Elggren, Marthakis, Burns and Gibson, has carefully considered said bill and reports the same out favorably with the following amendments:

Title, line 3, page 1, after the word "THAT" strike out the words "SUCH RETURNS NEED NOT BE MADE UNDER OATH" and insert in lieu thereof: "THE SIGNATURE ON SUCH RETURN NEED NOT BE NOTARIZED BUT SHALL BE DEEMED UNDER OATH".

Body, line 3, after the comma insert the words "the signature on" and on line 4 strike the words "under oath" and insert "notarized"; after the comma insert the words "but when signed shall be deemed made under oath".

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

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

January 23, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 23*, by Messrs. Muir, Reese, Burns, Elggren, Milliman, Tippetts and Ashton, has carefully considered said bill and reports the same out favorably.

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

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

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 19 was read the third time and placed on its final passage.

S. B. No. 19 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Mathakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Clegg and Hopkin.

S. B. No. 19 was transmitted to the House.

S. B. No. 30 was read the third time and placed on its final passage.

S. B. No. 30 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Brockbank.

S. B. No. 30 was transmitted to the House.

S. B. No. 31 was read the third time and placed on its final passage.

S. B. No. 31 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Larsen.

S. B. No. 31 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

Line 9, strike the word "may" and insert, in lieu thereof the word "shall".

Line 8, following the word "receive" insert "over and above that allowed for personal need".

Line 9, following the word "paid" insert " by him or her".

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

Line 3, strike the words "other than the applicant or".

Line 3, strike the period following the word "recipient" and insert the following "confined to hospital or infirmary".

S. B. No. 27 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal (explained vote), Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Watson.

Those voting in the negative were: Senators Gibson and Larsen.

Absent and not voting: Senators Brockbank and Fowles.

On motion of Senator Marthakis the Senate adjourned.

SEVENTEENTH DAY

January 24, 1951

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

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

Prayer by the Chaplain.

January 24, 1951

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the sixteenth day and find it correct with minor amendments noted on the final copy.

Respectfully,

DONALD T. ADAMS,
Chairman

Committee report read and adopted.

COMMUNICATIONS FROM THE GOVERNOR

January 24, 1951

Dear Mr. President and
Members of the Senate:

I am transmitting herewith a complete report on the Utah Hospital for Poliomyelitis and Other Crippling Diseases of Children which has been prepared by the President and one of the members of the Hospital's Board of Trustees, both of them practicing physicians.

You will note that the report includes four attached exhibits; one of them (exhibit A) being a letter adopted unanimously by the Hospital Board of Trustees which raises the question "as to the advisability of the course embarked upon by the State in constructing" the Hopsital.

The letter continues: "The major point seems to be as to the need for the establishing of a state-owned and operated hospital in view of the adequate space now available in other hospitals. . ."

Exhibit B catalogs the results of correspondence made by the Board with the hospitals of the State relative to the number of beds they have available for acute diseases, specifically poliomyelitis. A total of 245 beds are available throughout the State, the report shows.

Exhibit C shows the average normal number of beds available for children's diseases in the hospitals of Salt Lake City and Ogden, excluding Salt Lake General hospital. You will note that 45 surplus or unused beds are the average number that are always available.

The last exhibit is a proposed budget which has been prepared for the operation of the Utah Hospital for Poliomyelitis and Other Crippling Diseases of Children. The difficulties of computing this budget are outlined in the covering letter. It will be observed that the total estimated cost for a biennium's operation is over $1,000,000.

The entire report only serves to emphasize what I contended two years ago when I tried to halt the construction of this hospital. Now that the building is near completion, the State is faced with the problem of its utilization. In view of the attached report, it appears perfectly obvious that there is no need or justification to use it as originally intended.

Accordingly, I recommend that the original legislation providing for this Hospital be repealed, and that new legislation be enacted transfering the hospital building to the State Board of Health to be utilized for public purposes as the Board shall determine. I further recommend that provision be made to refund the contribution made by individuals and agencies, other than the State for construction of the Hospital.

Sincerely yours,

J. BRACKEN LEE,
Governor

Cummunication referred to the Committee on Public Institutions.

REPORTS OF STANDING COMMITTEES

January 24, 1951

Mr. President:

Your Committee on Welfare to which was referred *S. B. No. 34*, by Messrs. Elggren, Burns, Milliman and Marthakis has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JAMES E. BURNS,
Chairman

Report filed.

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

January 24, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 1*, by Messrs. Fowles, Gibson and Hopkin, has carefully considered said bill and reports the same out favorably with the following amendment:

Page 9, line 17: change the period to a semi-colon and add "provided, that this section shall not be interpreted to abolish retirement systems now in operation within the State of Utah".

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

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

January 24, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 21*, by Messrs. Fowles, Elggren, Marthakis, Jenkins and Watson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

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

January 24, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 73*, by Messrs. Day, Larsen, Reese and Elggren, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 73 was ordered printed and referred to the Committee on Judiciary.

January 24, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 91*, by Mr. Muir, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTIONS 20-5a-1, 20-5a-4, 20-5a-10, UTAH CODE ANNOTATED 1943 RELATING TO SMALL CLAIMS COURTS, AND PROVIDING THAT JURISDICTION BE EXTENDED TO CASES WHERE AMOUNT CLAIMED DOES NOT EXCEED ONE HUNDRED DOLLARS ($100.00), THAT DEFENDANT BE GIVEN THIRTY DAYS TO APPEAR, AND THAT PLAINTIFF IN CASE OF JUDGMENT AGAINST HIM IN COUNTERCLAIM HAS FIVE DAYS IN WHICH TO APPEAL, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 91 was ordered printed and referred to the Committee on Judiciary.

January 24, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 93*, (introduced by title only) by Messrs. Marthakis, Muir, Fowles, Watson and Mrs. Jensen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 93 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 24, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 88*, by Committee on Rules and Contingent Expenses, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

On motion of Senator Hopkin the rules were suspended and *S. B. No. 88* was read the second and third times and placed on its final passage.

S. B. No. 88 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Adams, Brockbank and Watson.

S. B. No. 88 was transmitted to the House.

January 24, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 69 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 24, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No.70*, by Messrs. Adams, Tippetts, Jenkins, Watson and Elggren, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 70 was ordered printed and referred to the Committee on Revenue and Taxation.

January 24, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 71*, by Messrs. Day, Paxton, Muir, Gibson and Ashton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 71 was ordered printed and referred to the Committee on Health and Labor.

January 24, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 75*, by Messrs. Jenkins, Jensen, Milliman, Clegg, Tippetts, Muir, Elggren, Burns, Day, Marthakis and Watson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 75 was ordered printed and referred to the Committee on Education.

January 24, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 68*, by Messrs. Reese and Jenkins, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT REPEALING SECTION 4, CHAPTER 68, LAWS OF UTAH 1943, AND AMENDING SECTIONS 5, 11 AND 30, CHAPTER 68, LAWS OF UTAH 1943, RELATING TO THE SUSPENSION OR REVOCATION OF THE OPERATOR'S OR CHAUFFEUR'S LICENSE OF PERSONS CONVICTED OF OFFENSES UNDER THE MOTOR VEHICLE LAWS, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

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

January 24, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 89*, by Committee on Rules and Contingent Expenses, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

On motion of Senator Day the rules were suspended and *S. B. No. 89* was read the second and third times and placed on its final passage.

S. B. No. 89 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Beal, Brockbank, Larsen and Watson.

S. B. No. 89 was transmitted to the House.

January 24, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 87*, by Messrs. Fowles and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 87 was ordered printed and referred to the Committee on Revenue and Taxation.

January 24, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 32*, by Messrs. Cannon, Burns, Clegg, Thorn, Day, Gibson and Adams, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

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

January 24, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

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

INTRODUCTION OF BILLS

S. B. No. 98 By Messrs. Marthakis, Watson, Jenkins, Elggren and Mrs. Jensen

AN ACT AMENDING SECTION 50-1-1, 50-1-2 AND 50-1-3, UTAH CODE ANNOTATED 1943, RELATING TO REPRESENTATION IN THE LEGISLATURE OF THE STATE OF UTAH; PROVIDING FOR A REAPPORTIONMENT THEREOF AND FOR DIVIDING COUNTIES INTO DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 99 By Messrs. Muir, Paxton, Day and Adams

AN ACT AMENDING SECTION 30-0-60 UTAH CODE ANNOTATED, 1943, RELATING TO BIRDS OTHER THAN GAME BIRDS AND PROTECTING SAME UNLESS DESTRUCTIVE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 100 By Messrs. Day and Muir

AN ACT AMENDING SECTION 30-0-54 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH, 1943, AS AMENDED BY CHAPTER 46, LAWS OF UTAH, 1945, RELATING TO STATE GAME REFUGE COMMITTEE, COMPENSATION AND EXPENSES OF MEMBERS, AND PRESCRIBING POWERS AND DUTIES OF COMMITTEE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 101 By Messrs. Day, Cannon and Fowles

AN ACT TO AMEND CHAPTER 14 TITLE 80 UTAH CODE ANNOTATED, 1943, BY ADDING THERETO NEW SECTIONS TO BE NUMBERED 80-14-64.10(a), 80-14-64.10(b), 80-14-64.10(c), 80-14-64.10(d) AND 80-14-64.10(e), PROVIDING FOR THE IMPOSITION OF AN INCOME TAX ON CERTAIN INCOME DERIVED BY NON-RESIDENTS FROM SOURCES WITHIN THE STATE OF UTAH AND FOR A CREDIT TO UTAH RESIDENTS FOR INCOME TAXES PAID IN OTHER STATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 102 By Messrs. Adams and Reese

AN ACT AMENDING SECTION 57-7-106, UTAH CODE ANNOTATED, 1943, RELATING TO THE DUTIES OF A GARAGE KEEPER TO REPORT DAMAGED VEHICLES TO THE DEPARTMENT AND THE USE OF VEHICLE IDENTIFICATION NUMBER IN LIEU OF ENGINE AND SERIAL NUMBERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 103 By Messrs. Adams and Reese

AN ACT AMENDING SECTIONS 57-3a-114, 57-3a-119, 57-3a-120, 57-3a-124 AND 57-3a-125, UTAH CODE ANNOTATED, 1943, RELATING TO SPECIAL ANTI-THEFT LAWS OF MOTOR VEHICLES AND PROVIDING FOR THE USE THEREOF OF MOTOR VEHICLE IDENTIFICATION NUMBER IN LIEU OF ENGINE AND SERIAL NUMBERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 104 By Messrs. Adams and Reese

AN ACT REPEALING SECTION 57-3a-57, UTAH CODE ANNOTATED, 1943, RELATING TO ALTERED OR CHANGED ENGINE OR SERIAL NUMBER, AND AMENDING SECTIONS 57-3a-20, 57-3a-30, 57-3a-31, 57-3a-36, 57-3a-58 AND 57-3a-60, UTAH CODE ANNOTATED, 1943, RELATING TO ORIGINAL AND RENEWAL OF REGISTRATION AND ISSUANCE OF CERTIFICATES OF TITLE OF MOTOR VEHICLES, AND PROVIDING FOR THE USE OF VEHICLE IDENTIFICATION NUMBER IN LIEU OF ENGINE OR SERIAL NUMBER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 105 By Mrs. Jensen and Mr. Reese

AN ACT AMENDING SECTION 1 OF CHAPTER 4 LAWS OF UTAH 1944, FIRST SPECIAL SESSION, AUTHORIZING THE STATE TREASURER OR THE TREASURER OF ANY COUNTY, SCHOOL DISTRICT, CITY, TOWN, OR ANY OTHER POLITICAL SUBDIVISION IN THE STATE TO INVEST FUNDS IN BONDS OR OTHER OBLIGATIONS OF THE UNITED STATES, MATURING NOT LATER THAN FIVE YEARS FROM DATE OF PURCHASE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 106 By Mr. Hopkin

AN ACT APPROPRIATING FROM THE GENERAL FUND TO THE UTAH WATER AND POWER BOARD CONSTRUCTION FUND THE SUM OF $1,000,000.00, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

January 24, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House,

H. J. R. No. 1, by Mr. Gammell, entitled, "A RESOLUTION OF CONDOLENCE TO THE FAMILY OF GEORGE H. LOWE", and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
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 24, 1951

Mr. President:

I am directed 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 Mrs. Cazier and Mr. Rees, entitled, "A RESOLUTION OF CONDOLENCE TO THE FAMILY OF BARLO T. LUKE.", and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
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 24, 1951

Mr. President:

I am directed 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. White, entitled, "A RESOLUTION OF CONDOLENCE TO THE FAMILY OF F. JOSEPH LAW,", and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

January 24, 1951

Mr. President:

I am directed 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. 4*, by Messrs. Postma and Woolley, entitled, "A RESOLUTION OF GREETINGS TO JOHN A. MURCH, FORMER REPRESENTATIVE FROM CACHE COUNTY, NOW SERVING IN KOREA AS AN OFFICER IN THE ARMED FORCES OF THE UNITED STATES.", and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 4 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

On motion of Senator Hopkin, President Fowles appointed Senators Ashton, Tippetts and Beal to act as a special committee to study the salary structure of state officers and employees.

President Fowles recognized the presence of students from the Lincoln Junior High School of Orem, Utah and the Dixon Junior High School of Provo, Utah.

On motion of Senator Marthakis, the name of Senator Watson was added as a co-author of *S. B. No. 75*.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 27 was read the third time and placed on its final passage.

On motion of Senator Hopkin *S. B. No. 27* was made a special order of business for Friday, January 26, 1951 at 3:00 P.M.

SPECIAL ORDER

S. B. No. 28, being a special order of business, was before the Senate.

S. B. No. 28 then failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Burns, Elggren, Milliman and Muir.

Those voting in the negative were: Senators Adams, Ashton, Beal, Cannon, Clegg, Day, Gibson, Hopkin, Jenkins, Jensen (explained vote), Larsen, Marthakis, Paxton, Reese, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Brockbank and Watson.

S. B. No. 28 was filed.

CONSIDERATION OF BILLS ON SECOND READING

S. C. R. No. 2 was before the Senate.

Senator Hopkin moved that *S. C. R. No. 2* be tabled.

Senator Paxton, with the aid of five Senators, requested a roll call on the motion to table *S. C. R. No. 2*.

S. C. R. No. 2 was then tabled on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Reese, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Beal, Cannon, Clegg, Day, Larsen, Muir, Paxton (explained vote) and Thorn.

Absent and not voting: Senator Brockbank.

S. B. No. 38 was read the second time.

Committee report read and adopted.

On motion of Senator Milliman *S. B. No. 38* was made a special order of business for Tuesday, January 30, 1951 at 3:00 P.M.

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

Committee report read and adopted.

On motion of Senator Day the Senate recessed for 15 minutes.

The Senate re-assembled.

S. B. No. 22 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 Adams, Ashton, Beal, Burns, Clegg, Day, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Cannon, Elggren, Larsen and Milliman.

On motion of Senator Reese *S. B. No. 3* was made a special order of business for Wednesday, January 31, 1951 at 3:00 P.M.

S. B. No. 44 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 44* was read the third time and placed on its final passage.

S. B. No. 44 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Muir, Paxton, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Elggren, Milliman and Reese.

S. B No. 44 was transmitted to the House.

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

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 23* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Elggren and Milliman.

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

On motion of Senator Marthakis the Senate adjourned.

EIGHTEENTH DAY

January 25, 1951

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

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

Prayer by the Chaplain.

January 25, 1951

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the seventeenth day and find it correct with minor amendments noted on the final copy.

Respectfully,

DONALD T. ADAMS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

January 24, 1951

Dear Mr. President and
Members of the Senate:

The Board of Examiners, at a recent meeting, adopted a motion to the effect that the matter of the agreement between the State and Coal Logs Corporation and disposition of the real estate be investigated by a joint committee of the House and Senate.

In advising you of this motion, I wish to state that the Board of Examiners will be happy to meet with the joint committee at any time to discuss the matter involved.

It is suggested that the joint committee first contact the Attorney General to receive from him the records of this case.

Respectfully,

J. BRACKEN LEE,
Governor

Communication referred to the Committee on Judiciary.*

*See S. B. No. 253

REPORTS OF STANDING COMMITTEES

January 24, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 20*, by Messrs. Day, Gibson, Reese, Fowles and Paxton, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 107 By Messrs. Adams, Hopkin, Larsen and Beal

AN ACT AMENDING 100-5-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 96, LAWS OF UTAH 1949, RELATING TO THE CONSTRUCTION AND REPAIR OF DAMS -- SUBMISSION OF PLANS TO ENGINEER FOR APPROVAL - SUPERVISION AND INSPECTION - - PAYMENT OF EXPENSES -- PENALTY FOR VIOLATION EXCEPTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 108 By Mr. Day

AN ACT AMENDING SECTIONS 15-9-12, 15-9-13, 15-9-14, 15-9-17, 15-9-18, AND 15-9-21, UTAH CODE ANNOTATED 1943, RELATING TO QUALIFICATIONS, COMPENSATION AND REMOVAL OF MEMBERS OF CIVIL SERVICE COMMISSIONS, THE ORGANIZATION OF CIVIL SERVICE COMMISSIONS, THEIR OFFICES, AND THEIR PERSONNEL, RULES AND REGULATIONS, THE CERTIFICATION OF ELIGIBILITY LISTS AND THE PROMOTION, PROBATIONARY TRIAL, AND DEMOTION OF CIVIL SERVICE EMPLOYEES, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

January 25, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 88*, by Committee on Rules and Contingent Expenses, entitled, "AN ACT MAKING AN APPROPRIATION TO THE TWENTY-NINTH LEGISLATURE," and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B .No. 88 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

January 25, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 89*, by Committee on Rules and Contingent Ex-

penses, entitled, "AN ACT MAKING AN APPROPRIATION TO THE TWENTY-NINTH LEGISLATURE," and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 89 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

January 25, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 39*, by Mr. Watson, has carefully considered said bill and reports the same out favorably with the following amendments:

Body, line 6, insert the words "or surgeon" in place of the deletion marks; Line 9, insert the words "or surgeon" in place of the deletion marks.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

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

On motion of Senator Marthakis the Senate extended a vote of appreciation to the officers of the Kennecott Corporation for the educational tour through its electrolytic copper refinery at Garfield.

CONSIDERATION OF BILLS ON THIRD READING

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

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Cannon, Hopkin, Milliman and Paxton.

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

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Gibson, *S. B. No. 34* was referred back to the Committee on Welfare, retaining its place on the Second Reading Calendar.

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

Committee report read and adopted.

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

Page 8, line 29, following the word "State" insert the word "Social".

On Motion of Senator Day the Senate recessed to meet with the House as a Joint Committee of the Whole.

The Senate and House resolved themselves into a Joint Committee of the Whole with the President of the Senate as chairman to hear representatives of the Utah State School Boards Association and Board of Education of Salt Lake City.

The Joint Committee of the Whole was dissolved.

The Senate re-assembled at 3:50 P.M. with all Senators present except Senators Brockbank and Hopkin, excused.

UNFINISHED BUSINESS

S. B. No. 1 was before the Senate.

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

Page 4, line 31, strike the word "with" and insert in lieu thereof the word "within".

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

Page 6, line 15, strike "(1)".

Page 8, line 9, strike "(1)".

S. B. No. 1 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 Adams, Ashton, Burns, Cannon, Clegg, Day, Elggren (explained vote), Gibson, Jenkins, Jensen, Larsen, Marthakis, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Brockbank, Hopkin and Milliman.

On motion of Senator Marthakis the Senate adjourned.

NINETEENTH DAY

January 26, 1951

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

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

Prayer by the Chaplain.

January 26, 1951

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,

DONALD T. ADAMS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 26, 1951

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*, by Messrs. Fowles, Tippetts, Marthakis, Ashton, and Milliman, entitled: "AN ACT AUTHORIZING THE CREATION AND ORGANIZATION OF FIRE PROTECTION DISTRICTS IN ANY COUNTY OR COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICT, AUTHORIZING THE ACQUISITION OF PROPERTY AND IMPROVEMENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSES FOR WHICH SUCH DISTRICTS ARE CREATED, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING," and the same is transmitted herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Marthakis, the Senate refused to concur in the House amendments and requested the House to recede from its amendments.

REPORTS OF STANDING COMMITTEES

January 26, 1951

Mr. President:

We, your Committee on Rules and Contingent Expenses, beg leave to report that we have carefully considered the Senate Rules and recommend that the Rules as adopted and printed in Senate Journal of the 28th Session be adopted as permanent rules of the 29th Session of the State Senate with the exception of Senate Rule No. 86 which has already been changed by a majority vote of the Senate.

Respectfully submitted

ALONZO F. HOPKIN,
Chairman

Committee report read and adopted.

January 25, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 88*, by Committee on Rules and Contingent Expenses, entitled:

AN ACT MAKING AN APPROPRIATION TO THE TWENTY-NINTH 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 88 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

January 25, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 89*, by Committee on Rules and Contingent Expenses, entitled:

AN ACT MAKING AN APPROPRIATION TO THE TWENTY-NINTH 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 89 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, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 3*, by Messrs. Thorn, Gibson, Cannon and Ashton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Report filed.

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

January 26, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 80*, by Messrs. Day, Fowles and Milliman, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Report filed.

S. B. No. 80 was ordered printed and referred to the Committee on Highways.

January 26, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 79*, by Mrs. Jensen and Messrs. Adams, Watson, Elggren, Gibson, Tippetts, Clegg, Larsen, Marthakis, Jenkins, Milliman and Ashton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Report filed.

S. B. No. 79 was ordered printed and referred to the Committee on Mining and Smelting.

January 26, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 78*, by Messrs. Reese and Paxton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Report filed.

S. B. No. 78 was ordered printed and referred to the Committee on Highways.

January 26, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 58*, by Messrs. Day, Elggren, Tippetts and Mrs. Jensen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Report filed.

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

January 26, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 98*, by Messrs. Marthakis, Elggren, Watson, Jenkins and Mrs. Jensen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Report filed.

S. B. No. 98 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 26, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 76*, by Mr. Watson, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 28-3-1, UTAH CODE ANNOTATED 1943, RELATING TO FEES OF JUSTICES OF PEACE AND PROVIDING FOR CERTAIN INCREASES THEREIN, and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Committee report read and adopted.

S. B. No. 76 was ordered printed and referred to the Committee on Judiciary.

January 25, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 96*, by Messrs. Day, Marthakis and Elggren, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 96 was ordered printed and referred to the Committee on Military Affairs.

January 26, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 106*, by Mr. Hopkin, with a few minor changes assented to by the author and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Report filed.

S. B. No. 106 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 26, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 67*, by Mr. Hopkin, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTIONS 82C-2-13, 82C-2-14, 82C-2-15 AND 82C-2-21, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE COMMISSION OF FINANCE

TO FIX SALARY SCHEDULES FOR STATE OFFICERS, APPROVE OR DISAPPROVE REQUESTS FOR PERSONNEL, ESTABLISH MILEAGE SCHEDULES FOR STATE EMPLOYEES, AND EXAMINE REQUISITIONS AND PRE-AUDIT CLAIMS, AND PROVIDING FOR FINAL APPROVAL AND CERTIFICATION OF STATE BOARD OF EXAMINERS, and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Committee report read and adopted.

S. B. No. 67 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 26, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 77*, by Mr. Day, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 40-1-2, UTAH CODE ANNOTATED 1943, RELATING TO MARRIAGES PROHIBITED AND DECLARED VOID, DEFINING PROHIBITED AND VOID MARRIAGES AND PROVIDING INSTANCES WHEN PARTIES ACTING IN GOOD FAITH SHALL BE DEEMED LEGALLY MARRIED FROM TIME OF REMOVAL OF THE IMPEDIMENT, and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Committee report read and adopted.

S. B. No. 77 was ordered printed and referred to the Committee on Judiciary.

January 26, 1951

Mr. President:

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

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 TEACHERS' RETIREMENT FUND TO SUCH OTHER ORGANIZATIONS, and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Committee report read and adopted.

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

January 26, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 90*, by Messrs. Jenkins, Reese and Muir, with a few minor changes assented to by the authors, including the following revision of the title:

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 85-5-2A, 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 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 recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Committee report read and adopted.

S. B. No. 90 was ordered printed and referred to the Committee on Public Institutions.

January 26, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 95*, by Messrs. Thorn, Cannon and Ashton, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 35-1-1.14, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 49, LAWS OF UTAH 1945, RELATING TO THE STATE HEALTH COMMISSIONER; AUTHORIZING THE STATE BOARD OF HEALTH TO DETERMINE THE COMMISSIONER'S SALARY, AND AUTHORIZING THE BOARD TO APPOINT AN ACTING STATE HEALTH COMMISSIONER, and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Committee report read and adopted.

S. B. No. 95 was ordered printed and referred to the Committee on Health and Labor.

January 26, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 83*, by Messrs. Hopkin, Marthakis and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT MAKING AN APPROPRIATION TO THE STATE COUNCIL OF DEFENSE CREATED PURSUANT TO THE PROVISIONS OF CHAPTER 5, TITLE 82C, UTAH CODE ANNOTATED, 1943, and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Committee report read and adopted.

S. B. No. 83 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 26, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 86*, by Messrs. Thorn and Watson, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 79-3-6, UTAH CODE ANNOTATED 1943, RELATING TO THE DEFINITION OF THE PRACTICE OF ARCHITECTURE, MODIFYING THE EXEMPTIONS THEREFROM BY DELETING THE MONETARY LIMITATION ON SIZE OF HOUSES, and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Committee report read and adopted.

S. B. No. 86 was ordered printed and referred to the Committee on Public Institutions.

January 26, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 101*, by Messrs. Day, Cannon and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING CHAPTER 14, TITLE 80, UTAH CODE ANNOTATED 1943, BY ADDING THERETO NEW SECTIONS TO BE NUMBERED 80-14-64.10, 80-14-64.11, 80-14-64.12, 80-14-64.13 AND 80-14-64.14, PROVIDING FOR THE IMPOSITION OF AN INCOME TAX ON CERTAIN INCOME DERIVED BY NON-RESIDENTS FROM

SOURCES WITHIN THE STATE OF UTAH AND FOR A CREDIT TO UTAH RESIDENTS FOR INCOME TAXES PAID IN OTHER STATES, and recommends the bill be printed.

Respectfully,

P. S. MARTHAKIS,
Acting Chairman

Committee report read and adopted.

S. B. No. 101 was ordered printed and referred to the Committee on Revenue and Taxation.

January 26, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 65*, by Mr. Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

S. B. No. 65 was placed on the Second Reading Calendar.

January 26, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 24*, by Messrs. Muir, Reese, Elggren, Milliman, Burns and Ashton, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 26, 1951

Mr. President:

Your Committee on Welfare to which was referred *S. B. No. 56*, by Messrs. Burns, Muir and Milliman, has carefully considered said bill and reports the same out favorably.

Respectfully,

JAMES E. BURNS,
Chairman

Report filed.

S. B. No. 56 was placed on the Second Reading Calendar.

January 26, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 75*, by Messrs. Jenkins, Jensen, Milliman, Clegg, Tippetts, Muir, Elggren, Burns, Day, Marthakis and Watson, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 75 was placed on the Second Reading Calendar.

January 26, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 66*, by Messrs. Day, Burns, Cannon and Watson, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 66 was referred to the Committee on Appropriations and Claims.

January 26, 1951

Mr. President:

Your Committee on Highways to which was referred *S. B. No. 5*, by Messrs. Fowles, Gibson and Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

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

January 26, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 74*, by Messrs. Muir, Paxton, Jenkins and Tippetts, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 74 was placed on the Second Reading Calendar.

January 26, 1951

Mr. President:

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

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

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

January 26, 1951

Mr. President:

Your Committee on Highways to which was referred *S. B. No. 7*, by Messrs. Fowles, Gibson and Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

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

January 26, 1951

Mr. President:

Your Committee on Highways to which was referred *S. B. No. 8*, by Messrs. Fowles, Gibson and Hopkin, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

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

January 25, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 36*, by Messrs. Cannon, Watson, Day and Gibson, has carefully considered said bill and reports the same out favorably with the following amendments:

Body, page 1, line 8, after the word "administrator" replace the comma with a period and delete the remainder of the paragraph.

Page 2, line 1, add an "s" to the word "record"; line 3, after the word "same" delete the semi-colon and add the words "to the Supreme Court" and a semi-colon; line 4, strike all of sub-section (b) and beginning with line 6 changes sub-section "(c)" to "(b)" and reletter all following sub-sections through sub-section (j) accordingly; line 8, capitalize the words "supreme court"; line 32, strike the word "administrator" and insert in lieu thereof the words "Supreme Court"; line 33, strike the word "his" at the beginning of the line and insert in lieu thereof the words "the administrator's".

Page 3, line 5, after the word "any" delete the words "division or sub-division" and insert in lieu thereof the words "or all"; line 18, after the word "supervision" delete the words "and control".

Page 4, line 3, after the word "member" add the words "who must be district court judges"; line 8, after the word "quorum" delete the balance of the paragraph; beginning of line 16, delete the entire line and balance of the paragraph.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 36 was placed on the Second Reading Calendar.

January 26, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 25*, by Messrs. Howe, Davis, Sheffield, Bushnell and Sagers, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

January 26, 1951

Mr. President:

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

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

January 26, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 29*, by Messrs. Burns, Milliman, Tippetts and Day, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

January 26, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 33*, by Messrs. Howe, Bushnell, Davis and Sheffield, has carefully considered said bill and reports the same out favorably with the following amendment:

Body, at the beginning of line 5, the figure "$3" be deleted and the figure "$6" be inserted in lieu thereof.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

January 26, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 35*, by Messrs. Cannon, Burns, Clegg, Day and Gibson, has carefully considered said bill and reports the same out favorably with the following amendments:

Title, line 1, after the word "ACT" add "REPEALING CHAPTER 10, LAWS OF UTAH 1947 AND SECTION 104-5-11.10 UTAH CODE ANNOTATED 1943".

Add a new section to be known as Section 1, as follows: "Section 1. Chapter 10, Laws of Utah, 1947 and Section 104-5-11.10, Utah Code Annotated 1943, are repealed".

Body, line 1, change the present "Section 1" to "Section 2" and in line 9, change the present "Section 2" to "Section 3".

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

January 26, 1951

Mr. President:

Your Committee on Education has considered the RESOLUTION FAVORING ACQUISITION OF A HIGH SCHOOL SITE BY THE SALT LAKE CITY BOARD OF EDUCATION and recommends that it be referred to the Committee on State and Municipal Affairs.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

Resolution referred to the Committee on State and Municipal Affairs.

INTRODUCTION OF BILLS

S. B. No. 109 By Mr .Gibson

AN ACT AMENDING SECTION 76-5-25 OF SECTION 4 OF CHAPTER 105 OF THE LAWS OF UTAH 1945 PROVIDING THAT PROVISIONS OF THE UTAH LAW RELATING TO TRANSPORTATION BY MOTOR VEHICLES SHALL NOT APPLY TO THE USE OF MOTOR VEHICLES AS HEARSES BY DULY LICENSED EMBALMERS, FUNERAL DIRECTORS OR MORTUARY ESTABLISHMENTS, OR TO THE USE OF MOTOR VEHICLES AS AMBULANCES WHEN USED BY SUCH LICENSEES INCIDENTAL TO THEIR REGULAR EMBALMING OR FUNERAL DIRECTOR BUSINESS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 110 By Mr. Larsen

AN ACT AMENDING SECTION 42-2-10, UTAH CODE ANNOTATED, 1943, RELATING TO THE STATE INSURANCE FUND, PROVIDING FOR PAYMENT BY THE COMMISSION OF FINANCE OF DIVIDENDS TO POLICY HOLDERS OF THE STATE INSURANCE FUND, was read the first time.

On motion of Senator Larsen, *S. B. No. 110* was withdrawn.

S. B. No. 110 was filed.

S. B. No. 111 By Messrs. Clegg, Day, Thorn and Jenkins

AN ACT AMENDING THE STATE COUNCIL OF DEFENSE ACT WHICH WAS CHAPTER 33 OF THE LAWS OF 1941 SECOND SPECIAL SESSION AND KNOWN AS SECTIONS 82C-5-1 TO 82C-5-10 INCLUSIVE, UTAH CODE ANNOTATED 1943, PROVIDING DEFINITIONS OF EMERGENCIES AND THE UTILIZATION OF THE LEGISLATURE AND EXISTING STATE AND MUNICIPAL OFFICERS AND ORGANIZATIONS TO DEAL WITH PROBLEMS CREATED

BY EMERGENCIES WHETHER CIVIL OR MILITARY, ESTABLISHING A PUBLIC WELFARE COUNCIL, PRESCRIBING ITS POWERS, DUTIES, AND FUNCTIONS, AND MAKING AN APPROPRIATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 112 By Mr. Hopkin

AN ACT AMENDING SECTION 30-0-47 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 44 LAWS OF UTAH 1949, DEFINING GAME ANIMALS AND SPECIFYING THE HUNTING SEASON FOR DEER, AND FURTHER PROVIDING PENALTIES FOR VIOLATION OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 113 By Messrs. Clegg Ashton, Beal, Mrs. Jensen, Tippetts and Larsen

AN ACT AMENDING SECTION 42-2-10, UTAH CODE ANNOTATED, 1943, RELATING TO THE STATE INSURANCE FUND, PROVIDING FOR PAYMENT BY THE COMMISSION OF FINANCE OF DIVIDENDS TO POLICY HOLDERS OF THE STATE INSURANCE FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 114 By Messrs. Day, Reese, Beal, Hopkin, Fowles and Gibson

AN ACT PROVIDING FOR A LIQUOR PERMIT IDENTIFICATION CARD SHOWING EVIDENCE OF AGE, WHICH STATE LIQUOR STORE MANAGERS AND EMPLOYEES, PACKAGE AGENCY PROPRIETORS AND THEIR EMPLOYEES, AND LICENSEES HOLDING RETAIL LICENSES TO SELL BEER AS PROVIDED IN SECTION 46-0-131, UTAH CODE ANNOTATED 1943, AND EMPLOYEES OF SUCH LICENSEES, MAY ACCEPT AS EVIDENCE OF LEGAL AGE FOR THE SALE OF LIQUOR OR BEER ISSUED TO THE PERSON PRESENTING SAME; PRESCRIBING A FORM FOR IDENTIFICATION CARD; AUTHORIZING THE STATE LIQUOR CONTROL COMMISSION AND AUTHORITIES OF CITIES, TOWNS AND COUNTIES, AS PROVIDED IN SECTION 46-0-131, UTAH CODE ANNOTATED 1943, TO PRESCRIBE REGULATIONS FOR ISSUANCE OF SUCH IDENTIFICATION CARD AND USE THEREOF; PRESCRIBING DEFINITIONS AND FIXING PENALTY FOR VIOLATIONS OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 115 By Mr. Adams

AN ACT DEFINING THE POWERS AND DUTIES OF THE UTAH WATER AND POWER BOARD; PROVIDING FOR THE APPOINTMENTS OF THE MEMBERS OF THE BOARD AND THEIR SUCCESSORS AND FOR THE FILLING OF VACANCIES IN THE

MEMBERSHIP OF SAID BOARD; PROVIDING FOR THE APPOINTMENT, QUALIFICATION AND TENURE OF OFFICE OF A DIRECTOR OF THE BOARD, WHO SHALL BY VIRTUE OF HIS OFFICE BE EXECUTIVE SECRETARY OF THE BOARD AND STATE ENGINEER OF THE STATE, AND PRESCRIBING HIS DUTIES IN SUCH CAPACITIES; PROVIDING FOR THE APPOINTMENT BY SUCH DIRECTOR OF A CHIEF ENGINEER AND AN ATTORNEY OF THE BOARD AND OF THE DIRECTOR IN ALL HIS CAPACITIES; PRESCRIBING THE MANNER OF FIXING THE COMPENSATION OF THE DIRECTOR, THE CHIEF ENGINEER AND ATTORNEY, AND PROVIDING FOR THE APPOINTMENT OF THE NECESSARY ASSISTANTS TO THE DIRECTOR IN ALL HIS CAPACITIES, AND AMENDING SECTIONS 2, 3, 4, AND 11, OF CHAPTER 141, LAWS OF UTAH, 1947, (SECTION 11 BEING AMENDED BY CHAPTER 97 OF LAWS OF UTAH, 1949), was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 116 By Mr. Adams

AN ACT PROVIDING THAT THE DIRECTOR OF THE UTAH WATER AND POWER BOARD, BY VIRTUE OF HIS OFFICE, SHALL BE THE STATE ENGINEER OF THE STATE, PRESCRIBING HIS POWERS AND DUTIES AS SUCH STATE ENGINEER, AND AMENDING SECTIONS 1, 8, 10, 15 AND 17 OF CHAPTER 2, TITLE 100, UTAH CODE ANNOTATED, 1943, AMENDING SECTION 5 OF CHAPTER 5 OF TITLE 100, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 96 OF THE LAWS OF UTAH, 1949, AND AMENDING SECTIONS 1 AND 2 OF CHAPTER 8 OF TITLE 100, UTAH CODE ANNOTATED, 1943, AND REPEALING SECTIONS 2, 3, 4, 6 AND 13 OF CHAPTER 2, TITLE 100 UTAH CODE ANNOTATED, 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 117 By Messrs. Muir, Larsen, Clegg, Mrs. Jensen, Beal, Thorn, Reese, Day, Fowles, Paxton, Cannon, Watson and Jenkins

AN ACT AMENDING TITLE 75, CHAPTER 5, SECTION 24, UTAH CODE ANNOTATED 1943, RELATING TO THE GENERAL ENUMERATION OF SUBJECTS PERMITTED TO BE TAUGHT AT UTAH STATE AGRICULTURAL COLLEGE BY ADDING TO THE PERMITTED SUBJECTS ENGINEERING, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 118 By Mr. Milliman and Mrs. Jensen

AN ACT AUTHORIZING THE SALE OF THE PRESENT EXISTING ARMORY, LOCATED AT 4TH EAST AND 2ND SOUTH STREETS, SALT LAKE CITY, UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 1 was read the third time and placed on its final passage.

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

Page 9, line 17, strike the previous amendment after "provided," and insert in lieu thereof "however, that nothing in this act shall be construed or interpreted as modifying, amending, or repealing any law or ordinance authorizing or establishing a retirement or pension system in this state."

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Cannon, Clegg, Day, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Brockbank, Elggren and Paxton.

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

SPECIAL ORDER

S. B. No. 27, being a special order of business, was before the Senate.

S. B. No. 27 then passed on the following roll call:

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

Those voting in the affirmative were Senators Adams, Ashton, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Brockbank and Paxton.

S. B. No. 27 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

S. B. No. 21 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Hopkin (explained vote), Jenkins, Jensen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson, and Mr. President.

Those voting in the negative were: Senators Gibson and Larsen.

Absent and not voting: Senators Brockbank and Paxton.

President Fowles recognized former Senate President Thomas E. McKay and Mrs. McKay, former Senator W. Wallace Houston and former Representative Val E. Johnson.

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

The Senate re-assembled.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Marthakis the rules were suspended and *H. B. Nos. 25 and 33* were placed before the Senate for its consideration.

On motion of Senator Hopkin the rules were suspended and *H. B. No. 25* was read the second and third times and placed on its final passage.

H. B. No. 25 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Brockbank and Paxton.

H. B. No. 25 was returned to the House.

On motion of Senator Hopkin the rules were suspended and *H. B. No. 33* was read the second and third times and placed on its final passage.

Committee report read and adopted.

H. B. No. 33 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Brockbank, Muir and Paxton.

H. B. No. 33 was returned to the House.

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

Committee report read and adopted.

On motion of Senator Marthakis the Senate adjourned until Monday, January 29, 1951 at 2:00 P. M.

TWENTY-SECOND DAY

January 29, 1951

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

Roll Call All Senators present except President Fowles and Senator Muir, excused.

Prayer by the Chaplain.

January 29, 1951

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,

DONALD T. ADAMS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 29, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 42*, by Messrs. Bagnall, Young, Munk, Postma, V. Peterson, White, Bunderson, Tietjen, Russell, J. Johnson, Sevy, Dunn, Thurston, Brotherson, A. Gardner, Hurst and Jarman, entitled:

AN ACT PROVIDING FOR REFUND OF 85 PERCENT OF THE TOTAL 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 A FALSE CLAIM OR VIOLATING ANY PROVISION OF THIS ACT, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 42 was read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

January 29, 1951

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 62*, by Mr. Watson, has carefully considered said bill and reports the same out favorably with the following amendments:

Body, line 12, page 6, delete word "lie" and insert in lieu thereof the words "are located" and add a comma after the new addition; on line 25, page 6, delete the word "lies" and insert in lieu thereof the words "is located" and add a comma after the new addition.

Respectfully,

E. H. WATSON,
Chairman

Report filed.

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

January 29, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 45*, by Messrs. Cannon, Day and Marthakis, has carefully considered said bill and reports the same out favorably with the following amendment:

Body, line 6, after deletion marks "()" delete the remainder of the line and all of line 7 and insert in lieu thereof the figure "$4,000.00".

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 45 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 4 By Messrs. Paxton, Ashton and Day

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, RELATING TO THE TERMS OF OFFICE OF THE PRESIDENT, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 119 By Mr. Day

AN ACT AMENDING SECTIONS 19-18-3 AND 19-18-19, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE INDEXING AND FILING OF PHOTOGRAPHIC RECORDS AND FOR THE USE OF PHOTOGRAPHY, MICROPHOTOGRAPHY, PHOTOCOPYING AND FILMING OF RECORDS IN COUNTY RECORDER'S OFFICES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 120 By Mr. Day

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 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. 121 By Messrs. Watson and Hopkin

AN ACT AMENDING SECTION 86-1-18, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 84, LAWS OF UTAH 1945 AS AMENDED BY CHAPTER 129, LAWS OF UTAH 1947 RELATING TO MINING LEASES, RENTALS AND ROYALTIES ON LANDS IN THE STATE OF UTAH AND TO THE ACREAGE LIMITATION WITH RESPECT THERETO AND PROVIDING AN EXCEPTION AS TO LANDS WITHIN OIL AND GAS COOPERATIVE OR UNIT PLANS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 122 By Mr. Larsen

AN ACT AMENDING SECTION 68-0-17, CHAPTER 124, LAWS OF UTAH 1947, RELATING TO THE OLD UTAH STATE PRISON SITE AND PROVIDING FOR THE DISPOSITION THEREOF, was read the first time and referred to the Committtee on Revision and Enrolling.

S. B. No. 123 By Messrs. Larsen and Cannon

AN ACT AMENDING SECTIONS 85-9-2, 85-9-5, 85-9-6 AND 85-9-24, UTAH CODE ANNOTATED 1943, RELATING TO THE BOARD OF CORRECTIONS; PROVIDING FOR ITS COMPOSITION, POWERS, DUTIES AND MEETINGS; FOR THE PAYMENT OF EXPENSES INCURRED BY ITS MEMBERS AND EXTENDING THE DUTIES OF THE PRISON PHYSICIAN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 124 By Messrs. Larsen and Cannon

AN ACT REPEALING SECTONS 67-0-1, 67-0-2, 67-0-3, 67-0-4, 67-0-5, 67-0-6, 67-0-7, 67-0-8, 67-0-9, 67-0-10, 67-0-11 AND 67-0-12 RELATING TO THE BOARD OF PARDONS AND ENACTING NEW SECTONS TO BE KNOWN AS SECTIONS 67-0-1, 67-0-2, 67-0-3, 67-0-4, 67-0-5, 67-0-6, 67-0-7, 67-0-8, 67-0-9, 67-0-10, 67-0-11, 67-0-12, 67-0-13, 67-0-14, 67-0-15, 67-0-16, 67-0-17, 67-0-18, 67-0-19, 67-0-20 AND 67-0-21, PROVIDING FOR THE GRANTING OF PAROLES AND PARDONS; ESTABLISHING A STATE BOARD OF PARDONS AND DEFINING ITS COMPOSITION, POWERS AND DUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 125 By Messrs. Larsen and Muir

AN ACT REPEALING SECTION 75-4-8, UTAH CODE ANNOTATED 1943, RELATING TO THE PRESIDENT OF THE UNIVERSITY OF UTAH AS EX OFFICIO MEMBER OF THE BOARD OF REGENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 126 By Mr. Larsen

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

S. B. No. 127 By Messrs. Marthakis, Thorn, Paxton and Day

AN ACT TO PROVIDE FOR THE INSTALLATION OF HEAD AND REAR LIGHTS ON TRACT 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. 128 By Messrs. Marthakis, Burns, Watson, Elggren and Tippetts

AN ACT APPROPRIATING THE SUM OF $2,400,000 FROM THE GENERAL FUND FROM MONEY NOT OTHERWISE APPROPRIATED TO THE UTAH STATE TEACHERS' RETIREMENT FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 129 By Mr. Day

AN ACT REPEALING CHAPTER 13, TITLE 25, UTAH CODE ANNOTATED 1943, PERTAINING TO CORRUPTION IN ELECTIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 130 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, PERTAINING TO EXPENSE STATEMENTS OF CANDIDATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 131 By Messrs. Tippetts and Paxton

AN ACT AMENDING SECTION 80-9-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 109, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 81, LAWS OF UTAH 1949, RELATING TO MAXIMUM LEVIES THAT MAY BE MADE IN COUNTIES AND PROVIDING A UNIFORM GRADUATED TAX LEVY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 132 By Messrs. Marthakis, Cannon, Elggren and Watson

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.

COMMUNICATIONS FROM THE HOUSE

January 29, 1951

Mr. President:

I am directed 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. 88*, by Committee on Rules and Contingent Expenses, entitled:

AN ACT MAKING AN APPROPRIATION TO THE TWENTY-NINTH LEGISLATURE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 88 was transmitted to the Governor.

January 29, 1951

Mr. President:

I am directed 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. 89*, by Committee on Rules and Contingent Expenses, entitled:

AN ACT MAKING AN APPROPRIATION TO THE TWENTY-NINTH LEGISLATURE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 89 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

January 29, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B .No. 59*, by Messrs. Day and Thorn, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT RELATING TO THE TERMINATION OF CONTRACTS FOR PUBLIC WORK BECAUSE OF NATIONAL EMERGENCIES WHICH CAUSE A STOPPAGE OF CONSTRUCTION OR WORK THEREON, AND TO PRESCRIBE PROCEDURE, THE ADJUST-

MENT AND PAYMENT OF COMPENSATION, AND TO PROVIDE A METHOD FOR SETTLEMENT OF DISPUTES IN CONNECTION THEREWITH, and recommends the bill be printed.

Respectfully,

DONALD T. ADAMS,
Acting Chairman

Committee report read and adopted.

S. B. No. 59 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 29, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 64*, by Messrs. Marthakis, Jenkins and Clegg, with a few minor changes assented to by the authors, including the following revision of the title:

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, and recommends the bill be printed.

Respectfully,

DONALD T. ADAMS,
Acting Chairman

Committee report read and adopted.

S. B. No. 64 was ordered printed and referred to the Committee on Education.

January 29, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 81*, by Messrs. Day and Muir, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

DONALD T. ADAMS,
Acting Chairman

Report filed.

S. B. No. 81 was ordered printed and referred to the Committee on Fish and Game.

January 29, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 82*, by Messrs. Paxton and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

DONALD T. ADAMS,
Acting Chairman

Report filed.

S. B. No. 82 was ordered printed and referred to the Committee on Fish and Game.

January 29, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 92*, by Mr. Day, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 30-0-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, AND 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 LICENSES FOR FISHING AND HUNTING AND LICENSE FOR TRAPPING FUR BEARERS; 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; SECTION 30-0-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, RELATING TO LICENSE AGENTS, PRESCRIBING THEIR DUTIES AND FIXING THEIR COMPENSATION; AND REPEALING SECTION 30-0-22, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 30-0-14, 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; SECTION 30-0-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947; AND SECTION 30-0-16, 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, and recommends the bill be printed.

Respectfully,

DONALD T. ADAMS,
Acting Chairman

Committee report read and adopted.

S. B. No. 92 was ordered printed and referred to the Committee on Fish and Game.

January 29, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 94*, by Mr. Gibson, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 102-11-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 89, LAWS OF UTAH 1945, RELATING TO AND FIXING COMMISSIONS ALLOWED EXECUTORS AND ADMINISTRATORS OF ESTATES OF DECEDENTS AND PROVIDING METHODS OF DETERMINING AMOUNT OF ESTATE ACCOUNTED FOR, and recommends the bill be printed.

Respectfully,

DONALD T. ADAMS,
Acting Chairman

Committee report read and adopted.

S. B. No. 94 was ordered printed and referred to the Committee on Judiciary.

January 29, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 97*, by Messrs. Day and Muir, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

DONALD T. ADAMS,
Acting Chairman

Report filed.

S. B. No. 97 was ordered printed and referred to the Committee on Fish and Game.

January 29, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 99*, by Messrs. Muir, Paxton, Day and Adams, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

DONALD T. ADAMS,
Acting Chairman

Report filed.

S. B. No. 99 was ordered printed and referred to the Committee on Fish and Game.

January 29, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 100*, by Messrs. Day and Muir, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

DONALD T. ADAMS,
Acting Chairman

Report filed.

S. B. No. 100 was ordered printed and referred to the Committee on Fish and Game.

January 29, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 105*, by Mrs. Jensen and Mr. Reese, with a few minor changes assented to by the authors and recommends the bill be printed.

Respectfully,

DONALD T. ADAMS,
Acting Chairman

Report filed.

S. B. No. 105 was ordered printed and referred to the Committee on Banking and Commerce.

January 29, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 112*, by Mr. Hopkin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

DONALD T. ADAMS,
Acting Chairman

Report filed.

S. B. No. 112 was ordered printed and referred to the Committee on Fish and Game.

January 29, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 113*, by Messrs. Clegg, Ashton, Beal, Mrs. Jensen, Tippetts and Larsen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

DONALD T. ADAMS,
Acting Chairman

Report filed.

S. B .No. 113 was ordered printed and referred to the Committee on Banking and Commerce.

January 29, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 117*, by Messrs. Muir, Larsen, Clegg, Mrs. Jensen, Beal, Thorn, Reese, Day, Fowles, Paxton, Cannon, Watson and Jenkins, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 75-5-24, UTAH CODE ANNOTATED 1943, RELATING TO THE GENERAL ENUMERATION OF SUBJECTS PERMITTED TO BE TAUGHT AT UTAH STATE AGRICULTURAL COLLEGE BY ADDING TO THE PERMITTED SUBJECTS ENGINEERING, and recommends the bill be printed.

Respectfully,

DONALD T. ADAMS,
Acting Chairman

Committee report read and adopted.

S. B. No. 117 was ordered printed and referred to the Committee on Education.

January 29, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 118*, by Mr. Milliman and Mrs. Jensen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

DONALD T. ADAMS,
Acting Chairman

Report filed.

S. B. No. 118 was ordered printed and referred to the Committee on Public Institutions.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 5 By Messrs. Fowles and Thorn

A JOINT RESOLUTION ACKNOWLEDGING GRANTS BY KENNECOTT COPPER CORPORATION AND ITS UTAH COPPER DIVISION TO THE UNIVERSITY OF UTAH, UTAH STATE AGRICULTURAL COLLEGE, AND BRIGHAM YOUNG UNIVERSITY, AND EXPRESSING APPRECIATION THEREFOR, was read the first time.

On motion of Senator Day the rules were suspended and *S. J. R. No. 5* was placed before the Senate for its consideration.

On motion of Senator Day the rules were suspended and *S. J. R. No. 5* was read the second and third times and placed on its final passage.

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

Ayes, 19; Nos, 0; Absent 4.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Jenkins, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Gibson, Hopkin and Muir.

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

UNFINISHED BUSINESS

S. B. No. 20, being unfinished business, was before the Senate.

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

Page 6, end of bill add "Subsection 7. At the expiration of the terms of office of incumbent Supreme Court Justices and District Judges, the offices shall be deemed vacant and shall be filled by the Judicial Commissions as herein provided, except that such Commissions shall make their appointments in the case of incumbents at least 60 days prior to the expiration of any of said terms; and provided further that such appointees shall take office at the expiration of the term for which the incumbents were elected or appointed."

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

Page 1, line 4, delete the figures "25-1-7".

Page 1, line 5, insert the figures "25-1-7" at the beginning of the line.

Page 2, line 6, delete the figures "25-3-10".

Page 2, line 7, insert the figures "25-3-10" at the beginning of the line.

S. B. No. 20 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 Adams, Ashton, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Beal and Larsen.

Absent and not voting: Senator Muir.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 21 was read the third time and placed on its final passage.

On motion of Senator Hopkin, the name of Senator Brockbank was added and placed first as co-author of *S. B. No. 21*.

S. B. No. 21 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Ashton, Gibson and Larsen.

Absent and not voting: Senator Muir.

S. B. No. 21 was transmitted to the House.

On order of President Fowles the Senate recessed for ten minutes.

The Senate re-assembled.

CONSIDERATION OF BILLS ON SECOND READING

Senator Day moved that the rules be suspended and that the Senate do now consider *H. B. No. 3*.

Motion carried.

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

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Jenkins, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Gibson, Hopkin, Muir and Thorn.

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

President Fowles recognized W. R. White, Mayor of the city of Ogden, and Noel W. Sitton, chairman of the San Juan County Commission.

The President appointed Senators Marthakis, Watson and Paxton to revise the Journal for the week commencing January 29, 1951.

On motion of Senator Marthakis the secretary was directed to send a letter of appreciation to the President of the University of Utah for courtesies extended to the Senate.

On motion of Senator Marthakis the Senate adjourned.

TWENTY-THIRD DAY

January 30, 1951

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

Roll Call—All Senators present.

Prayer by the Chaplain.

January 30, 1951

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,

P. S. MARTHAKIS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

January 29, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. Nos. 88 and 89*, by Committee on Rules and Contingent Expenses, entitled:

AN ACT MAKING AN APPROPRIATION TO THE TWENTY-NINTH LEGISLATURE.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

January 29, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 34* by Messrs. Openshaw, Miller, Beezley and Mrs. Elizabeth Vance, entitled:

AN ACT TO PERMIT THE ADOPTION OF VOTING MACHINES BY COUNTIES AND CITIES OF THE STATE OF UTAH, AND TO PROVIDE FOR THE PURCHASE OR LEASE OF SUCH MACHINES, AND PROVIDING PENALTIES FOR THE VIOLATION OF CERTAIN PROVISIONS OF THIS ACT, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 34 was read the first time and referred to the Committee on State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 42*, by Messrs. Marthakis, Elggren, Burns, Fowles, Gibson, Larsen, Watson, Adams and Clegg, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTIONS 42-1a-6, 42-1a-13, 42-1a-18, 42-1a-19, 42-1a-23, 42-1a-24, 42-1a-29, 42-1a-30, 42-1a-34, 42-1a-46, 42-1a-48, 42-1a-49, 42-1a-53, 42-1a-55, UTAH CODE ANNOTATED 1943; AND AMENDING SECTION 42-1a-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 51, LAWS OF UTAH 1949; AND AMENDING SECTIONS 42-1a-57, 42-1a-58, UTAH CODE ANNOTATED 1943, AS ENACTED BY CHAPTER 51, LAWS OF UTAH 1949, AND SECTION 42-1a-15 AS AMENDED BY CHAPTER 66, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 51 LAWS OF UTAH

1949, RELATING TO OCCUPATIONAL DISEASE AND DISABILITY COMPENSATION; PROVIDING FOR AN OCCUPATIONAL DISEASE FUND, PRESCRIBING RATES OF BENEFIT, GIVING INDUSTRIAL COMMISSION CONTINUING JURISDICTION AND REPEALING SECTIONS 42-1a-16, 42-1a-17, 42-1a-22 AND 42-1a-51 UTAH CODE ANNOTATED 1943, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

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

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 102*, by Messrs. Adams and Reese, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 57-7-106, UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF A GARAGE KEEPER TO REPORT DAMAGED VEHICLES TO THE DEPARTMENT AND PROVIDING FOR THE USE OF VEHICLE IDENTIFICATION NUMBER IN LIEU OF ENGINE AND SERIAL NUMBERS, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 102 was ordered printed and referred to the Committee on Highways.

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 103*, by Messrs. Adams and Reese, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 103 was ordered printed and referred to the Committee on Highways.

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 104*, by Messrs. Adams and Reese, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 104 was ordered printed and referred to the Committee on Highways.

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 107*, by Messrs. Adams, Hopkin, Larsen and Beal, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B .No. 107 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 108*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 108 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 114*, by Messrs. Day, Reese, Beal, Hopkin, Fowles and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 114 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 115*, by Mr. Adams, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT DEFINING THE POWERS AND DUTIES OF THE UTAH WATER AND POWER BOARD; PROVIDING FOR THE APPOINTMENTS OF THE MEMBERS OF THE BOARD AND THEIR SUCCESSORS AND FOR THE FILLING OF VACANCIES IN THE MEMBERSHIP OF SAID BOARD; PROVIDING FOR THE APPOINTMENT, QUALIFICATION AND TENURE OF OFFICE OF A DIRECTOR OF THE BOARD WHO SHALL, BY VIRTUE OF HIS OFFICE, BE EXECUTIVE SECRETARY OF THE BOARD AND STATE ENGINEER OF THE STATE AND PRESCRIBING HIS DUTIES IN SUCH CAPACITIES; PROVIDING FOR THE APPOINTMENT BY SUCH DIRECTOR OF A CHIEF ENGINEER AND AN ATTORNEY OF THE BOARD AND OF THE DIRECTOR IN ALL HIS CAPACITIES; PRESCRIBING THE MANNER OF FIXING THE COMPENSATION OF THE DIRECTOR, THE CHIEF ENGINEER AND ATTORNEY AND PROVIDING FOR THE APPOINTMENT OF THE NECESSARY ASSISTANTS TO THE DIRECTOR IN ALL HIS CAPACITIES, BY AMENDING SECTIONS 2, 3 AND 4 OF CHAPTER 141, LAWS OF UTAH 1947 AND AMENDING SECTION 11, CHAPTER 141, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 93, LAWS OF UTAH 1949, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 115 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 116*, by Mr. Adams, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTIONS 100-2-1, 100-2-8, 100-2-10, 100-2-15, 100-2-17, 100-8-1, 100-8-2, UTAH CODE ANNOTATED 1943, AND SECTION 100-5-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 96, LAWS OF UTAH 1949, RELATING TO THE STATE ENGINEER, HIS POWERS AND DUTIES; PROVIDING FOR THE DIRECTOR OF THE UTAH WATER AND POWER

BOARD TO BE THE STATE ENGINEER AND PROVIDING FOR THE UTAH WATER AND POWER BOARD TO EXERCISE CERTAIN FUNCTIONS HERETOFORE EXERCISED BY THE GOVERNOR AND THE STATE ENGINEER, AND REPEALING SECTIONS 100-2-2, 100-2-3, 100-2-6, 100-2-13, UTAH CODE ANNOTATED 1943 AND 100-2-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 97, LAWS OF UTAH 1949, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 116 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 119*, Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 119 was ordered printed and referred to the Committee on Public Institutions.

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 125*, by Messrs. Larsen and Muir, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 125 was ordered printed and referred to the Committee on Education.

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 126*, by Mr. Larsen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 126 was ordered printed and referred to the Committee on Revenue and Taxation.

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 128*, by Messrs. Marthakis, Burns, Watson, Elggren and Tippetts, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 128 was ordered printed and referred to the Committee on Education.

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 129*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 129 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 130*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 130 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 30, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 90*, by Messrs. Jenkins and Reese, has carefully considered said bill and reports the same out favorably.

Respectfully,

LORENZO E. ELGGREN,

Report filed. Chairman

S. B. No. 90 was placed on the Second Reading Calendar.

January 30, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 86*, by Messrs. Thorn and Watson, has carefully considered said bill and reports the same out favorably.

Respectfully,

LORENZO E. ELGGREN,

Report filed. Chairman

S. B. No. 86 was placed on the Second Reading Calendar.

January 30, 1951

Mr. President:

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

Respectfully,

LORENZO E. ELGGREN,

Report filed. Chairman

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

January 30, 1951

Mr. President:

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

Respectfully,

CLARENCE L. ASHTON,

Report filed. Chairman

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

January 30, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 14*, by Messrs. White and Swenson, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,

Report filed. Chairman

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

January 30, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 4*, by Mr. Lundell, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,

Report filed. Chairman

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

January 30, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 10*, by Messrs. White and Swenson, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,

Report filed. Chairman

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

January 30, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 13*, by Messrs. White and Swenson, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,

Report filed. Chairman

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

January 30, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 54*, by Messrs. Fowles and Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,

Report filed. Chairman

S. B. No. 54 was referred to the Committee on Appropriations and Claims.

January 30, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 48*, by Messrs. Larsen, Marthakis, Tippetts, Thorn, Muir, Adams, Clegg, Burns, Ashton, Jenkins, Watson, Beal, Day and Milliman, has carefully considered said bill and reports the same out favorably.

Respectfully,

LORENZO E. ELGGREN,

Report filed. Chairman

S. B. No. 48 was referred to the Committee on Appropriations and Claims.

January 30, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 55*, by Messrs. Clegg, Thorn, Burns, Marthakis and Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,

Report filed. Chairman

S. B. No. 55 was referred to the Committee on Appropriations and Claims.

January 30, 1951

Mr. President:

Your Committee on Military Affairs, to which was referred *S. B. No. 96*, by Messrs. Day, Marthakis and Elggren, has carefully considered said bill and reports the same out favorably.

Respectfully,

FRED J. MILLIMAN,

Report filed. Chairman

Senator Day moved that the rules be suspended and that the Senate do now consider *S. B. No. 96.*

Motion carried.

On motion of Senator Day the rules were suspended and *S. B. No. 96* was read the second and third times and placed on its final passage.

S. B. No. 96 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting were: Senators Hopkin, Muir and Tippetts.

S. B. No. 96 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 133 — By Messrs. Elggren, Milliman, Clegg, Thorn, Burns, Gibson, Watson, Brockbank, Marthakis, Cannon and Mrs. Jensen

AN ACT APPROPRIATING FROM THE RESERVE BUILDING FUND TO THE STATE DEPARTMENT OF PUBLIC WELFARE THE SUM OF $1,250,000 TO FINANCE THE CONSTRUCTION OF A MEDICAL-SURGICAL TREATMENT BUILDING AT THE UTAH STATE HOSPITAL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 134 — By Messrs. Day and Hopkin

AN ACT AMENDING SECTIONS 82C-7-1 AND 82C-7-2, UTAH CODE ANNOTATED 1943, RELATING TO INTERSTATE COOPERATION AND DESIGNATING THE UTAH LEGISLATIVE COUNCIL AS THE UTAH COMMITTEE FOR THE LEGISLATIVE BRANCH OF STATE GOVERNMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 135 — By Mr. Marthakis and Mrs. Jensen

AN ACT AMENDING SECTION 103-51-18, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 25, LAWS OF UTAH 1943, RELATING TO THE CRIME OF RAPE, DESCRIBING THE PENALTIES THEREFOR AND PROVIDING FOR MANDATORY LIFE SENTENCES, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

January 30, 1951

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. 5*, by Messrs. Fowles and Thorn, entitled:

A JOINT RESOLUTION ACKNOWLEDGING GRANTS BY KENNECOTT COPPER CORPORATION AND ITS UTAH COPPER DIVISION TO THE UNIVERSITY OF UTAH, UTAH STATE AGRICULTURAL COLLEGE, AND BRIGHAM YOUNG UNIVERSITY, AND EXPRESSING APPRECIATION THEREFOR, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

January 30, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 40*, by Messrs. Young, Hurst, Hopkins, Munk, Jarman, Luke, C. Anderson and Bagnall, entitled:

AN ACT AMENDING SECTIONS 1, 2, 4, 5, 6, 7, 8, 9, 12, 15, 19, 20, AND 21 OF CHAPTER 8, LAWS OF UTAH 1945, DEFINING TERMS USED, AUTHORIZING THE STATE BOARD OF AGRICULTURE TO PROMULGATE RULES AND REGULATIONS TO INSURE SANITATION OF MILK FIXING THE BOARD'S DUTY IN CONNECTION THEREWITH, PROHIBITION OF ADULTERATED PRODUCTS, PROVIDING FOR COLLECTION AND EXAMINATION OF SAMPLES OF MILK AND ITS PRODUCTS, PROVIDING FOR PERMITS — FEES - - RULES AND REGULATIONS HEARINGS VIOLATIONS, PROVIDING POWER TO CONDEMN AND SEIZE PRODUCTS NOT IN CONFORMANCE WITH THIS ACT, MAKING IT A MISDEMEANOR TO VIOLATE THE PROVISIONS OF THIS ACT, EXCLUDING CERTAIN PRODUCTS FROM OPERATION OF THIS ACT, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 40 was read the first time and referred to the Committee on Agriculture and Irrigation.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 6 By Mr. Fowles and Mrs. Jensen

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF THE STATE OF UTAH, RELATING TO DESIGNATION OF CERTAIN HIGHWAYS AS BLUE STAR MEMORIAL ROUTES, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 136 By Messrs. Day, Marthakis, Fowles and Reese

AN ACT TO BE ENTITLED THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT, PROVIDING FOR GIVING PROOF OF FINANCIAL RESPONSIBILITY BY OWNERS AND OPERATORS OF MOTOR VEHICLES VIOLATING THE MOTOR VEHICLE LAWS OF THE STATE OF UTAH OR INVOLVED IN AN ACCIDENT IN WHICH DAMAGES RESULT IN EXCESS OF $100, REQUIRING THE GIVING OF SECURITY FOR THE PAYMENT OF DAMAGES; PROVIDING FOR THE SUSPENSION OF OPERATORS LICENSES AND REGISTRATION CERTIFICATES UNTIL SUCH SECURITY IS FURNISHED; PROVIDING FOR THE APPOINTMENT OF THE SECRETARY OF THE STATE OF UTAH AS PROCESS AGENT FOR NON-RESIDENTS USING THE HIGHWAYS OF THIS STATE IN ACTIONS ARISING OUT OF ANY ACCIDENTS; PRESCRIBING THE PROCEDURE TO MAKE PROOF OF FINANCIAL RESPONSIBILITY, AND PRESCRIBING PENALTIES FOR VIOLATIONS HEREOF, AND OTHER MATTERS RELATING THERETO; AND REPEALING CHAPTER 68, LAWS OF UTAH 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 137 By Mr. Day

AN ACT AMENDING SECTION 67-0-1, UTAH CODE ANNOTATED 1943, LIMITING THE POWER OF THE BOARD OF PARDONS TO GRANT PARDONS AFTER CONVICTION OF MURDER IN THE FIRST DEGREE WHERE THE PUNISHMENT HAS BEEN FIXED AT DEATH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 138 By Messrs. Marthakis, Elggren, Brockbank and Mrs. Jensen

AN ACT AUTHORIZING THE UNIVERSITY OF UTAH TO CONSTRUCT A CLASSROOM BUILDING AND A SCIENTIFIC LABORATORY BUILDING UPON ITS CAMPUS, APPROPRIATING $1,500,000.00 FOR THE CONSTRUCTION OF THE CLASSROOM BUILDING AND $2,000,000.00 FOR THE CONSTRUCTION OF THE

SCIENTIFIC LABORATORY BUILDING OUT OF THE FIRST ACCUMULATIONS IN THE RESERVE BUILDING FUND SUFFICIENT THEREFOR IN THE ORDER NAMED AND DIRECTING THE TRANSFER THEREOF FOR SAID PURPOSES AS AVAILABLE TO THE BUILDING COMMISSION BY THE PROPER FISCAL OFFICER UPON CERTIFICATION BY THE BOARD OF EXAMINERS, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 20 was read the third time and placed on its final passage.

On motion of Senator Larsen *S. B. No. 20* was made a special order of business for Wednesday, January 31, 1951 at 2:30 P.M.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 39 was read the second time.

Committee report read and adopted.

On motion of Senator Watson the rules were suspended and *S. B. No. 39* was read the third time and placed on it final passage.

S. B. No. 39 then passed on the following roll call:

Ayes, 20, Nos, 2; Absent, 1.

Those voting in the affirmative were: Senators Adams, Ashton, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Beal and Larsen.

Absent and not voting: Senator Reese.

S. B. No. 39 was transmitted to the House.

SPECIAL ORDER

S. B. No. 38, being a special order of business, was before the Senate.

On motion of Senator Milliman *S. B. No. 38* was made a special order of business for Tuesday, February 6, 1951 at 3:00 P.M.

Senator Thorn moved that all bills referring to reapportionment of the State Legislature be referred to the Utah Legislative Council for investigation, study and report with recommendations to the Thirtieth Legislature.

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

The motion then failed of passage on the following roll call:

Ayes, 10; Nos, 13; Absent, 0.

Those voting in the affirmative were: Senators Brockbank, Cannon, Clegg, Day, Jenkins, Jensen, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Adams, Ashton, Beal, Burns, Elggren, Gibson, Hopkin, Larsen, Marthakis, Milliman, Muir, Paxton and Reese.

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

The Senate re-assembled.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 65 was read the second time.

Committee report read and adopted.

S. B. No. 65 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Jenkins.

S. B. No. 24 was read the second time.

Committee report read and adopted.

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

Page 1, line 16, strike the word "and" and insert in lieu thereof the word "any".

S. B. No. 24 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 Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Watson.

Absent and not voting: Senators Fowles and Hopkin.

S. B. No. 56 was read the second time.

Committee report read and adopted.

S. B. No. 56 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 Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Adams and Larsen.

On motion of Senator Clegg, the Secretary was instructed to send a letter of appreciation to the Commanding Officer of the Tooele Ordnance Depot, for the educational tour of the Depot and to the President of the Tooele Chamber of Commerce for its luncheon.

The President recognized Mr. Wm. R. Wallace, authority on water conservation, and D. H. Oliver, attorney.

On motion of Senator Marthakis the Senate adjourned.

TWENTY-FOURTH DAY

January 31, 1951

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

Roll Call—All Senators present.

Prayer by the Chaplain.

January 31, 1951

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,

P. S. MARTHAKIS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 30, 1951

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. Postma, Young, Jarman, Tietjen, Hurst, Brotherson and Patterson, 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 RECEIPT THEREFROM, ALLOCATION OF THE AERONAUTIC FUND AND HOW IT IS USED, REPORTS OF DISTRIBUTORS AND DEALERS, DISPOSITION OF THE BALANCE, BY APPROPRIATING 93% TO THE STATE HIGHWAY CONSTRUCTION FUND, CREATING A MOTOR FUEL RESERVE FUND AND APPROPRIATING 7% 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,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 43 was read the first time and referred to the Committee on Judiciary.

January 30, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 16*, by Messrs. Openshaw, Walker, Rowberry and Munk, entitled:

AN ACT PROVIDING FOR STANDARDIZATION OF FIRE HOSE AND HYDRANT COUPLING THREADS, PROHIBITING SALE OF NON-STANDARD THREAD EQUIPMENT AND PROVIDING FOR PUNISHMENT OF VIOLATORS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 16 was read the first time and referred to the Committee on Banking and Commerce.

Januray 30, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 33*, by Messrs. Howe, Bushnell, Davis and Sheffield, entitled:

AN ACT AMENDING SECTION 28-5-4, UTAH CODE ANNOTATED 1943, RELATING TO WITNESS FEES AND MILEAGE.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

REPORTS OF STANDING COMMITTEES

January 31, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 84*, by Messrs. Hopkin, Marthakis and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed by title only.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 84 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 31, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 109*, by Mr. Gibson, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 76-5-25 OF SECTION 4, CHAPTER 105, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 8, LAWS OF UTAH 1948, FIRST SPECIAL SESSION, PROVIDING THAT THE PROVISIONS OF UTAH LAW RELATING TO TRANSPORTATION BY MOTOR VEHICLES SHALL NOT APPLY TO THE USE OF MOTOR VEHICLES AS HEARSES BY DULY LICENSED EMBALMERS, FUNERAL DIRECTORS OR MORTUARY ESTABLISHMENTS, OR TO THE USE OF MOTOR VEHICLES AS AMBU-

LANCES WHEN USED BY SUCH LICENSEES INCIDENTAL TO THEIR REGULAR EMBALMING OR FUNERAL DIRECTOR BUSINESS, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 109 was ordered printed and referred to the Committee on Highways.

January 31, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 111*, by Messrs. Clegg, Day, Thorn and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 111 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 31, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 120*, by Mr. Day, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 76B-0-4.1, UTAH CODE ANNOTATED 1943, PROVIDING THAT ADULT CHILDREN WHO ARE FINANCIALLY ABLE SHALL BE LIABLE FOR OBLIGATION OF FINANCIAL ASSISTANCE RENDERED PARENTS 65 YEARS OF AGE IN NEED OF ASSISTANCE, SETTING FORTH PROCEDURE, FIXING LIABILTY, MANNER OF COLLECTION AND BURDEN OF PROOF, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 120 was ordered printed and referred to the Committee on Welfare.

January 31, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 121*, by Messrs. Watson and Hopkin, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 86-1-18, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 84, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 129, LAWS OF UTAH 1947, RELATING TO MINING LEASES, RENTALS AND ROYALTIES ON LANDS IN THE STATE OF UTAH AND TO THE ACREAGE LIMITATION WITH RESPECT THERETO AND PROVIDING AN EXCEPTION AS TO LANDS WITHIN OIL AND GAS COOPERATIVE OR UNIT PLANS, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 121 was ordered printed and referred to the Committee on Mining and Smelting.

January 31, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 122*, by Mr. Larsen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 122 was ordered printed and referred to the Committee on Public Institutions.

January 31, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 124*, by Messrs. Larsen and Cannon, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 124 was ordered printed and referred to the Committee on Public Institutions.

January 31, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 127*, by Messrs. Marthakis, Thorn, Paxton and Day, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT PROVIDING FOR THE INSTALLATION OF HEAD AND REAR LIGHTS ON TRACK MOTOR CARS OPERATED BY ANY RAILROAD WITHIN THE STATE, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 127 was ordered printed and referred to the Committee on Highways.

January 31, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 132*, by Messrs. Marthakis, Cannon, Elggren and Watson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 132 was ordered printed and referred to the Committee on Judiciary.

January 31, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 131*, by Messrs. Tippetts and Paxton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 131 was ordered printed and referred to the Committee on Revenue and Taxation.

January 31, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 133*, by Messrs. Elggren, Milliman, Clegg, Thorn, Burns, Gibson, Watson, Brockbank, Marthakis, Cannon and Mrs. Jensen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 133 was ordered printed and referred to the Committee on Public Institutions.

January 31, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 134*, by Messrs. Day and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 134 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 31, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 135*, by Mr. Marthakis and Mrs. Jensen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

S. B. No. 135 was ordered printed and referred to the Committee on Judiciary.

January 31, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 4*, by Messrs. Paxton, Ashton and Day, with a few minor changes assented to by the authors, including the following revision of the title:

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, RELATING TO THE TERMS OF OFFICE OF THE PRESIDENT, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

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

January 31, 1951

Mr. President:

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

Respectfully,

JOHN H. BEAL,
Acting Chairman

Report filed.

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

January 30, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 5*, by Messrs. Fowles and Thorn, entitled:

A JOINT RESOLUTION ACKNOWLEDGING GRANTS BY KENNECOTT COPPER CORPORATION AND ITS UTAH COPPER DIVISION TO THE UNIVERSITY OF UTAH, UTAH STATE AGRICULTURAL COLLEGE, AND BRIGHAM YOUNG UNIVERSITY, AND EXPRESSING APPRECIATION 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,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 31, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 4*, by Messrs. Fowles, Hopkin and Gibson, has carefully considered said bill and reports the same out without recommendation with the following amendment:

Body, page 10, line 32, after the words "the collection of the excise tax" insert the new sentence "The remaining balance in the general highway fund shall be allocated as follows: seventy-seven (77) percent to the State Highway Construction and Maintenance Fund and twenty-three (23) percent to the Class "B" and Class "C" roads account."

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

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

January 31, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 6*, by Messrs. Fowles, Gibson and Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

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

January 31, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 10*, by Messrs. Fowles, Gibson and Hopkin, has carefully considered said bill and reports the same out without recommendation with the following amendment:

Body, page 2, line 20, after the words "Safety Council and", delete the rest of the sentence and insert in lieu thereof the following: "the State Finance Commission, for services; the remaining balance in the

General Highway Fund shall be allocated as follows: seventy-seven (77) percent to the State Highway Construction and Maintenance Fund and twenty-three (23) percent to the Class "B" and Class "C" roads account."

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

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

January 31, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 25*, by Messrs. Marthakis, Tippetts, Milliman, Watson, Cannon, Day and Mrs. Jensen, has carefully considered said bill and reports the same out favorably with the following amendments:

Body, page 1, delete the words in lines 7 and 8 beginning with the word "fixed" in line 7 and ending with the period following the word "examiners" in line 8 and add the following:

Beginning at a point which is north 89° 58' 44½" east 2643.38 feet and south 0° 06' 37" west 179.39 feet from the northwest corner of Section 21, T. 1 S., R. 1 E., S. L. B. & M., which point is on the south side of East 21st South Street, thence south 89° 52' 00" east along said south side of East 21st South Street 375.45 feet to the northeast fence corner of the prison property, thence south 0° 17' 36" west along the east fence line of said prison property, 1320.0 feet, thence north 89° 42' 24" west 1130.0 feet, thence north 0° 17' 36" east 660.0 feet, thence south 89° 42' 24" east 330.0 feet, thence north 0° 17' 36" east 736.15 feet to the north fence line of the prison property, thence south 74° 52' east 54.70 feet, thence on a 2083.16 foot radius curve to the left or easterly 377.52 feet to the place of beginning.

Containing 30 acres more or less.

Page 1, lines 9 and 10 delete the words beginning with the word "by" in line 9 and ending with the word "governor" in line 10.

Page 1, line 14, after the word "property" insert the words "remaining and so designated as a state park, and add the following:

Beginning at the northwest corner of Section 21, T. 1 S., R. 1 E., S. L. B. & M., thence north 89° 58' 44½" east along the north line of said section 2643.38 feet to the north ¼ corner of said section, thence south 0° 06' 37" west 179.39 feet to the south side of East 21st South Street, thence on a 2083.16 foot radius curve to the right or westerly 377.52 feet, thence north 74° 52' west 54.70 feet along the north fence line, thence south 0° 17' 36" west 736.15 feet, thence north 89° 42' 24" west 330.0 feet, thence south 0° 17' 36" west 660.0 feet, thence south 89° 42'

24" east 1320.0 feet to the east fence line of said prison property, thence south 0° 17' 36" west along the east fence line of said prison property 541.0 feet to the north bank of Parley's Canyon Creek Wash, thence north 63° 40' west along a fence line on the north bank of said wash, 63.59 feet, thence south 13° 08' east, 87.97 feet along a fence and south 12° 39' west 29.00 feet along a fence, to a fence corner on the south bank of said wash, thence south 18° 09' west along a fence line 325.84 feet, to the center line of the D&RG RR tracks through the prison property, thence south 18° 36' west along a fence line 225.78 feet to the southeast corner of said prison property, thence north 89° 47' 58" west along the north boundary line of the Highland Park Subdivision, said line being the east and west center line through said section, 2830.90 feet to the west ¼ corner of said section, thence north 0° 14' 46" east along the west line of said section, 2639.78 feet, to the point of beginning.

Said tract of land contains approximately	158.66 acres
less State Highway and areas north of highway	4.84 acres
	net 153.82 acres

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 30, 1951

Mr. President:

Your Committee on State and Municipal Affairs to which was referred *S. B. No. 83*, by Messrs. Hopkin, Marthakis and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 83 was placed on the Second Reading Calendar.

January 30, 1951

Mr. President:

Your Committee on State and Municipal Affairs to which was referred *S. B. No. 57*, by Messrs. Marthakis, Day and Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 57 was placed on the Second Reading Calendar.

January 30, 1951

Mr. President:

Your Committee on State and Municipal Affairs to which was referred *S. B. No. 93*, by Messrs. Marthakis, Muir, Fowles, Watson and Mrs. Jensen, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 93 was placed on the Second Reading Calendar.

January 31, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 78* by Messrs. Reese and Paxton, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 78 was placed on the Second Reading Calendar.

January 31, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 41*, by Mrs. Jensen, and Messrs. Day, Burns, Thorn, Marthakis and Elggren, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 41 was referred to the Committee on Appropriations and Claims.

January 31, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 63*, by Messrs. Marthakis, Jenkins and Tippetts, has carefully considered said bill and reports the same out favorably with the following amendment:

Title, line 10, correct the misspelling of the word "PROVIDING".

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 63 was placed on the Second Reading Calendar.

January 31, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 64*, by Messrs. Marthakis, Jenkins and Clegg, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 64 was placed on the Second Reading Calendar.

January 31, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 117*, by Messrs. Muir, Larsen, Clegg, Mrs. Jensen, Beal, Thorn, Reese, Day Fowles, Paxton, Cannon, Watson and Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 117 was placed on the Second Reading Calendar.

January 31, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 33*, by Messrs. Day, Jenkins, Clegg and Elggren, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

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

January 31, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 16*, by Messrs. Tippetts, Elggren, Burns, Watson, Day, Marthakis and Mrs. Jensen, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

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

January 31, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 46*, by Messrs. Day, Cannon and Marthakis, has carefully considered said bill and reports the same out favorably with the following amendments:

Body, line 5, after the first set of deletion marks "( )" delete the word "twenty" and insert in lieu thereof the word "sixteen"; line 5, after the second set of deletion marks "( )" delete the word "eight" and insert in lieu thereof the word "six".

Line 9, after the deletion marks "( )" delete the word "fifteen" and insert in lieu thereof the word "twelve".

Line 10, after the deletion marks "( )" delete the word "eight" and insert in lieu thereof the word "six".

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 46 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 139 By Mr. Watson for Committee on Agriculture and Irrigation

AN ACT PROVIDING FOR RETURN OF AND FUTURE ADMINISTRATION OF THE ASSETS OF THE UTAH RURAL REHABILITATION CORPORATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 140 By Mr. Gibson

AN ACT AMENDING SECTION 15-8-80, UTAH CODE ANNOTATED 1943, RELATING TO LICENSE FEES AND TAXES WHICH MAY BE CHARGED BY A MUNICIPALITY, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Marthakis, *S. B. No. 17* was referred back to the Committee on Revenue and Taxation, retaining its place on the Second Reading Calendar.

President Fowles appointed Senators Watson, Clegg and Marthakis as a special committee, to act with a like committee from the House, to study the existing contract between the PID and Coal Logs, Inc. and to make recommendations for the disposition thereof.

On motion of Senator Hopkin, *S. B. Nos. 3, 4, 5, 6, 7, 8 and 10* were made a Special Order of Business for Monday, February 5, 1951 at 2:30 P.M.

COMMUNICATIONS FROM THE HOUSE

January 31, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 1*, by Messrs. Larsen, Tietjen and Woolley, entitled, "AN ACT REPEALING CHAPTER 79 OF THE LAWS OF UTAH 1947 AND CREATING A NEW ACT PROVIDING FOR THE APPROPRIATION TO AND EQUITABLE DISTRIBUTION AMONG THE VARIOUS JUNIOR COLLEGES, THE UNIVERSITY OF UTAH (NOT INCLUDING THE MEDICAL SCHOOL), THE UTAH STATE AGRICULTURAL COLLEGE (NOT INCLUDING THE EXPERIMENT STATION AND EXTENSION

SERVICE) AND THE BRANCH AGRICULTURAL COLLEGE OF THE MONIES FOR THE COMMON COSTS OF SUCH STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION FOR INSTRUCTION, MAINTENANCE AND REPAIR OF PHYSICAL PLANTS AND GROUNDS AND ADMINISTRATION", and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

January 31, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 23*, by Messrs. Muir, Reese, Burns, Elggren, Milliman, Tippetts and Ashton, entitled:

AN ACT AMENDING SECTION 80-15-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 83, LAWS OF UTAH 1949, RELATING TO THE COLLECTION OF TAX—RETURNS—TOKENS — DEPOSIT OF SECURITY — PENALTIES FOR VIOLATIONS, AND PROVIDING FOR COMPENSATION TO VENDOR IN THE AMOUNT OF 5% OF THE TAX COLLECTED WITH $100.00 ANNUAL CEILING PROVISION FOR EACH STORE AS EXPENSE OF ACCOUNTING AND REMITTING, AND PROVIDING FOR THE PAYMENT OF TAX DIRECTLY TO THE STATE TAX COMMISSION IN CERTAIN INSTANCES, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 23 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

SPECIAL ORDER

S. B. No. 20, being a special order of business, was before the Senate.

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

Page 2, line 18, strike the word "elected" and insert in lieu thereof the word "retained".

S. B. No. 20 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Cannon, Clegg, Day, Gibson, Hopkin, Paxton, Thorn and Mr. President.

Those voting in the negative were: Senators Burns, Elggren, Jenkins, Jensen, Larsen, Marthakis, Milliman, Reese, Tippetts and Watson.

Absent and not voting: Senator Muir.

S. B. No. 20 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 65 was read the third time and placed on its final passage.

S. B. No. 65 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Adams.

S. B. No. 65 was transmitted to the House.

S. B. No. 24 was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

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

S. B. No. 56 was read the third time and placed on its final passage.

S. B .No. 56 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Jensen.

S. B. No. 56 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 75 was read the second time.

Committee report read and adopted.

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

The Senate re-assembled.

S. B. No. 75 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 Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin (explained vote), Jenkins, Jensen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Larsen and Muir.

The President recognized Mr. Harry Carlson, Meridan, New Hampshire, and former candidate for Governor of that state, and former State Representative Faye E. Williams of Morgan County.

On motion of Senator Marthakis the Senate adjourned.

TWENTY-FIFTH DAY

February 1, 1951

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

Roll Call--All Senators present.

Prayer by the Chaplain.

February 1, 1951

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 corrections noted on the final copy.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report adopted and filed

COMMUNICATIONS FROM THE HOUSE

January 31, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 37*, by Messrs. Davis, Openshaw, Howe and Sagers, entitled:

AN ACT PROVIDING THAT NON-PROFIT MEDICAL SERVICE PLANS BE REGULATED BY THE INSURANCE DEPARTMENT OF THE STATE OF UTAH, THAT NON-PROFIT MEDICAL SERVICE PLANS ORGANIZE UNDER PROVISIONS OF THE ACT AND SUBMIT REPORTS TO THE STATE INSURANCE DEPARTMENT, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 37 was read the first time and referred to the Committee on Health and Labor.

January 31, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 51*, by Messrs. Tietjen, Bushnell, Sheffield, Albrecht, Jones and Woolley, entitled:

AN ACT PRESCRIBING A STANDARD OF CARE FOR INVESTMENTS OF FUNDS BY EXECUTORS, ADMINISTRATORS, GUARDIANS, TRUSTEES AND OTHER FIDUCIARIES, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 51 was read the first time and referred to the Committee on Judiciary.

February 1, 1951

Mr. President:

I am directed 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. 5*, by Messrs. Fowles and Thorn, entitled:

A JOINT RESOLUTION ACKNOWLEDGING GRANTS BY KENNECOTT COPPER CORPORATION AND ITS UTAH COPPER DIVISION TO THE UNIVERSITY OF UTAH, UTAH STATE AGRICULTURAL COLLEGE, AND BRIGHAM YOUNG UNIVERSITY, AND EXPRESSING APPRECIATION THEREFOR, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. J. R. No. 5 was transmitted to the Secretary of State.

REPORTS OF STANDING COMMITTEES

February 1, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 23*, by Messrs. Muir, Reese, Burns, Elggren, Milliman, Tippetts and Ashton, entited:

AN ACT AMENDING SECTION 80-15-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 83, LAWS OF UTAH 1949, RELATING TO THE COLLECTION OF TAX—RETURNS—TOKENS - - DEPOSIT OF SECURITY — PENALTIES FOR VIOLATIONS, AND PROVIDING FOR COMPENSATION TO VENDOR IN THE AMOUNT OF 5% OF THE TAX COLLECTED WITH $100.00 ANNUAL CEILING PROVISION FOR EACH STORE AS EXPENSE OF ACCOUNTING AND REMITTING, AND PROVIDING FOR THE PAYMENT OF TAX DIRECTLY TO THE STATE TAX COMMISSION IN CERTAIN INSTANCES, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 23 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 1, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 123*, by Messrs. Larsen and Cannon, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 123 was ordered printed and referred to the Committee on Public Institutions.

February 1, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 136*, by Messrs. Day, Marthakis, Fowles and Reese, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 136 was ordered printed and referred to the Committee on Highways.

February 1, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 137*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 137 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 1, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 138*, by Messrs. Marthakis, Elggren, Brockbank and Mrs. Jensen, with a

few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 138 was ordered printed and referred to the Committee on Education.

February 1, 1951

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 106*, by Mr. Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWARD H. WATSON,
Chairman

Report filed.

S. B. No. 106 was referred to the Committee on Appropriations and Claims.

February 1, 1951

Mr. President:

Your Committee on Military Affairs to which was referred *S. B. No. 61*, by Mr. Watson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman

Report filed.

S. B. No. 61 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on Public Institutions to which was referred *S. B. No. 49*, by Mr. Larsen, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

LORENZO E. ELGGREN,
Chairman

Report filed.

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

February 1, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 119*, by Mr. Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

LORENZO E. ELGGREN,
Chairman

Report filed.

S. B. No. 119 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 50*, by Mr. Larsen, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

LORENZO E. ELGGREN,
Chairman

Report filed.

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

February 1, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. J. R. No. 3*, by Messrs. Cannon, Ashton, Thorn and Gibson, has carefully considered said bill and reports the same out favorably with the following amendment:

Title, line 3, delete the word "LEGISLATURE" and insert the word "LEGISLATIVE".

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

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

February 1, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 71*, by Messrs. Day, Paxton, Muir, Gibson and Ashton, has care-

fully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

S. B. No. 71 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 95*, by Messrs. Cannon, Ashton and Thorn, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

S. B. No. 95 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 47*, by Messrs. Larsen, Ashton, Burns, Muir, Paxton, Beal, Tippetts, Milliman, Hopkin, Reese and Adams, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 47 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 98*, by Messrs. Marthakis, Watson, Jenkins, Elggren and Mrs. Jensen, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 98 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 67*, by Mr. Hopkin, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 67 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 59*, by Messrs. Day and Thorn, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 59 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 34*, by Messrs. Openshaw, Miller, Beezley and Mrs. Elizabeth Vance, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

February 1, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 130*, by Mr. Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 130 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 114*, by Messrs. Day, Reese, Beal, Hopkin, Fowles and Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 114 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 129*, by Mr. Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 129 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 81*, by Messrs. Day and Muir, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 81 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 97*, by Messrs. Day and Muir, has carefully considered said bill and reports the same out favorably with the following amendment:

Body, line 11, page 1, after the deletion insert "beginning the 20th day of October each year and continuing for ten days thereafter".

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 97 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 99*, by Messrs. Muir, Paxton, Day and Adams, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 99 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 112*, by Mr. Hopkin, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 112 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. J. R. No. 2*, by Messrs. Larsen and Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CLARENCE L. ASHTON,
Chairman

Report filed.

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

January 31, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 55*, by Messrs. Clegg, Thorn, Burns, Marthakis and Jenkins, entitled, "AN ACT APPROPRIATING $752,000.00 FOR THE CONSTRUCTION OF BUILDINGS FOR THE CENTRAL UTAH VOCATIONAL SCHOOL", has carefully considered said bill, has deleted the amount of the appropriation, and reports the same back without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

S. B. No. 55 was placed on the Second Reading Calendar.

January 31, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 54*, by Messrs. Fowles and Jenkins, entitled, "AN ACT APPROPRIATING $500,000.00 TO THE STATE BUILDING BOARD FOR CONSTRUCTION OF A SCHOOL BUILDING AT THE UTAH SCHOOL FOR THE DEAF AND BLIND," has carefully considered said bill, has deleted the amount of the appropriation, and reports the same back without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

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

January 31, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 48*, by Messrs. Larsen, Marthakis, Tippetts, Thorn, Muir, Adams, Clegg, Burns, Ashton, Jenkins, Watson, Beal, Day and Milliman, entitled "AN ACT CREATING THE DEPARTMENT OF RESOURCES DEVELOPMENT, PROVIDING FOR THE ADMINISTRATION THEREOF, THE APPOINTMENT OF A NON-SALARIED EXECUTIVE BOARD, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS THEREOF, MAKING AN APPROPRIATION, ESTABLISH-

ING A RESOURCES DEVELOPMENT SPECIAL FUND, REPEALING CHAPTER 3, TITLE 42, UTAH CODE ANNOTATED 1943, AND REPEALING CHAPTER 3, TITLE 82C, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 116, LAWS OF UTAH 1945," has carefully considered said bill, has deleted the amount of the appropriation and reports the same back without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

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

PRESENTATION OF RESOLUTIONS

S. J. R. No. 7 By Messrs. Thorn and Day

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE TWENTY-NINTH LEGISLATURE OF THE STATE OF UTAH, DIRECTING THE UTAH LEGISLATIVE COUNCIL TO CONDUCT A STUDY OF REAPPORTIONMENT OF THE UTAH STATE LEGISLATURE, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 141 By Mr. Day

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. 142 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. 143 By Messrs. Elggren, Burns, Watson and Marthakis

AN ACT AMENDING SECTION 76-4-24 UTAH CODE ANNOTATED 1943 RELATING TO CERTIFICATE OF CONVENIENCE AND NECESSITY PREREQUISITE TO CONSTRUCTION AND OPERATION AND PROVIDING FOR MANDATORY ISSUANCE OF CERTIFICATES OF CONVENIENCE AND NECESSITY UPON PETITION OF 1,000 RESIDENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 144 By Messrs. Marthakis, Muir, Beal, Tippetts, Ashton, Elggren Jenkins, Milliman and Mrs. Jensen

AN ACT AMENDING SECTION 2 OF CHAPTER 126, LAWS OF UTAH, 1947, RELATING TO THE CONSTRUCTION, EQUIPPING AND FURNISHING OF BUILDINGS ON THE CAMPUSES OF THE UNIVERSITY OF UTAH AND THE UTAH STATE AGRICULTURAL COLLEGE AND PROVIDING FOR THE FINANCING THEREOF THROUGH THE ISSUANCE OF REVENUE BONDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 145 By Messrs. Reese and Watson

AN ACT AMENDING SECTION 57-3a-9, UTAH CODE ANNOTATED 1943, RELATING TO THE RECORDS OF THE MOTOR VEHICLE DEPARTMENT AND AUTHORIZING THE DEPARTMENT TO PHOTOGRAPH, MICROPHOTOGRAPH, OR OTHERWISE DUPLICATE RECORDS, ETC., was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 146 By Messrs. Marthakis, Cannon, Elggren and Watson

AN ACT AMENDING SECTIONS 87-1-3 AND 87-1-4, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 125, LAWS OF UTAH 1945, AND AS AMENDED BY CHAPTER 134, LAWS OF UTAH, 1947, RELATING TO THE SALARIES OF JUDGES OF THE SUPREME AND DISTRICT COURTS AND THE TERM OF DISTRICT JUDGES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 147 By Messrs. Marthakis, Cannon, Elggren and Watson

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

S. B. No. 148 By Messrs. Reese and Milliman

AN ACT AMENDING SECTION 57-4-15, UTAH CODE ANNOTATED, 1943, RELATING TO THE RECORDS TO BE MAINTAINED IN CONNECTION WITH OPERATOR'S AND CHAUFFEUR'S LICENCES AND PROVIDING FOR THE PHOTOGRAPHING, MICROPHOTOGRAPHING OR FILMING OF SUCH RECORDS, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

February 1, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 53*, by Messrs. Tietjen, Bushell, Sheffield, Albrecht, Jones and Woolley, entitled,

"AN ACT AMENDING THE INDIVIDUAL INCOME TAX ACT, BEING CHAPTER 14 OF TITLE 80, UTAH CODE ANNOTATED 1943, BY ADDING THERETO NEW SECTIONS TO BE KNOWN AS SECTIONS 80-14-47a AND 80-14-47b UTAH CODE ANNOTATED 1943, RELATING TO COMMON TRUST FUNDS AND TRUSTS CREATED BY AN EMPLOYER AS PART OF A STOCK BONUS, PENSION OR PROFIT-SHARING PLAN AND THE TAXATION OF SUCH TRUSTS AND ACCUMULATIONS AND DISTRIBUTIONS THEREUNDER," and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 53 was read the first time and referred to the Committee on Banking and Commerce.

February 1, 1951

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. 39*, by Mr. Watson, entitled:

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; PROVIDING FOR CERTIFICATES AS TO FREEDOM FROM SUCH DISEASE, AND PRESCRIBING PERSONS WHO MAY ISSUE SUCH CERTIFICATES; PRESCRIBING TIME AND PROCEDURE REQUIRED BEFORE ISSUANCE OF MARRIAGE LICENSES, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 39 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 1, 1951

Mr. President:

I am directed to inform your Honorable Body that the House refuses to recede from its amendments to *S. B. No. 13*, by Messrs. Fowles, Tippetts, Marthakis, Ashton and Milliman, entitled:

AN ACT AUTHORIZING THE CREATION AND ORGANIZATION OF FIRE PROTECTION DISTRICTS IN ANY COUNTY OR COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICT, AUTHORIZING THE ACQUISITION OF PROPERTY AND IMPROVEMENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSES FOR WHICH SUCH DISTRICTS ARE CREATED, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

February 1, 1951

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 Luke, Hopkins and C. E. Peterson, to act with a like Committee from the Senate to consider *S. B. No. 13*, by Messrs. Fowles, Tippetts, Marthakis, Ashton and Milliman, entitled:

AN ACT AUTHORIZING THE CREATION AND ORGANIZATION OF FIRE PROTECTION DISTRICTS IN ANY COUNTY OR COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICT, AUTHORIZING THE ACQUISITION OF PROPERTY AND IMPROVEMENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSES FOR WHICH SUCH DISTRICTS ARE CREATED, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

President Fowles appointed a Conference Committee consisting of Senators Day, Adams and Mrs. Jensen to meet with a like committee from the House to consider the amendments to *S. B. No. 13*.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 75 was read the third time and placed on its final passage.

S. B. No. 75 then passed on the following roll call:

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

Those voting in the affirmative were Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Jensen and Paxton.

S. B. No. 75 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

H. B. No. 14 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 Adams, Ashton, Beal, Brockbank, Burns, Cannon, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senators Clegg and Tippetts.

Senator Larsen moved that the rules be suspended and that the Senate do now consider *H. B. Nos. 10 and 13.*

Motion carried.

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

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *H. B. No. 10* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Milliman, Muir, Paxton, Thorn, Watson and Mr. President.

Those voting in the negative were: Senator Burns.

Absent and not voting: Senators Hopkin, Marthakis, Reese and Tippetts.

H. B. No. 10 was returned to the House.

H. B. No. 13 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *H. B. No. 13* was read the third time and placed on its final passage.

H. B. No. 13 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Beal.

H. B. No. 13 was returned to the House.

Senator Day moved that the rules be suspended and that the Senate do now consider *H. B. No. 14*, on Third Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Day the rules were suspended and *H. B. No. 14* was read the third time and placed on its final passage.

H. B. No. 14 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Brockbank, Burns, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Cannon and Reese.

H. B. No. 14 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Gibson and Reese.

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

S. B. No. 74 was read the second time.

Committee report read and adopted.

S. B. No. 74 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 Adams, Ashton, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal and Gibson.

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

Committee report read and adopted.

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

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Gibson and Hopkin.

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

S. B. No. 36 was read the second time.

Committee report read and adopted.

S. B. No. 36 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jensen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Hopkin, Jenkins, Larsen and Paxton.

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

The Senate re-assembled.

S. B. No. 29 was read the second time.

Committee report read and adopted.

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

Line 5, after the word "WELFARE", insert the following "OR ANY PERSON AS FRIEND OF THE COURT".

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

Line 7, insert at the beginning of the sentence "If the court order is to the State department of public welfare," and change the letter "A" to "a".

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

Line 7, strike the word "court".

Line 7, strike the words "the State" and insert in lieu thereof the word "said".

Line 7, strike the last word "of".

Line 8, strike the words "public welfare".

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

Line 13, after the word "case" strike the period and insert "; provided, however, that upon request to the court the parties shall have the right to examine such report and to cross-examine in open court any person who has made an investigation or who has made a statement which has been incorporated into the report, and any such person or persons may be subpoened for the purpose of such cross-examination."

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

Line 3, after the word "motion," insert "after first giving reasonable notice to the parties concerned,".

S. B. No. 29 then failed of passage on the following roll call:

Ayes, 10; Nos, 11; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Burns, Day, Elggren, Jenkins, Jensen, Marthakis, Milliman, Tippetts and Watson.

Those voting in the negative were: Senators Adams, Beal, Cannon, Clegg, Gibson, Hopkin, Larsen, Paxton, Reese, Thorn and Mr. President.

Absent and not voting: Senators Brockbank and Muir.

S. B. No. 29 was filed.

The President recognized Mr. D. L. Hays who was instrumental in placing a memorial block of Utah Granite in the Washington Monument on January 4, 1951, the 55th Anniversary of Utah Day.

On motion of Senator Day, the Secretary was instructed to send a letter expressing the appreciation of the Senate to Mr. D. L. Hays for his efforts.

On motion of Senator Day the Senate adjourned.

TWENTY-SIXTH DAY

February 2, 1951

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 2, 1951

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 corrections noted on the final copy.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 1, 1951

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. 52*, by Messrs. Tietjen, Bushnell, Sheffield, Albrecht, Jones and Woolley, entitled:

AN ACT CONCERNING COMMON TRUST FUNDS AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, AMENDING CHAPTER 4a, TITLE 7, UTAH CODE ANNOTATED 1943, RELATING TO BANKS AND TRUST COMPANIES ACTING AS FIDUCIARIES, BY ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 7-4a-16, 7-4a-17, 7-4a-18, 7-4a-19, 7-4a-20, 7-4a-21 AND 7-4a-22, UTAH CODE ANNOTATED 1943, RELATING TO THE INVESTMENT OF TRUST FUNDS, AND ACCOUNTING FOR SUCH FUNDS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 52 was read the first time and referred to the Committee on Banking and Commerce.

February 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 47*, by Messrs. Davis, Luke, Woolley, Jones and Gammell, entitled:

AN ACT AMENDING SECTION 18-2-17, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 26, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 30, LAWS OF UTAH 1945, RELATING TO CORPORATE DIVIDENDS AND DISTRIBUTIONS OF ASSETS AND ADDING A NEW SECTION TO BE KNOWN AS 18-2-17.2 AUTHORIZING THE PURCHASE OR REDEMPTION OF CORPORATE SHARES IN CERTAIN INSTANCES, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 47 was read the first time and referred to the Committee on Judiciary.

February 2, 1951

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. 49*, by Messrs. Openshaw, Woolley and Romney, entitled:

AN ACT RELATING TO THE TERMINATION OF CONTRACTS FOR PUBLIC WORK BECAUSE OF NATIONAL EMERGENCIES WHICH CAUSE A STOPPAGE OF CONSTRUCTION OR WORK THEREON, AND TO PRESCRIBE PROCEDURE, THE ADJUSTMENT

AND PAYMENT OF COMPENSATION, AND TO PROVIDE A METHOD FOR SETTLEMENT OF DISPUTES IN CONNECTION THEREWITH, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 49 was read the first time and referred to the Committee on State and Municipal Affairs.

February 2, 1951

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. 58*, by Messrs. Walker, Bonacci, Bushnell, and Davis, entitled:

AN ACT AMENDING SECTION 21-0-4, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE COMPENSATION OF COURT REPORTERS FOR FURNISHING TRANSCRIPTS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 58 was read the first time and referred to the Committee on Judiciary.

February 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 45*, by Messrs. Elswood, Cope, Davis, Sheffield, Bushnell, Sagers and Howe, entitled:

AN ACT AMENDING SECTION 20-5a-15, UTAH CODE ANNOTATED 1943, FIXING FEES TO BE CHARGED IN THE SMALL CLAIMS COURTS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 45 was read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

February 2, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 39*, by Mr. Watson, entitled:

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; PROVIDING FOR CERTIFICATES AS TO FREEDOM FROM SUCH DISEASE, AND PRESCRIBING PERSONS WHO MAY ISSUE SUCH CERTIFICATE; PRESCRIBING TIME AND PROCEDURE REQUIRED BEFORE ISSUANCE OF MARRIAGE LICENSES, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 39 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 2, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

February 2, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 139*, by Mr. Watson for Committee on Agriculture and Irrigation, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 139 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 2, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 141*, by Mr. Day, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 14-4-8, UTAH CODE ANNOTATED 1943, RELATING TO CONSENT OF PARENTS WHOSE CHILD IS BEING ADOPTED BY OTHERS AND PROVIDING THE METHOD OF ACKNOWLEDGING SUCH CONSENT, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 141 was ordered printed and referred to the Committee on Judiciary.

February 2, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 142*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 142 was ordered printed and referred to the Committee on Health and Labor.

February 2, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 144*, by Messrs. Marthakis, Muir, Beal, Tippetts, Ashton, Elggren, Jenkins, Milliman and Mrs. Jensen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 144 was ordered printed and referred to the Committee on Education.

February 2, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 145*, by Messrs. Reese and Watson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 145 was ordered printed and referred to the Committee on Public Institutions.

February 2, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 146*, by Messrs. Marthakis, Cannon, Elggren and Watson, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTIONS 87-1-3 AND 87-1-4, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 125, LAWS OF UTAH 1945, AND AS AMENDED BY CHAPTER 134, LAWS OF UTAH 1947, RELATING TO THE SALARIES OF JUDGES OF THE SUPREME AND DISTRICT COURTS AND THE TERM OF DISTRICT JUDGES, AND PROVIDING FOR AN INCREASE IN SALARIES, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 146 was ordered printed and referred to the Committee on Judiciary.

February 2, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 147*, by Messrs. Marthakis, Cannon, Elggren and Watson, with a few minor changes assented to by the authors, including the following revision of the title:

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, NUMBER OF JUSTICES,

THE NUMBER THAT CONSTITUTE A QUORUM, AND TERM OF OFFICE AND PROVIDING AN INCREASE IN THE SALARIES OF SUPREME COURT JUSTICES, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 147 was ordered printed and referred to the Committee on Judiciary.

February 2, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 148*, by Messrs. Reese and Milliman, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 148 was ordered printed and referred to the Committee on Public Institutions.

February 2, 1951

Mr. President:

Your Committee on Welfare to which was referred *S. B. No. 120*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JAMES E. BURNS,
Chairman

Report filed.

S. B. No. 120 was placed on the Second Reading Calendar.

February 2, 1951

Mr. President:

Your Committee on Banking and Commerce to which was referred *H. B. No. 16*, by Messrs. Openshaw, Walker, Rowberry and Munk, has carefully considered said bill and reports the same out favorably.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

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

February 2, 1951

Mr. President:

Your Committee on Banking and Commerce to which was referred *S. B. No. 105*, by Mrs. Jensen and Mr. Reese, has carefully considered said bill and reports the same out favorably.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

S. B. No. 105 was placed on the Second Reading Calendar.

February 2, 1951

Mr. President:

Your Committee on Banking and Commerce to which was referred *S. B. No. 113*, by Messrs. Clegg, Ashton, Beal, Mrs. Jensen, Tippetts and Larsen, has carefully considered said bill and reports the same out favorably.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

S. B. No. 113 was placed on the Second Reading Calendar.

February 2, 1951

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 1*, by Messrs. Larsen, Tietjen and Woolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

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

February 2, 1951

Mr. President:

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

Body, line 5, strike the deletion and insert "medicine or surgery"; line 6, strike the words "as a physician."; line 9, strike the deletion and the words "as a physician" and insert in lieu thereof "medicine or surgery."

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

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

PRESENTATION OF RESOLUTIONS

S. J. R. No.8 By Messrs. Day, Jenkins and Clegg

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE TWENTY-NINTH LEGISLATURE OF THE STATE OF UTAH, DIRECTING THE UTAH LEGISLATIVE COUNCIL TO CONDUCT A STUDY OF THE ADVISABILITY OF COMBINING INTO A SINGLE GOVERNMENTAL UNIT, AS A CITY AND COUNTY, THE CITIES AND AREAS OUTSIDE THE INCORPORATED CITIES IN SALT LAKE COUNTY, OGDEN CITY AND THE AREAS OUTSIDE IN WEBER COUNTY AND THE INCORPORATED CITIES AND THE AREA OUTSIDE IN UTAH COUNTY, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 149 By Messrs. Brockbank and Day

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

S. B. No. 150 By Messrs. Day and Brockbank

AN ACT AMENDING SECTION 19-5-5, 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, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 151 By Messrs. Marthakis, Day, Gibson and Hopkin

AN ACT TO ESTABLISH A STATE WATER POLLUTION CONTROL BOARD, AND TO CONTROL, PREVENT AND ABATE POLLUTION OF THE SURFACE AND UNDERGROUND WATERS OF THE STATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 152 By Messrs. Burns, Clegg, Watson and Elggren

AN ACT TO REQUIRE THE REGISTRATION OF PERSONS ENGAGED IN CERTAIN OCCUPATIONS, TRADES AND PROFESSIONS WITH THE DEPARTMENT OF REGISTRATION; TO PROVIDE FOR A BOARD OF EXAMINERS; QUALIFICATIONS, PENALTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 153 By Messrs. Reese and Jenkins

AN ACT AMENDING SECTION 50-0-9, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE SUBMISSION OF AN ESTIMATE OF EXPENSES BY BOARD OF TRUSTEES OF MOSQUITO ABATEMENT DISTRICT TO BOARD OF COUNTY COMMISSIONERS AND COUNTY AUDITOR OF MONEY NECESSARY FOR NEXT ENSUING FISCAL YEAR; THE BOARD OF COUNTY COMMISSIONERS SHALL LEVY TAX AS PROVIDED WITHIN LIMITATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 154 By Mr. Day

AN ACT AMENDING CHAPTER 42, LAWS OF UTAH 1949, PROVIDING THAT A SUCCESSFUL ELK OR ANTELOPE PERMIT APPLICANT SHALL BE PRECLUDED FROM APPLYING FOR AN ELK OR ANTELOPE PERMIT FOR THE FOLLOWING THREE YEARS AND ENACTING A NEW SECTION PRECLUDING A SUCCESSFUL APPLICANT FOR A BUFFALO PERMIT FROM APPLYING FOR SUCH A PERMIT THEREAFTER, AND PROVIDING A PENALTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 155 By Messrs. Clegg, Fowles, Brockbank and Mrs. Jensen

AN ACT AMENDING SECTION 82-2-6, UTAH CODE ANNOTATED 1943, PROVIDING THAT NON-RESIDENTS MAY QUALIFY FOR REAL ESTATE BROKER'S AND REAL ESTATE SALESMAN'S LICENSE IN THIS STATE, AND PROVIDING FOR EXAMINATIONS AND QUALIFICATIONS OF APPLICANTS FOR SUCH LICENSES, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

February 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 23*, by Messrs. Muir, Reese, Burns, Elggren, Milliman, Tippetts and Ashton, entitled:

AN ACT AMENDING SECTION 80-15-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 83, LAWS OF UTAH 1949, RELATING TO THE COLLECTION OF TAX - RETURNS — TOKENS — DEPOSIT OF SECURITY - PENALTIES FOR VIOLATIONS, AND PROVIDING FOR COMPENSATION TO VENDOR IN THE AMOUNT OF 5% OF THE TAX COLLECTED WITH $100.00 ANNUAL CEILING PROVISION FOR EACH STORE AS EXPENSE OF ACCOUNTING AND REMITTING, AND PROVIDING FOR THE PAYMENT OF TAX DIRECTLY TO THE STATE TAX COMMISSION IN CERTAIN INSTANCES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

February 2, 1951

Mr. President:

I am directed 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. 33*, by Messrs. Howe, Bushnell, Davis and Sheffield, entitled:

AN ACT AMENDING SECTION 28-5-4, UTAH CODE ANNOTATED 1943, RELATING TO WITNESS FEES AND MILEAGE, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 33 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 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 25*, by Messrs. Howe, Davis, Sheffield, Bushnell and Sagers, entitled:

AN ACT AMENDING SECTION 6-0-12, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION TO BE KNOWN AS 6-0-12.5, TO EXTEND THE AUTHORITY OF THE BOARD OF COMMISSIONERS OF THE UTAH STATE BAR TO INVESTIGATE AND MAKE RECOMMENDATIONS CONCERNING COMPLAINTS AGAINST ATTORNEYS INCLUDING THOSE HOLDING JUDICIAL OFFICE, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 25 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 3*, by Albert J. Cope, entitled:

AN ACT AMENDING SECTION 19-20-5, UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF COUNTY SURVEYOR, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 3 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

COMMUNICATIONS FROM THE HOUSE

February 2, 1951

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. 44*, by Mrs. Jensen, Messrs. Adams, Elggren, Marthakis, Burns and Gibson, entitled:

AN ACT AMENDING SECTION 80-14-16, UTAH CODE ANNOTATED 1943, RELATING TO ORIGINAL INDIVIDUAL INCOME TAX RETURNS AND PROVIDING THAT THE SIGNATURE ON SUCH RETURN NEED NOT BE NOTARIZED BUT SHALL BE DEEMED UNDER OATH, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Day, the Senate concurred in the House amendments to *S. B. No. 44*.

S. B. No. 44 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Jenkins.

S. B. No. 44 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 74 was read the third time and placed on its final passage.

S. B. No. 74 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Hopkin and Larsen.

S. B. No. 74 was transmitted to the House.

S. B. No. 36 was read the third time and placed on its final passage.

S. B. No. 36 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Hopkin and Jenkins.

S. B. No. 36 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 35 was read the second time.

Committee report read and adopted.

S. B. No. 35 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 Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Hopkin, Jenkins, Larsen and Thorn.

S. B. No. 62 was before the Senate for consideration.

On motion of Senator Watson *S. B. No. 62* was made a special order of business for Tuesday, February 6, 1951 at 2:30 P.M.

S. B. No. 45 was read the second time.

Committee report read and adopted.

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

Line 6, following the word "REPORTERS" insert a period and strike the balance of the title.

S. B. No. 45 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 Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Watson.

Absent and not voting: Senators Fowles, Gibson and Jenkins.

S. B. No. 90 was read the second time.

Committee report read and adopted.

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

Page 5, line 8, strike the word "by" and insert in lieu thereof the word "for".

Page 5, line 13, following the word "by" insert the word "the".

S. B. No. 90 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 Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Gibson, Hopkin and Jenkins.

S. B. No. 86 was before the Senate for consideration.

On motion of Senator Thorn, *S. B. No. 86* was made a special order of business for Wednesday, February 7, 1951 at 3:00 P.M.

On motion of Senator Larsen *S. B. Nos. 48, 49, 50 and 51*, on the Second Reading Calendar, were made a special order of business for Thursday, February, 8, 1951 at 3:00 P.M.

On order of President Fowles the Senate recessed for fifteen minutes.

The Senate re-assembled.

S. B. No. 25 was read the second time.

Committee report read and adopted.

S. B. No. 25 was placed on the Third Reading Calendar on the following roll call:

Ayes, 20; Nos, 1; Absent, 2.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Marthakis, Milliman, Muir (explained vote), Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senator Larsen.

Absent and not voting: Senators Brockbank and Jenkins.

The President recognized Honorable John L. Sevey, Jr., Judge of the Sixth Judicial District Court, and Mrs. Sevey.

The President recognized Dr. Alonzo Morley of the B. Y. U. speech department and Algie E. Ballif, of the Provo City Board of Education.

The President recognized Mr. Bert Ase and students from the Provo High School.

On motion of Senator Hopkin, the mailing list for *S. B. No. 32* was restricted.

On motion of Senator Marthakis the Senate adjourned until Monday, February 5, 1951 at 2:00 P.M.

TWENTY-NINTH DAY

February 5, 1951

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

Roll Call— All Senators present.

Prayer by the Chaplain.

February 5, 1951

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 corrections noted on the final copy.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report adopted and filed.

The President appointed Senators Jensen and Brockbank to revise the Journal for the week beginning February 5, 1951.

The President recognized Homer Homengtewa, chairman of the Hopi Indian Tribal Council, Andrew Seechoma, member of the Tribal Council, and Samuel Shing, its Secretary.

On motion of Senator Milliman the Senate resolved itself into a Committee of the Whole.

Mr. Samuel Shing spoke briefly about the problems of the Hopi Indian.

Mr. Howard Barker, Superintendant of Buildings and Grounds, Salt Lake City Board of Education, spoke on the disposition of the old prison property.

The Committee of the Whole was dissolved.

On motion of Senator Gibson *S. B. No. 25* was made a special order of business for Wednesday, February 7, 1951 at 2:30 P.M.

COMMUNICATIONS FROM THE HOUSE

February 2, 1951

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. Davis, Sheffield, Openshaw, Larsen and Jarmen, entitled:

AN ACT RELATING TO SANITARIANS, QUALIFICATIONS OF APPLICANTS FOR LICENSE TO PRACTICE AS REGISTERED SANITARIANS, DEFINITIONS, QUALIFICATIONS, LICENSE FEES, EMPLOYMENT AND OFFICIAL DESIGNATION OF SANITARIANS, AND AMENDING SECTION 79-1-5, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 41, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 32, LAWS OF UTAH, 1947 AS AMENDED BY CHAPTER 77, LAWS OF UTAH 1949, RELATING TO THE DEPARTMENT OF REGISTRATION, THE VARIOUS PROFESSIONS, TRADES AND OCCUPATIONS, AND TO PROVIDE FOR A COMMITTEE OF SANITARIANS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 12 was read the first time.

On motion of Senator Day the rules were suspended and *H. B. No. 12* was placed on the Second Reading Calendar preceding *S. B. No. 57*.

February 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 20*, by Mr. Bonacci, entitled:

AN ACT AMENDING SECTION 76-5-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 1, CHAPTER 8, LAWS OF UTAH, FIRST SPECIAL SESSION, 1948, PROVIDING FOR EXCEPTIONS TO PROVISION OF MOTOR VEHICLE TRANSPORTATION ACT, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 20 was read the first time and referred to the Committee on Highways.

REPORTS OF STANDING COMMITTEES

February 2, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 44*, by Mrs. Jensen, Messrs. Adams, Elggren, Marthakis, Burns and Gibson, entitled:

AN ACT AMENDING SECTION 80-14-16, UTAH CODE ANNOTATED 1943, RELATING TO ORIGINAL INDIVIDUAL INCOME TAX RETURNS AND PROVIDING THAT THE SIGNATURE ON SUCH RETURN NEED NOT BE NOTARIZED BUT SHALL BE DEEMED UNDER OATH, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 44 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 5, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 8*, by Messrs. Day, Jenkins and Clegg, with a few minor changes assented to by the authors, including the following revision of the title:

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE TWENTY-NINTH LEGISLATURE OF THE STATE OF UTAH, DIRECTING THE UTAH LEGISLATIVE COUNCIL TO CONDUCT A STUDY OF THE ADVISABILITY OF COMBINING INTO A SINGLE GOVERNMENTAL UNIT, AS A CITY AND COUNTY, THE CITIES AND THE AREAS OUTSIDE THE INCORPORATED CITIES IN SALT LAKE COUNTY, OGDEN CITY AND THE AREAS OUTSIDE IN WEBER COUNTY AND THE INCORPORATED CITIES AND THE AREA OUTSIDE IN UTAH COUNTY, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. J. R. No. 8 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 5, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 140*, by Mr. Gibson, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 15-8-80, UTAH CODE ANNOTATED 1943, RELATING TO LICENSE FEES AND TAXES WHICH MAY BE IMPOSED BY A MUNICIPALITY, AND PROVIDING EXCEPTIONS FOR MEMBERS OF THE LEARNED PROFESSIONS, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 140 was ordered printed and referred to the Committee on Revenue and Taxation.

February 5, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 149*, by Messrs. Brockbank and Day, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 15-6-16, UTAH CODE ANNOTATED 1943, RELATING TO GENERAL POWERS AND DUTIES OF CITY COMMISSIONERS, BY AUTHORIZING CITY COMMISSIONERS TO POST REWARDS FOR THE APPREHENSION OF CRIMINALS, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 149 was ordered printed and referred to the Committee on Judiciary.

February 5, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 150*, by Messrs. Day and Brockbank, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 19-5-5, UTAH CODE ANNOTATED 1943, RELATING TO THE AUTHORITY OF THE COUNTY

COMMISSIONERS, BY AUTHORIZING THEM TO OFFER REWARDS FOR THE APPREHENSION OF PERSONS CHARGED WITH THE COMMISSION OF A FELONY, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 150 was ordered printed and referred to the Committee on Judiciary.

February 5, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 152*, by Messrs. Burns, Clegg, Watson, and Elggren, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT REQUIRING PERSONS ENGAGED IN CERTAIN OCCUPATIONS, TRADES AND PROFESSIONS, RELATING TO THE CARE OF OTHERS, TO REGISTER WITH THE DEPARTMENT OF REGISTRATION AND PROVIDING FOR A BOARD OF EXAMINERS; QUALIFICATIONS AND PENALTIES, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 152 was ordered printed and referred to the Committee on Health and Labor.

February 5, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 153*, by Messrs. Reese and Jenkins, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 56-0-9, UTAH CODE ANNOTATED 1943, RELATING TO THE LEVY OF A MOSQUITO ABATEMENT TAX AND PROVIDING THAT THE BOARD OF COUNTY COMMISSIONERS IN FIXING THE AMOUNT OF SUCH TAX

SHALL GIVE DUE CONSIDERATION TO THE EXPENSE ESTIMATE OF THE BOARD OF TRUSTEES OF EACH MOSQUITO ABATEMENT DISTRICT, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 153 was ordered printed and referred to the Committee on Revenue and Taxation.

February 5, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 154*, by Mr. Day, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING CHAPTER 42, LAWS OF UTAH 1949, RELATING TO DISQUALIFICATION OF SUCCESSFUL ELK OR ANTELOPE PERMIT APPLICANT AND PROVIDING THAT SUCH APPLICANT SHALL BE PRECLUDED FROM APPLYING FOR AN ELK OR ANTELOPE PERMIT DURING THE FOLLOWING THREE YEARS; AND ENACTING A NEW SECTION PRECLUDING A SUCCESSFUL APPLICANT FOR A BUFFALO PERMIT FROM APPLYING FOR SUCH A PERMIT THEREAFTER, AND PROVIDING A PENALTY, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 154 was ordered printed and referred to the Committee on Fish and Game.

February 5, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 155*, by Messrs. Clegg, Fowles, Brockbank and Mrs. Jensen, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 82-2-6 UTAH CODE ANNOTATED 1943, RELATING TO REAL ESTATE BROKERS' LICENSES AND BONDS, PROVIDING FOR EXAMINATIONS AND QUALIFICATIONS OF APPLICANTS FOR REAL ESTATE BROKER'S AND

SALESMAN'S LICENSE AND PROVIDING HOW A NON-RESIDENT MAY QUALIFY FOR SUCH LICENSE, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 155 was ordered printed and referred to the Committee on Banking and Commerce.

February 5, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 143*, by Messrs. Elggren, Burns, Watson and Marthakis, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 76-4-24, UTAH CODE ANNOTATED 1943, RELATING TO CERTIFICATE OF CONVENIENCE AND NECESSITY PREREQUISITE TO CONSTRUCTION AND OPERATION BY PUBLIC UTILITIES AND PROVIDING FOR MANDATORY ISSUANCE OF CERTIFICATES OF CONVENIENCE AND NECESSITY UPON PETITION OF 1,000 RESIDENTS, and recommends the bill be printed.

Respectfully,

JOHN H. BEAL,
Acting Chairman

Committee report read and adopted.

S. B. No. 143 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 2, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 106*, by Mr. Hopkin, entitled, "AN ACT APPROPRIATING FROM THE GENERAL FUND TO THE UTAH WATER AND POWER BOARD CONSTRUCTION FUND THE SUM OF $1,000,000.00" has carefully considered said bill, has deleted the amount of the appropriation, and reports the same back without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

S. B. No. 106 was placed on the Second Reading Calendar.

February 2, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 66*, by Messrs. Day, Burns, Cannon and Watson, entitled, "AN ACT APPROPRIATING TO THE STATE BOARD FOR VOCATIONAL EDUCATION THE SUM OF $37,550.00, FROM THE GENERAL FUND OF THE STATE TREASURY, FOR THE PURPOSE OF COSTS OF OPERATION OF THE SALT LAKE AREA VOCATIONAL SCHOOL DURING THE REMAINDER OF THE PRESENT BIENNIUM, has carefully considered said bill, has deleted the amout of the appropriation, and reports the same back without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

S. B. No. 66 was placed on the Second Reading Calendar.

February 1, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 118*, by Mr. Milliman and Mrs. Jensen, has carefully considered said bill and reports the same out favorably.

Respectfully,

LORENZO E. ELGGREN,
Chairman

Report filed.

S. B. No. 118 was placed on the Second Reading Calendar.

February 5, 1951

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 82*, by Messrs. Paxton and Day, has carefully considered said bill and reports the same out favorably with the following amendment:

Page 2, line 3, after the word "to" add the words "acquire and".

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 82 was placed on the Second Reading Calendar.

February 5, 1951

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 92*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation with the following amendments:

Page 3, line 29, insert new paragraph as follows:

"Notwithstanding the provisions of this section pertaining to the issuance of single licenses to hunt or fish, any citizen of the United States having the residential qualifications as in this section provided and who is sixteen years of age, upon applying to any license agent and paying $6.00 may receive a combination license to angle for fish, hunt for game birds or hunt for deer within this state in accordance with the provisions hereinabove provided for purchases of individual licenses. $2.00 of the amount received from the sale of such combination licenses shall be paid into the State Treasury and placed in a special fund to be expended by the Fish and Game Commission solely for the necessary feeding, ranging and protection of game birds and game animals, and for better range and game managements."

In line 25, page 3, change the figure "2" to the figure "3".

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 92 was placed on the Second Reading Calendar.

February 5, 1951

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 100*, by Messrs. Day and Muir, has carefully considered said bill and reports the same out favorably with the following amendment:

Page 3, line 6, the word "bear" be deleted and the word "moose" be substituted.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 100 was placed on the Second Reading Calendar.

February 5, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 9*, by Messrs. Fowles, Gibson and Hopkin, has carefully considered said bill and reports the same out favorably with the following amendments:

Body, page 1, delete lines 14 to 16 inclusive; page 3, line 32 after the word "scales" insert the words "in the event such scales are within two miles"; page 4, line 2, after the word "officer" delete the word "shall" and insert the word "may"; page 4, line 15 delete the words "two cents" and insert "one-half cent"; line 17 delete the words "four cents" and insert the words "one cent"; line 19 delete the words "six cents" and insert the words "two cents"; line 20 put a period after the word "pounds" and delete the balance of the page.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

On motion of Senator Hopkin, *S. B. No. 9* was made a special order of business for today, February 5, 1951 at 2:30: P.M.

February 5, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 141*, by Mr. Day, has carefully considered said bill and reports the same out favorably with the following amendment:

Body, line 11, delete the period after the word "adoption" and add " in lieu of them appearing before said district court".

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 141 was placed on the Second Reading Calendar.

February 5, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 94*, by Mr. Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 94 was placed on the Second Reading Calendar.

February 5, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 4*, by Messrs. Paxton, Ashton and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

February 5, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 45*, by Messrs. Elswood, Cope, Davis, Sheffield, Bushnell, Sagers and Howe, has carefully considered said bill and reports the same out favorably with the following amendment:

Body, line 7, delete Section 2 in its entirety.

Respectfully,
MARL D. GIBSON,
Chairman

Report filed.

H. B. No. 45 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 156 By Messrs. Day and Burns

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

S. B. No. 157 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 PROVIDING PROCEDURE FOR 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. 158 By Messrs. Day and Cannon

AN ACT AMENDING SECTION 18-2-17, UTAH CODE ANNOTATED 1943, RELATING TO CORPORATE DIVIDENDS AND DISTRIBUTIONS OF ASSETS AND ADDING A NEW SECTION TO BE KNOWN AS 18-2-17.2 AUTHORIZING THE PURCHASE OR REDEMPTION OF CORPORATE SHARES IN CERTAIN INSTANCES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 159 By Messrs. Larsen and Cannon

AN ACT CREATING A CIVILIAN DEFENSE OR DISASTER PURPOSES FUND PROVIDING FOR APPROPRATION THERETO AND DISBURSEMENTS THEREFROM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 160 By Messrs. Larsen and Cannon

AN ACT AMENDING SECTION 3, CHAPTER 122, LAWS OF UTAH, 1947, AS AMENDED BY SECTION 2, CHAPTER 12, LAWS OF UTAH, FIRST SPECIAL SESSION 1948, RELATING TO APPROPRIATIONS FROM THE EMERGENCY RELIEF FUND TO THE RESERVE BUILDING FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 161 By Messrs. Clegg, Fowles and Milliman

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 STATE PERSONNEL BOARD; AND REPEALING CHAPTER 118, LAWS OF UTAH 1945 AN SECTION 82C-2-13 AND SECTION 82C-2-14, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 162 By Mr. Tippetts

AN ACT AMENDING SECTIONS 75-29-25, 75-29-26, 75-29-35, 75-29-38, 75-29-39, 74-29-41, 75-29-42, 75-29-46, 75-29-50, UTAH CODE ANNOTATED 1943, AND SECTION 75-29-21, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTERS 95 AND 98 LAWS OF UTAH 1945 AND SECTION 75-29-27, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTERS 96, 97 AND 98 LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 81, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 92, LAWS OF UTAH 1949, AND SEC-

TION 75-29-30 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 81, LAWS OF UTAH 1947 AND SECTION 75-29-32, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 98, LAWS OF UTAH 1945 AND SECTION 75-29-44, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 73, LAWS OF UTAH 1949 AND SECTIONS 75-29-37, 75-29-45 AND 75-29-47 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 92, LAWS OF UTAH 1949, RELATING TO THE TEACHERS' RETIREMENT ACT; PROVIDING FOR A CHANGE IN THE BOARD; ALLOWING CREDIT FOR MILITARY SERVICE; INCREASING THE MAXIMUM AND MINIMUM PENSION AND RETIREMENT ALLOWANCES PERMITTED BY THE ACT; PROVIDING FOR THE VESTING OF RETIREMENT BENEFITS AND EXTENDING THE TIME ALLOWED FOR MAKING REDEPOSITS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 163 By Mr. Watson

AN ACT AMENDING CHAPTER 5, SECTION 75-4-7, UTAH CODE ANNOTATED 1943, RELATING TO THE CONTROL AND SUPERVISION OF THE UNIVERSITY OF UTAH AND PROVIDING FOR THE APPOINTMENT OF A BOARD OF REGENTS AS AMENDED BY CHAPTER 133, LAWS OF UTAH 1945, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 164 By Mr. Watson

AN ACT AMENDING CHAPTER 15, SECTION 75-5-9 UTAH CODE ANNOTATED 1943, RELATING TO THE CONTROL AND SUPERVISION OF THE UTAH STATE AGRICULTURAL COLLEGE AND PROVIDING FOR THE APPOINTMENT OF A BOARD OF TRUSTEES AS AMENDED BY CHAPTER 90, LAWS OF UTAH 1945, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 165 By Mr. Watson

AN ACT REPEALING SECTION 85-8-1.10, UTAH CODE ANNOTATED 1943, RELATING TO THE CONTROL OF THE UTAH STATE TRAINING SCHOOL BY THE DEPARTMENT OF PUBLIC WELFARE, ADDING A NEW SECTION TO BE KNOWN AS 85-8-1.20 PROVIDING FOR THE APPOINTMENT OF A BOARD OF TRUSTEES TO CONTROL THE UTAH STATE TRAINING SCHOOL, AMENDING SECTIONS 85-8-4, 85-8-9, 85-8-11, UTAH CODE ANNOTATED 1943, AND AMENDING SECTION 85-8-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 120, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 125, LAWS OF UTAH 1947, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

February 5, 1951

Mr. President:

I am directed 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. 39*, by Mr. Watson, entitled:

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; PROVIDING FOR CERTIFICATES AS TO FREEDOM FROM SUCH DISEASE, AND PRESCRIBING PERSONS WHO MAY ISSUE SUCH CERTIFICATES; PRESCRIBING TIME AND PROCEDURE REQUIRED BEFORE ISSUANCE OF MARRIAGE LICENSES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 39 was transmitted to the Governor.

On motion of Senator Hopkin, the Senate resolved itself into a Committee of the Whole.

Dr. Elroy Nelson, Director of the Bureau of Economic Research, University of Utah, Mr. Darrell Welling, Secretary of the Utah Motor Transportation Association, Mr. Lewis H. Lloyd, Director of the Utah Legislative Council, Mr. Beverly Clendenin, representing the Utah Petroleum Industries, and Professor Howard S. Carter, School of Engineering, University of Utah, addressed the Senate regarding proposed taxation of motor vehicles and motor fuels.

The Committee of the Whole was dissolved.

On motion of President Fowles the Senate recessed for five minutes.

The Senate re-assembled.

SPECIAL ORDER

S. B. No. 3 being a special order of business, was before the Senate.

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

Committee report read and adopted.

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

Page 1, line 5, after "state," insert "except that upon all gasoline sold at airports exclusively for airplane use there is hereby levied and imposed an excise tax of four cents per gallon,".

S. B. No. 3 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative: Senator Paxton.

On motion of Senator Day the Senate adjourned.

THIRTIETH DAY

February 6, 1951

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

Roll Call- All Senators present.

Prayer by the Chaplain.

February 6, 1951

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 corrections noted on the final copy.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 5, 1951

Dear Mr. President and
Members of the Senate:

I am returning herewith without my approval *S. B. No. 23*, by Messrs. Muir, Reese, Burns, Elggren, Milliman, Tippetts and Ashton.

This bill permits vendors to retain 5% of sales taxes collected by them up to a maximum of $100 per year. It apparently was designed as a means of compensation for collecting the tax, but it is unique in that no other such retensions are allowed for tax collection. Approval of this bill, therefore, may set a precedent for other similar measures.

The bill also permits vendors to retain 5% of sales taxes collected up to a maximum of $100 per year for each place of business they may operate. A corporation with several business outlets could, therefore, retain a greater amount of sales tax collected than could a corporation with but a single outlet, even though the volume of their respective operations may be the same.

Legislation of this type obviously operates for the benifit of only a small segment of our State and not for the general welfare. On this ground alone, it should not be approved.

There are, however, several tax reduction measures before both the Senate and the House which will provide tax relief and benefit for every citizen and taxpayer, no matter what his income. Since these measures are in the interests of all the people, I respectfully urge that they be given favorable consideration.

In the meantime, I am returning *S. B. No. 23* without my approval and for your further consideration.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

S. B. No. 23 was before the Senate on reconsideration.

On motion of Senator Marthakis *S. B. No. 23* was made a special order of business for Thursday, February 8, 1951 at 3:30 P.M.

COMMUNICATIONS FROM THE HOUSE

February 6, 1951

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. 55*, by Messrs. Swenson and Dalebout, entitled:

AN ACT AMENDING SECTION 3-13-18, UTAH CODE ANNOTATED 1943 RELATING TO SALE OF PACKAGED FOOD PRODUCTS BY WEIGHT, AND PROVIDING THAT THE BOARD OF AGRICULTURE MAY MAKE REASONABLE EXEMPTIONS IN METHOD OF MARKING SUCH WEIGHT, AND AMENDING SECTION 3-13-21, UTAH CODE ANNOTATED 1943 RELATING TO SALE OF BREAD

BY WEIGHT AND PROVIDING THAT THE BOARD OF AGRICULTURE MAY SPECIFY METHOD OF MARKING WEIGHT, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 55 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 6, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 68*, by Messrs. Walker and Beezley, entitled:

AN ACT AMENDING TITLE 25, CHAPTER 3, SECTION 11, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944, FIRST SPECIAL SESSION, AS AMENDED BY CHAPTER 35 LAWS OF UTAH 1947, RELATING TO PRIMARY ELECTIONS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 68 was read the first time and referred to the Committee on State and Municipal Affairs.

February 6, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 69*, by Messrs. Walker, Beezley, Tietjen and Young, entitled:

AN ACT AMENDING SECTION 25-2-6, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944 FIRST SPECIAL SESSION, DESIGNATING REGISTRATION DATES, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 69 was read the first time and referred to the Committee on State and Municipal Affairs.

February 6, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 70*, by Messrs. Walker and Beezley, entitled:

AN ACT AMENDING SECTION 25-1-13, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42 LAWS OF UTAH 1945, RELATING TO THE TIME OF OPENING AND CLOSING OF THE POLLS AT GENERAL ELECTIONS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 70 was read the first time and referred to the Committee on State and Municipal Affairs.

REPORTS OF STANDING COMMITTEES

February 6, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 151*, by Messrs. Marthakis, Day, Gibson and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 151 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 6, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 159*, by Messrs. Larsen and Cannon, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 159 was ordered printed and referred to the Committee on Military Affairs.

February 6, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 160*, by Messrs. Larsen and Cannon, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 3, CHAPTER 122, LAWS OF UTAH, 1947, AS AMENDED BY SECTION 2, CHAPTER 12, LAWS OF UTAH, FIRST SPECIAL SESSION 1948, RELATING TO APPROPRIATIONS FROM THE EMERGENY RELIEF FUND TO THE RESERVE BUILDING FUND AND PROVIDING FOR ALLOCATION OF FUNDS FROM THE EMERGENCY RELIEF FUND TO THE CIVILIAN DEFENSE OR DISASTER PURPOSES FUND, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 160 was ordered printed and referred to the Committee on Appropriations and Claims.

February 6, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 142* by Mr. Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

S. B. No. 142 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 58* by Messrs. Day, Elggren, Tippetts and Mrs. Jensen, has carefully considered said bill and reports the same out favorably with the following amendments:

Title, line 6, delete the semi-colon after the word "OUT" and insert a period in lieu thereof and delete the balance of line six and all of lines seven and eight.

Body, line 2, page 1, after the word "amended" strike the comma and insert a period in lieu thereof and delete the balance of the line and all of line 3.

Line 3, page 3, delete all of section 9.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

S. B. No. 58 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 12*, by Messrs. Fowles, Gibson and Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

On motion of Senator Hopkin, *S. B. No. 12* was made a special order of business to be considered with the other Utah Legislative Council Highway bills on special order.

February 6, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 102*, by Messrs. Adams and Reese, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 102 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 109*, by Mr. Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 109 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 127*, by Messrs. Marthakis, Thorn, Paxton and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 127 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 104*, by Messrs. Adams and Reese, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 104 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 103*, by Messrs. Adams and Reese, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 103 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

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

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

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

February 6, 1951

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 121*, by Messrs. Watson and Hopkin, has carefully considered said bill and reports the same out favorably with the following amendments:

Body, line 10, after the word "leases" insert ", unless sooner cancelled pursuant to the terms of the lease instrument,".

Line 12, delete ", unless sooner cancelled pursuant to the terms of the lease instrument,".

Line 13, after the deletion marks insert "in the case of oil and gas leases".

Line 14, after the word "as" delete the words "mineral or minerals are" and insert in lieu thereof "oil or gas is".

Respectfully,

DONALD T. ADAMS,
Chairman

Report filed.

S. B. No. 121 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 49*, by Messrs. Openshaw, Woolley and Romney, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

February 6, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 84* by Messrs. Hopkin, Marthakis and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 84 was referred to the Committee on Appropriations and Claims.

February 6, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 111* by Messrs. Clegg, Day, Thorn and Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 111 was referred to the Committee on Appropriations and Claims.

February 6, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 139*, by Mr. Watson, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 139 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 137*, by Mr. Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 137 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 134*, by Messrs. Day and Hopkin, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 134 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 131*, by Messrs. Tippetts and Paxton, has carefully considered said bill and reports the same out favorably.

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

S. B. No. 131 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 126*, by Mr. Larsen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

S. B. No. 126 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 87*, by Messrs. Fowles and Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

S. B. No. 87 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

Pursuant to the requirements of Senate Rule No. 80, paragraph 3, your Committee on Rules and Contingent Expenses reports as follows:

That up to and including the thirtieth legislative day of the Twenty-ninth Session the State Senate has expended, approved for payment or contracted for accounts in the amount of $31,235.83.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

REPORTS OF SPECIAL COMMITTEES

February 6, 1951

Mr. President:

Your Conference Committee, to which was referred *S. B. No. 13* by Messrs. Fowles, Tippetts, Marthakis, Ashton and Milliman, begs leave to report as follows:

That the House recede from its amendments to *S. B. No. 13* on page 2, lines 31 and 32; page 6, line 10; page 10 lines 20 and 28; page 11, lines 12 and 17 and page 12, line 17, and accept the bill in this respect as passed by the Senate.

That the Senate accept House amendments to *S. B. No. 13* on page 2, line 30; page 7, line 11 and on page 8, line 22, 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 herein recommended.

Respectfully,

ELIAS L. DAY,
Chairman, Senate Committee
BARLO T. LUKE,
Chairman, House Committee

Report filed.

On motion of Senator Day, the report of the Joint Conference Committee with respect to *S. B. No. 13* was adopted, and the bill was amended accordingly.

S. B. No. 13 as amended then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senator Thorn.

S. B. No. 13 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 166

By Messrs. Larsen, Clegg, Milliman, Cannon, Tippetts, Marthakis, Beal, Muir, Ashton, Thorn, Burns, Paxton, Reese, Watson, Hopkin, Jenkins, Elggren, Gibson, Brockbank, Day, Fowles and Mrs. Jensen

AN ACT AMENDING SECTIONS 20-5-8 AND 105-57-37, UTAH CODE ANNOTATED 1943, RELATING TO THE DISPOSITION OF FINES, PENALTIES AND FORFEITURES COLLECTED IN JUST-

ICE'S COURTS AND PROVIDING FOR THE PAYMENT THEREOF TO THE STATE TREASURER FOR CREDIT OF THE STATE HIGHWAY CONSTRUCTION AND MAINTENANCE FUND IN CERTAIN INSTANCES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 167 By Mr. Beal

AN ACT APPROPRIATING $150,000 FOR THE CONSTRUCTION OF AN AUDITORIUM AND A LIBRARY BUILDING; $18,500 FOR THE CONSTRUCTION OF A DAIRY FARM AND A POULTRY PLANT, AND $63,910 FOR MAJOR REPAIRS AND REMODELING OF EXISTING BUILDINGS, FOR 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.168 By Messrs. Gibson, Hopkin and Fowles

AN ACT AMENDING SECTION 3-12-23, UTAH CODE ANNOTATED 1943, PROVIDING FOR CERTAIN TYPE FIRE ESCAPES AND OTHER FIRE PREVENTATIVE MEASURES FOR HOTELS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 169 By Messrs. Paxton, Reese and Ashton

AN ACT AMENDING SECTIONS 57-12-39, 57-12-40, 57-12-41, 57-12-42, UTAH CODE ANNOTATED 1943 RELATING TO AND REQUIRING RETAIL VENDORS OF MOTOR FUELS TO DETERMINE AND POST PRICES OF SUCH FUELS AT THEIR PLACES OF BUSINESS AT THE BEGINNING OF EACH BUSINESS DAY, WHICH SHALL REMAIN NOT LESS THAN 24 HOURS UNLESS CHANGED TO MEET A POSTED COMPETITIVE PRICE IN THE SAME COMMUNITY, AND REQUIRING SAID RETAIL VENDORS TO SELL AT SAID POSTED PRICE, AND ALSO PROVIDING FOR A PENALTY FOR INFRACTION OF THE PROVISIONS OF SAID ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 170 By Mr. Watson

AN ACT AMENDING SECTION 80-13-8, UTAH CODE ANNOTATED, 1943, RELATING TO DEDUCTIONS FROM GROSS INCOME IN COMPUTING NET INCOME FOR CORPORATION FRANCHISE TAX PURPOSES AND PROVIDING THAT FEDERAL INCOME AND EXCESS PROFITS TAXES SHALL NOT BE ALLOWED AS A DEDUCTION AS TAXES PAID, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 171 By Messrs. Day, Clegg, Muir and Gibson

AN ACT REPEALING CHAPTER 59, LAWS OF UTAH, 1945, AS AMENDED BY CHAPTER 151, LAWS OF UTAH 1947, RELATING TO THE CHILDREN'S CRIPPLING DISEASES HOSPITAL AND THE CONSTRUCTION, EQUIPPING, AND MANAGEMENT THEREOF; PROVIDING FOR PLACING THE PROPERTY AND FACILITIES HERETOFORE ACQUIRED UNDER AUTHORITY OF CHAPTER 59, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 151, LAWS OF UTAH 1947, UNDER THE DIRECT MANAGEMENT AND CONTROL OF THE STATE BOARD OF HEALTH DEFINING ITS POWERS AND DUTIES RELATING THERETO AND PROVIDING FOR THE REIMBURSEMENT AND THE METHOD OF REIMBURSMENT OF FUNDS HERETOFORE DONATED BY ANY PRIVATE CITIZENS, CORPORATIONS, PARTNERSHIPS, UNINCORPORATED ASSOCIATIONS, OR OTHER GROUPS, AND PROVIDING FOR THE MAINTENANCE AND OPERATION OF THE FACILITIES HEREIN ABOVE REFERRED TO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 172 By Messrs. Day and Brockbank

AN ACT AMENDING SECTION 80-14-65, UTAH CODE ANNOTATED, 1943, RELATING TO THE DIVULGING OF INFORMATION AND PENALTIES THEREFOR IN CONNECTION WITH THE INDIVIDUAL INCOME TAX ACT, AND PROVIDING FOR THE RECIPROCAL EXCHANGE OF INFORMATION BETWEEN THE TAX COMMISSION AND THE FEDERAL GOVERNMENT AND CERTAIN OTHER GOVENMENTAL UNITS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 173 By Messrs. Day, Ashton and Beal

AN ACT AMENDING SECTION 80-13-65, UTAH CODE ANNOTATED 1943, RELATING TO THE DIVULGING OF INFORMATION AND PENALTIES THEREFOR IN CONNECTION WITH THE CORPORATION FRANCHISE TAX ACT, AND PROVIDING FOR THE RECIPROCAL EXCHANGE OF INFORMATION BETWEEN THE TAX COMMISSION AND THE FEDERAL GOVERNMENT AND CERTAIN OTHER GOVERNMENTAL AGENCIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 174 By Messrs. Day, Ashton and Beal

AN ACT AMENDING SECTIONS 80-14-34, 80-14-35, AND 80-14-37, UTAH CODE ANNOTATED, 1943, RELATING TO THE PERIOD OF LIMITATION FOR MAKING ASSESSMENTS, ENFORCING COLLECTION AND CREDITING OR REFUNDING OF INCOME TAXES, AND PROVIDING THAT THE APPLICABLE

PERIODS OF LIMITATION SHALL BE SIX MONTHS, PLUS THE APPLICABLE PERIODS PRESCRIBED IN THE FEDERAL INTERNAL REVENUE CODE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 175 By Messrs. Day, Ashton and Beal

AN ACT AMENDING SECTIONS 80-13-41, 80-13-42 AND 80-13-44, UTAH CODE ANNOTATED, 1943, RELATING TO THE PERIOD OF LIMITATION FOR MAKING ASSESSMENTS, ENFORCING COLLECTION AND CREDITING OR REFUNDING OF CORPORATION FRANCHISE TAXES, AND PROVIDING THAT THE APPLICABLE PERIODS OF LIMITATION SHALL BE SIX MONTHS, PLUS THE APPLICABLE PERIODS PRESCRIBED IN THE FEDERAL INTERNAL REVENUE CODE, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE GOVERNOR

February 6, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State this day, *S. B. No. 39*, by Mr. Watson entitled:

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; PROVIDING FOR CERTIFICATES AS TO FREEDOM FROM SUCH DISEASE, AND PRESCRIBING PERSONS WHO MAY ISSUE SUCH CERTIFICATES; PRESCRIBING TIME AND PROCEDURE REQUIRED BEFORE ISSUANCE OF MARRIAGE LICENSES.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 6, 1951

Mr. President:

I am directed 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. 44*, by Mrs. Jensen, Messrs. Adams, Elggren, Marthakis, Burns, and Gibson, entitled:

AN ACT AMENDING SECTION 80-14-16, UTAH CODE ANNOTATED 1943, RELATING TO ORIGINAL INDIVIDUAL INCOME TAX RETURNS AND PROVIDING THAT THE SIGNATURE ON SUCH RETURN NEED NOT BE NOTARIZED BUT SHALL BE DEEMED UNDER OATH, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 44 was transmitted to the Governor.

February 6, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 61*, by Messrs. Lundell, Dalebout, Wood, Frost, V. Peterson, Bushnell and Beezley, entitled:

AN ACT AMENDING SECTIONS 82-2-5, 82-2-6, 82-2-9, 82-2-11, 82-2-12 AND 82-2-17, UTAH CODE ANNOTATED, 1943, RELATING TO THE DUTIES OF THE SECURITIES COMMISSION IN CONNECTION WITH REAL ESTATE BROKERS AND SALESMEN; ESTABLISHING A BOARD OF REAL ESTATE EXAMINERS AND A REAL ESTATE ADMINISTRATOR AND PROVIDING FOR LICENSING, SUPERVISION, AUDITING AND CONTROLLING REAL ESTATE SALESMEN AND BROKERS IN THE PUBLIC INTEREST; PROVIDING FOR APPLICATION FEES; FOR REVOCATION OF LICENSES AND HEARINGS ON APPLICATIONS AND REVOCATIONS; REQUIRING THE KEEPING OF RECORDS BY REAL ESTATE BROKERS; ENACTING NEW SECTIONS 82-2-18, 82-2-19, 82-2-20, 82-2-21, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 61 was read the first time and referred to the Committee on Banking and Commerce.

February 6, 1951

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. 88*, by Messrs. Sheffield, Davis, Thoreson, Dalebout, Frost, Larson, Bunderson, Postma, Luke, Bonacci, J. Johnson, S. Anderson and Jones, entitled:

AN ACT AMENDING SECTION 57-7-91, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 65, LAWS OF UTAH 1949, PERMITTING TRAFFIC LIGHTS TO DENOTE "STOP", "GO" AND "CAUTION," AND PERMITTING RIGHT TURNS AGAINST THE RED LIGHT UNLESS PROHIBITED BY THE SIGN, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 88 was read the first time and referred to the Committee on State and Municipal Affairs.

On motion of Senator Cannon, *S. B. No. 38* was made a special order of business for Friday, February 9, 1951 at 3:30 P.M.

On motion of Senator Day, it was resolved that when the Senate meets on Tuesday, February 13, 1951 that it meet at 10:00 A.M.

The President recognized former State Senator L. N. Marsden and Mrs. Marsden, and former State Senator J. W. Thornton.

The President recognized former State Representative Lois B. Christensen, Mrs. Packard and Mrs. Densel Brown.

Senator Elggren reported that the Committee on Public Institutions visited the State Hospital at Provo and ready to make recommendations.

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

On motion of Senator Milliman, the Senate resolved itself into Regular Session.

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

The Senate re-assembled.

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

FOR MEMBER OF DEPARTMENT OF VETERANS AFFAIRS:

R. O. Peterson, Ogden, to succeed E. T. O'Brien, resigned; effective April 16, 1949, for unexpired term.

FOR MEMBER, ADVISORY COUNCIL, BUSINESS REGULATION:

Chris Jouflas, Helper, to succeed B. H. Hyde, resigned; effective May 7, 1949, for unexpired term ending March 1, 1951.

FOR COMMISSIONER, PUBLIC WELFARE COMMISSION:

H. C. Shoemaker, Bountiful, to succeed Dr. A. C. Lambert, resigned; effective September 19, 1949, for unexpired term ending March 1, 1955.

FOR MEMBERS, ADVISORY COUNCIL DEPARTMENT OF FINANCE:

S. G. Dye, Ogden, to succeed Mrs. Maude Leaver, resigned; effective November 28, 1949, for unexpired term ending March 1, 1952.

Oscar K. Carlson, Salt Lake City, effective March 1, 1950, for six-year term, ending March 1, 1956.

FOR MEMBER, STATE BOARD OF CORRECTIONS:

Kingsley E. Clawson, to succeed Adrian B. Pembroke, resigned; effective October 27, 1949, to fill unexpired term ending April 1, 1953.

FOR MEMBER, ADVISORY COUNCIL, DEPARTMENT OF ENGINEERING:

Peter Giachino, Ogden, effective March 8, 1950 for term ending March 1, 1956.

FOR COMMISSIONER, DEPARTMENT OF AGRICULTURE:

Alden K. Barton, Manti, to succeed R. Harvey Dastrup, resigned; effective February 27, 1950, for unexpired term ending March 1, 1951.

FOR MEMBER, UTAH STATE HIGHWAY PATROL CIVIL SERVICE COMMISSION:

Gomer Peacock, Price, effective March 1, 1950, for complete term, ending January 1, 1954.

FOR MEMBERS, UTAH STATE BOARD OF HEALTH:

Howard M. Hurst, Salt Lake City, to succeed Richard A. Hart, term expired; effective March 1, 1950, for term ending March 1, 1957.

J. R. Bachman, Ogden, to succeed Frank S. Emery, resigned; effective September 25, 1950, for unexpired term ending March 1, 1952.

Dr. Charles Ruggeri, Jr., Salt Lake City, to succeed Dr. A. Cyril Callister, resigned; effective September 25, 1950, for unexpired term ending March 1, 1953.

FOR MEMBERS, UTAH WATER AND POWER BOARD:

J. A. Howell, Ogden; Raymond Hammond, Grantsville; P. L. Jones, Nephi; J. W. Gillman, Orem; B. O. Colton, Roosevelt; effective March 30, 1950, for the terms expiring March 1, 1956.

FOR MEMBER, ADVISORY COUNCIL FOR THE SCHOOLS FOR THE DEAF AND BLIND:

Elmer E. Brown, Ogden, to succeed T. Earl Pardoe, Provo, term expired; effective April 12, 1950, for term ending March 1, 1955.

FOR COMMISSIONER, UTAH STATE LIQUOR CONTROL COMMISSION:

Terry McGowan to succeed K. M. Doan, resigned; effective August 18, 1950, for unexpired term ending July 1, 1955.

FOR MEMBERS, VETERANS COUNCIL OF DEPARTMENT OF VETERANS AFFAIRS:

Franklin Riter to succeed Clarence C. Neslen, resigned; effective September 18, 1950, for unexpired term ending April 26, 1951.

Charles F. Crippen, Ogden, to succeed Frank H. Jonas, resigned; effective November 14, 1950, for unexpired term ending April 26, 1951.

Motion carried.

Senator Marthakis moved that the Senate reconsider its action making *S. B. No. 23* a special order of business for Thursday, February 8, 1951 at 3:30 P. M. and that the Senate do now consider *S. B. No. 23*.

Motion carried.

S. B. No. 23 was before the Senate for reconsideration.

The Senate failed to over-ride the Governor's veto on *S. B. No. 23* by the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Brockbank, Burns, Elggren, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Reese, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Beal, Cannon, Clegg, Day, Gibson, Larsen, Muir, Paxton and Thorn.

S. B. No. 23 was filed.

UNFINISHED BUSINESS

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

Committee report read and adopted.

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

Page 2, strike all the material on lines 25 through 33 both inclusive.

Page 3, strike all the material on lines 1 through 31 both inclusive and insert in lieu thereof the following:

3,000	pounds or less		$ 5.00
3,001	pounds and not over	4,000	7.50
4,001	pounds and not over	6,000	10.00
6,001	pounds and not over	8,000	12.50
8,001	pounds and not over	10,000	15.00
10,001	pounds and not over	12,000	25.00
12,001	pounds and not over	14,000	35.00
14,001	pounds and not over	16,000	45.00
16,001	pounds and not over	18,000	60.00
18,001	pounds and not over	20,000	75.00
20,001	pounds and not over	22,000	95.00
22,001	pounds and not over	24,000	110.00
24,001	pounds and not over	26,000	130.00
26,001	pounds and not over	28,000	155.00
28,001	pounds and not over	30,000	175.00
30,001	pounds and not over	32,000	200.00
32,001	pounds and not over	34,000	225.00
34,001	pounds and not over	36,000	255.00
36,001	pounds and not over	38,000	280.00
38,001	pounds and not over	40,000	315.00
40,001	pounds and not over	42,000	350.00
42,001	pounds and not over	44,000	390.00
44,001	pounds and not over	46,000	425.00
46,001	pounds and not over	48,000	455.00
48,001	pounds and not over	50,000	500.00
50,001	pounds and not over	52,000	540.00
52,001	pounds and not over	54,000	575.00
54,001	pounds and not over	56,000	610.00
56,001	pounds and not over	58,000	640.00
58,001	pounds and not over	60,000	670.00
60,001	pounds and not over	62,000	705.00
62,001	pounds and not over	64,000	735.00
64,001	pounds and not over	66,000	755.00
66,001	pounds and not over	68,000	785.00
68,001	pounds and not over	70,000	815.00
70,001	pounds and not over	72,000	840.00
72,001	pounds and not over	74,000	865.00
74,001	pounds and not over	76,000	890.00
76,001	pounds and not over	78,000	915.00
78,001	pounds and not over	79,900	940.00

Page 3, insert a new section to be known as Section 3 to read as follows:

"Section 3. This act shall take effect July 1, 1951."

S. B. No. 5 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 Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Adams, Brockbank, Jenkins and Larsen.

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

Committee report read and adopted.

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

Line 5, strike the word "one" and insert in lieu thereof the word "two".

Line 8, strike the word "one" and insert in lieu thereof the word "two".

Line 10, strike the word "one" and insert in lieu thereof the word "two".

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

Line 6, change the period to a comma and insert "plus deductions for any extraordinary losses due to fire, wrecks, or similar casualties in the actual amount thereof."

Line 8, after the comma insert "plus deductions for any extraordinary losses due to fire, wrecks, or similar casualties in the actual amount thereof,"

S. B. No. 6 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Brockbank, Jenkins, Muir and Watson.

On motion of Senator Jensen the Senate adjourned.

THIRTY-FIRST DAY

February 7, 1951

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

Roll Call All Senators present, except Senator Thorn, excused.

Prayer by the Chaplain.

February 7, 1951

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 corrections noted on the final copy.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 7, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved *S. B. No. 44*, and transmitted it to the Secretary of State this day. This bill was sponsored by Mrs. Jensen, Messrs. Adams, Elggren, Marthakis, Burns and Gibson, entitled:

AN ACT AMENDING SECTION 80-14-16, UTAH CODE ANNOTATED 1943, RELATING TO ORIGINAL INDIVIDUAL INCOME TAX RETURNS AND PROVIDING THAT THE SIGNATURE ON SUCH RETURN NEED NOT BE NOTARIZED BUT SHALL BE DEEMED UNDER OATH.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of February, 1951, approve and transmit to the Secretary of the State, *H. B. No. 33*, by Messrs. Howe, Bushnell, Davis and Sheffield, entitled:

AN ACT AMENDING SECTION 28-5-4, UTAH CODE ANNOTATED 1943, RELATING TO WITNESS FEES AND MILEAGE.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

February 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of February, 1951, approve and transmit to the Secretary of State, *H. B. No. 3*, by Mr. Albert J. Cope, entitled:

AN ACT AMENDING SECTION 19-20-5, UTAH CODE ANNOTATED 1943, RELATING TO THE DUTIES OF COUNTY SURVEYOR.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

February 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of February, 1951, approve and transmit to the Secretary of State, *H. B. No. 25*, by Messrs. Howe, Davis, Sheffield, Bushnell and Sagers, entitled:

AN ACT AMENDING SECTION 6-0-12, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION TO BE KNOWN AS 6-0-12.5, TO EXTEND THE AUTHORITY OF THE BOARD OF COMMISSIONERS OF THE UTAH STATE BAR TO INVESTIGATE AND MAKE RECOMMENDATIONS CONCERNING COMPLAINTS AGAINST ATTORNEYS INCLUDING THOSE HOLDING JUDICIAL OFFICE.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

REPORTS OF STANDING COMMITTEES

February 7, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 157*, by Mr. Day with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 157 was ordered printed and referred to the Committee on Health and Labor.

February 7, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 158*, by Messrs. Day and Cannon, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 18-2-17, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 26, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 30, LAWS OF UTAH 1945, RELATING TO CORPORATE DIVIDENDS AND DISTRIBUTIONS OF ASSETS AND ADDING A NEW SECTION TO BE KNOWN AS 18-2-17.2 AUTHORIZING THE PURCHASE OR REDEMPTION OF CORPORATE SHARES IN CERTAIN INSTANCES, and recommends the bill be printed by title only.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

On motion of Senator Day *S. B. No. 158* was withdrawn.

February 7, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 163*, by Mr. Watson, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 75-4-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 133 LAWS OF UTAH 1945, RELATING TO THE GOVERNMENT AND MANAGEMENT OF THE UNIVERSITY OF UTAH AND THE APPOINTMENT OF THE

BOARD OF REGENTS AND PROVIDING THAT THERE SHALL BE AT LEAST TWO WOMEN ON THE BOARD AND THAT SAID BOARD SHALL BE BIPARTISAN, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 163 was ordered printed and referred to the Committee on Education.

February 7, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 164*, by Mr. Watson, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 75-5-9, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 90, LAWS OF UTAH 1945, RELATING TO THE GOVERNMENT AND MANAGEMENT OF UTAH STATE AGRICULTURAL COLLEGE AND THE APPOINTMENT OF THE BOARD OF TRUSTEES AND PROVIDING THAT THERE SHALL BE AT LEAST TWO WOMEN ON THE BOARD AND THAT SAID BOARD SHALL BE BIPARTISAN, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 164 was ordered printed and referred to the Committee on Education.

February 7, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 165*, by Mr. Watson, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT REPEALING SECTION 85-8-1.10, UTAH CODE ANNOTATED 1943, RELATING TO THE CONTROL OF THE UTAH STATE TRAINING SCHOOL BY THE DEPARTMENT OF PUBLIC WELFARE, ADDING A NEW SECTION TO BE KNOWN AS 85-8-1.20 PROVIDING FOR THE APPOINTMENT OF A BOARD OF TRUSTEES TO CONTROL THE UTAH STATE TRAINING SCHOOL, AMENDING SECTIONS 85-8-4, 85-8-9, 85-8-11, UTAH CODE ANNOTATED 1943, AND AMENDING SECTION 85-8-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 120, LAWS OF

UTAH 1945, AS AMENDED BY CHAPTER 125, LAWS OF UTAH 1947, RELATING TO THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION IN THE MANAGEMENT AND CONTROL OF THE UTAH STATE TRAINING SCHOOL AND TRANSFERRING THEREFROM SUCH MANAGEMENT AND CONTROL TO A BOARD OF TRUSTEES AS PROVIDED IN SECTION 2 OF THIS ACT, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 165 was ordered printed and referred to the Committee on Education.

February 7, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 166*, by Messrs. Larsen, Clegg, Millman, Cannon, Tippetts, Marthakis, Beal, Muir, Ashton, Thorn, Burns, Paxton, Peese, Watson, Hopkin, Jenkins, Elggren, Gibson, Brockbank, Day, Fowles and Mrs. Jensen, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 20-5-8 AND 105-57-37, UTAH CODE ANNOTATED 1943, RELATING TO THE DISPOSITION OF FINES, PENALTIES AND FORFEITURES COLLECTED IN JUSTICES' COURTS AND PROVIDING FOR THE PAYMENT THEREOF IN CERTAIN INSTANCES TO THE STATE TREASURER FOR CREDIT OF THE STATE HIGHWAY CONSTRUCTION AND MAINTENANCE FUND, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 166 was ordered printed and referred to the Committee on Judiciary.

February 7, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 167*, by Mr. Beal, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 167 was ordered printed and referred to the Committee on Public Institutions.

February 7, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 168*, by Messrs. Gibson, Hopkin and Fowles, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 3-12-23, UTAH CODE ANNOTATED 1943, RELATING TO FIRE ESCAPES REQUIRED ON HOTELS AND PROVIDING FOR CERTAIN TYPE FIRE ESCAPES AND OTHER FIRE PREVENTATIVE MEASURES FOR HOTELS, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 168 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 6, 1951

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 40*, by Messrs. Young, Hurst, Hopkins, Munk, Jarman, Luke, C. Anderson and Bagnall, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWARD H. WATSON,
Chairman

Report filed.

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

February 6, 1951

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 69* by Mr. Fowles for Utah Legislative Council, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWARD H. WATSON,
Chairman

Report filed.

S. B. No. 69 was placed on the Second Reading Calendar.

February 6, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 133*, by Messrs. Elggren, Milliman, Clegg, Thorn, Burns, Gibson, Watson, Brockbank, Marthakis, Cannon and Mrs. Jensen, has carefully considered said bill and reports the same out favorably with the following amendments:

Title, line 3 after the comma following the word "CONSTRUCTION" insert "EQUIPPING AND FURNISHING".

Body, line 4, delete the word "equipment" and insert in lieu thereof "equipping".

Respectfully,

LORENZO E. ELGGREN,
Chairman

Report filed.

S. B. No. 133 was placed on the Second Reading Calendar.

February 7, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 51*, by Messrs. Tietjen, Bushnell, Sheffield, Albrecht, Jones and Woolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

February 7, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 52*, by Messrs. Tietjen, Bushnell, Sheffield, Albrecht, Jones and Woolley, has carefully considered said bill and reports the same out favorably as amended by the House.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

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

February 7, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 53*, by Messrs. Tietjen, Bushnell, Sheffield, Albrecht, Jones and Woolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

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

February 7, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 32*, by Messrs. Cannon, Burns, Clegg, Thorn, Day, Gibson and Adams, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

February 7, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 135*, by Mr. Marthakis and Mrs. Jensen, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 135 was placed on the Second Reading Calendar.

February 7, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 7*, by Messrs. Thorn and Day, has carefully considered said resolution and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 176 By Messrs. Jenkins, Clegg, Brockbank and Mrs. Jensen

AN ACT AMENDING SECTION 5 CHAPTER 75, LAWS OF UTAH 1943, INCREASING THE LIMITATION ON THE EXPENSE OF ADMINISTRATION OF THE SCHOOL LUNCH FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 177 By Mr. Larsen

AN ACT REGULATING THE INSTALLATION AND USE OF TELEVISION IN MOTOR VEHICLES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 178 By Messrs. Marthakis, Muir, and Reese

AN ACT AMENDING SECTION 46-0-73, UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 3, CHAPTER 76, LAWS OF UTAH 1945, RELATING TO THE MAXIMUM OPERATING CAPITAL OF THE LIQUOR CONTROL COMMISSION AND PROVIDING FOR AN INCREASE IN SUCH MAXIMUM OPERATING CAPITAL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 179 By Messrs. Marthakis, Milliman and Brockbank

AN ACT AMENDING SECTIONS 79-1-7, 79-1-13, AND 79-1-21, UTAH CODE ANNOTATED 1943, AND 79-1-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 41, LAWS OF UTAH 1945, DESIGNATING THE COMMITTEE OF FIVE PHARMACISTS AS THE STATE BOARD OF PHARMACY; ADDING TO THE GENERAL DUTIES OF THE SEVERAL REPRESENTATIVE COMMITTEES THE PERFORMANCE OF ALL OTHER DUTIES SPECIFICALLY REQUIRED OF THEM UNDER THE LAWS OF THIS STATE; PROVIDING FOR AN ADDITIONAL FUNCTION AND DUTY OF THE DEPARTMENT OF REGISTRATION UPON THE ACTION AND REPORT IN WRITING OF THE APPROPRIATE REPRESENTATIVE COMMITTEES TO PROMULGATE AND ENFORCE RULES AND REGULATIONS WHEN SUCH COMMITTEES ARE AUTHORIZED BY LAW TO MAKE AND INITIATE SUCH RULES AND REGULATIONS; INCREASING THE MAXIMUM LICENSE, CERTIFICATE, PERMIT, STUDENT CARD AND APPRENTICE CARD RENEWAL FEE FROM $5 TO $10, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 180 By Messrs. Marthakis, Milliman and Brockbank

AN ACT AMENDING SECTIONS 79-12-2, 79-12-7, 79-12-8, 79-12-10, 79-12-11, 79-12-12, 79-12-13, UTAH CODE ANNOTATED 1943, AND ENACTING NEW SECTIONS 79-12-2.1, 79-12-2.2, 79-12-2.3, 79-12-8.1, 79-12-10.1, 79-12-10.2, 79-12-10.3, 79-12-10.4, 79-12-11.1, 79-12-12.1, 79-12-12.2, 79-12-16.1, 79-12-16.2, 79-12-16.3, 79-12-16.4, 79-12-16.5, 79-12-16.6, 79-12-16.7, 79-12-16.8, 79-12-16.9, UTAH CODE ANNOTATED 1943; AND REPEALING SECTIONS 79-12-30, 79-12-31 AND 79-12-32, UTAH CODE ANNOTATED 1943; AND REPEALING SECTION 79-12-29, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION 79-12-29, UTAH CODE ANNOTATED 1943; RELATING TO LICENSES TO PRACTICE PHARMACY; RAISING THE APPLICATION FEE FROM $15 TO $20, AND RAISING THE ANNUAL RENEWAL FEE FROM $5 TO $10; REGULATING THE MANUFACTURE AND SALE OF DRUGS AND PROVIDING FOR THE LICENSING OF MANUFACTURING, WHOLESALE AND RETAIL DRUG BUSINESSES, AND PROVIDING THE FEES THEREFOR; PROVIDING FOR INVESTIGATIONS BY THE BOARD OF PHARMACY; RELATING TO THE REFILLING OF PRESCRIPTIONS, AND PROVIDING THE PENALTY FOR THE VIOLATIONS OF THE ACT; AND REPEALING ALL INCONSISTENT ACTS OR PARTS OF ACTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 181 By Messrs. Marthakis, Milliman and Brockbank

AN ACT AUTHORIZING THE BOARD OF PHARMACY TO MAKE AND INITIATE RULES AND REGULATIONS FOR PROTECTION OF THE PUBLIC; PROVIDING FOR ELECTION OF OFFICERS OF THE BOARD; AND PROHIBITING BOARD MEMBERS FROM PRIVATELY TEACHING PHARMACY, AND IN ENACTING A NEW CHAPTER TO BE KNOWN AS CHAPTER 12b, TITLE 79, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 182 By Messrs. Marthakis, Milliman and Brockbank

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

S. B. No. 183 By Messrs. Larsen and Reese

AN ACT TO CREATE A DEPARTMENT OF PUBLIC SAFETY, AND TO PROVIDE FOR THE CENTRALIZATION OF ALL STATE ACTIVITIES RELATING TO TRAFFIC LAW ENFORCEMENT, LICENSING AND CONTROL OF DRIVERS, ACCIDENT RECORDS,

FINANCIAL RESPONSIBILITIES, SAFETY EDUCATION, AND CRIMINAL IDENTIFICATON, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 184 By Messrs. Adams, Watson, Fowles and Clegg

AN ACT AMENDING SECTION 27-0-1, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 40, SECTION 1, LAWS OF UTAH, 1943, RELATING TO THE CESSION OF JURISDICTION TO THE UNITED STATES IN, TO AND OVER LANDS WITHIN THIS STATE WHICH HAVE BEEN OR MAY BE HEREAFTER ACQUIRED, LEASED, USED, OR RESERVED FROM THE PUBLIC DOMAIN BY THE UNITED STATES FOR PURPOSES AUTHORIZED BY ACTS OF CONGRESS, AND AMENDING SECTION 27-0-2, UTAH CODE ANNOTATED, 1943, RELATING TO EXECUTION BY THE GOVERNOR OF PROPER CONVEYANCES IN SUCH CESSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 185 By Messrs. Jenkins, Marthakis, Clegg, Larsen, Hopkin, Brockbank and Cannon

AN ACT REPEALING SECTION 75-8-1, UTAH CODE ANNOTATED, 1943, AND ENACTING A NEW SECTION, TO BE KNOWN AS 75-8-1, PROVIDING FOR THE APPOINTMENT OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, THE QUALIFICATIONS REQUIRED OF CANDIDATES FOR THAT POSITION, AND THE DUTIES OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 186 By Messrs. Jenkins, Marthakis, Larsen, Clegg, Hopkin, Brockbank, Cannon and Mrs. Jensen

AN ACT AMENDING SECTIONS 75-7-1, 75-7-2, 75-7-4, AND 75-7-6 UTAH CODE ANNOTATED 1943, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 75-7-1.10, 75-7-1.20, 75-7-1.30, 75-7-1.40, 75-7-1.50, 75-7-1.60 UTAH CODE ANNOTATED 1943, PROVIDING FOR MEMBERSHIP OF STATE BOARD OF EDUCATION, QUALIFICATIONS AND TERM OF OFFICE FOR MEMBERS; PROVIDING FOR AND REGULATING NOMINATION OF STATE BOARD OF EDUCATION MEMBERS BY PETITION AND REQUIRING ELECTION HELD BY DISTRICT BOARDS OF EDUCATION IN SAME MANNER AS ELECTION OF DISTRICT SCHOOL BOARD MEMBERS; REQUIRING CONVENTION OF DISTRICT SCHOOL BOARD MEMBERS TO FILL VACANCIES DUE TO CHANGE OF RESIDENCE OR OTHER CAUSE; PROVIDING FOR SALARY AND TRAVELING EXPENSES OF STATE SCHOOL BOARD MEMBERS; PROVIDING FOR ORGANIZATION OF STATE

BOARD OF EDUCATION; AUTHORIZING EMPLOYMENT AND FIXING OF SALARIES OF NECESSARY PERSONNEL BY THE BOARD, AND REPEALING SECTION 75-7-3, UTAH CODE ANNOTATED 1943, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 187 By Messrs. Tippetts, Reese, Adams, Marthakis, Watson, Ashton, Milliman, Burns, Jenkins, Beal, Clegg, Thorn, Muir, Day, Paxton, Larsen, Cannon and Mrs. Jensen

AN ACT AMENDING SECTION 10, CHAPTER 89, LAWS OF UTAH, 1947, AS AMENDED BY CHAPTER 9, LAWS OF UTAH 1948, FIRST SPECIAL SESSION RELATING TO PUBLIC WELFARE AND ASSISTANCE TO PERSONS IN NEED, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Gibson moved that the following statement of Senator Hopkin be considered as the consensus of opinion of the Senate and that it be printed in the Journal:

"It is our understanding that the Legislature was the body chosen to make the laws for the State of Utah.

We are willing to take that responsibility and we of course expect to be held accountable for every action we take, not to the Governor, but to the people.

The Governor likewise has his responsibilities and he too will be held accountable for every move he makes, not accountable to the Legislature, but also accountable to the people.

He has been given a powerful instrument in the veto power itself. This, in the thinking of those who framed the constitution, was sufficient influence for the Governor to have over the Legislature.

Because of the fact that every county in the State is represented in the Legislature, we feel that it is not assuming too much when we presume that we are in a little better position than the Chief Executive to know the feelings and attitudes of all the people.

When we decide by majority vote on a certain question, even though it might affect only a small segment of the total population, it doesn't necessarily follow that we are extending special privilege it could be a matter of fairness and justice.

For that reason it was wisely decided to have the Legislature meet every two years to maintain justice, to abolish inequities, and to promote progress.

It is our humble opinion that this session will do that very thing.

It is not our attitude to want to interfere with the heavy responsibilities of the Governor and we expect to be allowed to take care of our own affairs."

Motion carried.

Senator Day moved that the following be included in the statement:

"We likewise recognize the right and duty of the Chief Executive as well as the Legislature to inform the citizens of the State of Utah on the current questions and issues before them."

Motion carried.

SPECIAL ORDER

S. B. No. 25, being a special order of business, was before the Senate.

S. B. No. 25 was read the third time and placed on its final passage.

On motion of Senator Day, *S. B. No. 25* was made a special order of business for Monday, February 12, 1951 at 3:00 P.M.

On motion of Senator Elggren, *S. B. No. 86* was made a special order of business for Thursday, February 8, 1951 at 4:00 P.M.

On motion of Senator Hopkin *S. B. Nos. 4, 7, 8, 9, 10 and 12* retained their position on the Calendar as unfinished business.

CONSIDERATION OF BILLS ON SECOND READING

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

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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Gibson, Paxton and Thorn.

On motion of Senator Hopkin, the enacting clause of *S. B. No. 57* was struck.

On motion of Senator Fowles the Senate recessed for fifteen minutes.

The Senate re-assembled.

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

Committee report read and adopted.

H. B. No. 34 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 Adams, Ashton, Beal, Burns, Jenkins, Jensen, Larsen, Marthakis, Milliman, Paxton, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Cannon, Clegg, Day, Hopkin, Muir and Reese.

Absent and not voting: Senators Brockbank, Elggren, Gibson and Thorn.

The President recognized Mr. Armstrong and Mr. Findlay and students from the Ephraim Junior High School, Ephraim, Utah.

On motion of Senator Hopkin, *S. B. No. 34* was taken from the Second Reading Calendar and referred to the Committee on Appropriations and Claims.

On motion of Senator Day, *S. B. No. 62* was made a special order of business for Friday, February 9, 1951 at 2:30 P.M.

On motion of Senator Marthakis the Senate adjourned.

THIRTY-SECOND DAY

February 8, 1951

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

Roll Call– All Senators present.

Prayer by the Chaplain.

February 8, 1951

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 corrections noted on the final copy.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 7, 1951

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. 65*, by Mr. Gibson, entitled:

AN ACT RELATING TO THE MERGER, CONSOLIDATION AND CONVERSION OF NATIONAL AND STATE BANKS AND LOAN AND TRUST COMPANIES, AMENDING TITLE 7, UTAH CODE ANNOTATED 1943, BY ADDING THERETO A NEW CHAPTER CONSISTING OF SECTIONS TO BE KNOWN AS SECTIONS 7-4b-1, 7-4b-2, 7-4b-3, 7-4b-4, 7-4b-5, 7-4b-6, 7-4b-7, 7-4b-8 AND 7-4b-9, UTAH CODE ANNOTATED 1943, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 65 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 7, 1951

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. C. R. No. 1*, by Messrs. Rowberry and T. M. Rees, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO RESCIND THE REQUIREMENTS OF REGULATION X, OF THE DEFENSE PRODUCTION ACT OF 1950, AND EXECUTIVE ORDER NO. 10161 RELATIVE TO DEFENSE AREAS IN UTAH, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

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

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

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

Those voting in the affirmative were: Senators Ashton, Brockbank, Burns, Cannon, Clegg, Day, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were Senators Adams and Gibson (explained vote).

Absent and not voting were: Senators Beal, Elggren, Larsen and Muir.

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

February 7, 1951

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 6, 1951, and passed as amended *S. B. No. 13*, by Messrs. Fowles, Tippetts, Marthakis, Ashton and Milliman, entitled:

AN ACT AUTHORIZING THE CREATION AND ORGANIZATION OF FIRE PROTECTION DISTRICTS IN ANY COUNTY OR COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICT, AUTHORIZING THE ACQUISITION OF PROPERTY AND IMPROVEMENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSES FOR WHICH SUCH DISTRICTS ARE CREATED, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING, and the same is transmitted herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 13 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 24*, by Messrs. Muir, Reese, Elggren, Milliman, Burns and Ashton, entitled:

AN ACT AMENDING SECTION 16A-4-7, UTAH CODE ANNOTATED 1943 RELATING TO COMMERCE AND TRADE—UNFAIR TRADE PRACTICES—SALES LESS THAN COST, AND PROVIDING

THAT IN DETERMINING "COST TO THE RETAILER" THE INVOICE COST SHALL BE WITHIN THIRTY DAYS PRIOR TO THE DATE OF SALE OR THE DATE OF OFFERING FOR SALE, and the same is transmitted herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Milliman, the Senate concurred in the House amendments to *S. B. No. 24*.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Milliman, Muir, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senators Larsen, Marthakis and Tippetts.

Senator Muir moved that the Senate reconsider its action on *S. B. No. 24*.

Motion carried.

On motion of Senator Elggren, the Senate rescinded its action, concurring in the House amendments to *S. B. No. 24*, refused to concur in the House amendments and asked the House to recede.

On motion of Senator Hopkin, the Senate resolved itself into a Committee of the Whole.

Mr. Charles Laughton spoke briefly to the Senate.

The Committee of the Whole was dissolved.

February 7, 1951

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. 1*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT PROVIDING FOR THE COVERAGE OF CERTAIN OFFICERS AND EMPLOYEES OF THE STATE AND LOCAL GOVERNMENTS UNDER THE OLD-AGE AND SURVIVORS' INSURANCE PROVISIONS OF TITLE II OF THE FEDERAL SOCIAL SECURITY ACT, AS AMENDED; AUTHORIZING THE STATE FINANCE COMMISSION TO ACT AS THE STATE AGENCY FOR

THE ADMINISTRATION THEREOF AND APPROPRIATING MONEY TO DEFRAY COSTS OF ADMINISTRATION, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Hopkin, the Senate concurred in the House amendments to *S. B. No. 1.*

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senator Tippetts.

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

February 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body, *S. B. No. 22*, by Messrs. Marthakis, Clegg, Thorn, Day, Paxton and Ashton, entitled:

AN ACT AMENDING SECTIONS 1, 2, 3, 5, 7, 8 AND 11, CHAPTER 24, LAWS OF UTAH 1949 ENABLING IMPROVEMENT DISTRICTS TO INCLUDE INCORPORATED MUNICIPALITIES AND AREAS, PROVIDING FOR OBJECTION BY MORE THAN TWENTY-FIVE PERCENT IN NUMBER OF PROPERTY OWNERS, FOR APPOINTMENT OF BOARD OF TRUSTEES FOR SEWER DISTRICTS INCLUDING A COMBINATION OF TWO OR MORE MUNICIPALITIES OR OTHER AREAS, TIME LIMIT FOR MATURITY OF BONDS, AND FOR THE POWERS OF IMPROVEMENT DISTRICTS, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Marthakis, the Senate concurred in the House amendments to *S. B. No. 22.*

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senators Cannon and Tippetts.

S. B. No. 22 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 15*, by Messrs. Day, Marthakis and Elggren, entitled:

AN ACT AMENDING SECTION 17, CHAPTER 140, LAWS OF UTAH, 1947, RELATING TO THE STATE DEPARTMENT OF VETERANS AFFAIRS, TO EXTEND THE PERIOD OF ACTIVITY, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 15 was filed.

February 8, 1951

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 Messrs. C. C. Gardner, Albert J. Cope and Ralph A. Sheffield, entitled:

A RESOLUTION OF CONDOLENCE TO FAMILY OF QUAYLE CANNON IN MEMORIAM, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 13 was read the first time.

On motion of Senator Marthakis the rules were suspended and *H. J. R. No. 13* was read the second and third times and placed on its final passage.

H. J. R. No. 13 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Cannon and Paxton.

H. J. R. No. 13 was returned to the House.

February 8, 1951

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. 14, by Messrs. Harry B. Walker and Davis, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF G. B. HEAL, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 14 was read the first time.

On motion of Senator Day the rules were suspended and *H. J. R. No. 14* was read the second and third times and placed on its final passage.

H. J. R. No. 14 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Brockbank.

H. J. R. No. 14 was returned to the House.

February 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 96*, by Messrs. Day, Marthakis and Elggren, entitled:

AN ACT CREATING AND ESTABLISHING A STATE DEPARTMENT OF VETERANS' AFFAIRS FOR THE PURPOSE OF AIDING, ASSISTING, COUNSELING AND ADVISING PERSONS KNOWN AS VETERANS; DEFINING THE POWERS AND DUTIES OF SUCH A STATE DEPARTMENT OF VETERANS' AFFAIRS; PROVIDING FOR A VETERANS' COUNCIL AND THE ADMINISTRATION RE-

LATING THERETO AND FOR THE APPOINTMENT OF A DIRECTOR; DEFINING POWERS AND DUTIES, AND FIXING SALARY; PROVIDING FOR OPERATING AND ADMINISTRATIVE ASSISTANTS, TRAVELING EXPENSES, AND OPERATING EXPENSES IN CONNECTION THEREWITH; PROVIDING FOR AN ADVISORY COUNCIL TO SUCH A DEPARTMENT; REQUIRING THE STATE ATTORNEY GENERAL TO RENDER LEGAL ASSISTANCE TO SUCH A DEPARTMENT AND PROVIDING FOR A TRANSFER OF RECORDS NOW HELD FOR THE STATE VETERANS' SERVICE TO THE STATE DEPARTMENT OF VETERANS' AFFAIRS, AND MAKING AN APPROPRIATION THEREFOR, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 96 was filed.

February 8, 1951

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 Senate and House, *S. B. No. 27*, by Mr. Milliman, entitled:

AN ACT AMENDING SECTION 12, CHAPTER 89, LAWS OF UTAH 1947, RELATING TO PAYMENT OF PUBLIC ASSISTANCE TO THE APPLICANTS OR RECIPIENTS CONFINED TO HOSPITAL OR INFIRMARY, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Milliman, the Senate concurred in the House amendments to *S. B. No. 27*.

S. B. No. 27 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Burns, Cannon, Hopkin and Paxton.

S. B. No. 27 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 8, 1951

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. 56*, by Messrs. Burns, Muir and Milliman, entitled:

AN ACT AMENDING SECTION 7 OF CHAPTER 89, LAWS OF UTAH 1947, RELATING TO AID TO THE BLIND AND PROVIDING THAT EARNED INCOME UP TO $50.00 PER MONTH SHALL BE DISREGARDED IN THE DETERMINATION OF NEED, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Milliman, the Senate concurred in the House amendments to *S. B. No. 56*.

S. B. No. 56 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Gibson.

S. B. No. 56 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

February 8, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 156*, by Messrs. Day and Burns, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 42-1-57, UTAH CODE ANNOTATED 1943, RELATING TO PAYMENTS TO INJURED EMPLOYEES AND PROVIDING FOR THE COMPROMISE OF DOUBTFUL CLAIMS AND THE NECESSARY PROCEDURE, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 156 was ordered printed and referred to the Committee on Health and Labor.

February 8, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 161*, by Messrs. Clegg, Fowles and Milliman, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 161 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 8, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 169*, by Messrs. Paxton, Reese and Ashton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 169 was ordered printed and referred to the Committee on Banking and Commerce.

February 8, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 170*, by Mr. Watson, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 80-13-8, UTAH CODE ANNOTATED 1943, RELATING TO FRANCHISE AND PRIVILEGE TAXES AND RELATING TO DEDUCTIONS FROM GROSS INCOME IN COMPUTING NET INCOME FOR CORPORATION FRANCHISE TAX PURPOSES AND PROVIDING THAT FEDERAL INCOME AND EXCESS PROFITS TAXES SHALL NOT BE ALLOWED AS A DEDUCTION AS TAXES PAID, and recommends the bill be printed by title only.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 170 was ordered printed by title only and referred to the Committee on Revenue and Taxation.

February 8, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 171*, by Messrs. Day, Clegg, Muir and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 171 was ordered printed and referred to the Committee on Health and Labor.

February 8, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 172*, by Messrs. Day and Brockbank, with a few minor changes assented to by the authors, and recommends the bill be printed by title only.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 172 was ordered printed by title only and referred to the Committee on Revenue and Taxation.

February 8, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 173*, by Messrs. Day, Ashton and Beal, with a few minor changes assented to by the authors, and recommends the bill be printed by title only.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 173 was ordered printed by title only and referred to the Committee on Revenue and Taxation.

February 8, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 174*, by Messrs. Day, Ashton and Beal, with a few minor changes assented to by the authors, and recommends the bill be printed by title only.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 174 was ordered printed by title only and referred to the Committee on Revenue and Taxation.

February 8, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 175*, by Messrs. Day, Ashton and Beal, with a few minor changes assented to by the authors, and recommends the bill be printed by title only.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 175 was ordered printed by title only and referred to the Committee on Revenue and Taxation.

February 8, 1951

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 107*, by Messrs. Adams, Hopkin, Larsen and Beal, has carefully considered said bill and reports the same out without recommendation with the following amendments:

On line 2, page 1, delete "100" and insert in its place "20."

Page 2, line 16, after the deletion ( ) insert the following:

"provided, if at any time in the judgment of the State Engineer, any dam not requiring duplicate plans, drawings and specifications to be filed with the State Engineer, does constitute a hazard to life or property, the State Engineer may then require submission to him of duplicate plans, drawings and specifications as provided in this act; and provided further, that if any dam constructed or to be constructed under the provisions of this act if the State Engineer after inspections, deems that

the construction or repair of any such dam does not constitute a hazard to life or property he may then waive the requirement of presentation of duplicate plans, drawings and specifications as provided in this act."

Respectfully,

EDWARD H. WATSON,
Chairman

Report filed.

S. B. No. 107 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 115* by Mr. Adams, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWARD H. WATSON,
Chairman

Report filed.

S. B. No. 115 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 116* by Mr. Adams, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWARD H. WATSON,
Chairman

Report filed.

S. B. No. 116 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 154*, by Mr. Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 154 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 80* by Messrs. Day, Fowles and Milliman, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

J. HAROLD REESE,

Report filed. Chairman

S. B. No. 80 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

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

Respectfully,

J. HAROLD REESE,

Report filed. Chairman

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

February 8, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 152* by Messrs. Burns, Clegg, Watson and Elggren, has carefully considered said bill and reports the same out favorably with the following amendments:

Page 2, delete lines 4 and 5.

Page 3, delete lines 27, 28 and 29.

Respectfully,

P. S. MARTHAKIS,

Report filed. Chairman

S. B. No. 152 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 37* by Messrs. Davis, Openshaw, Howe and Sagers, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,

Report filed. Chairman

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

February 8, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 145* by Messrs. Reese and Watson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman

Report filed.

S. B. No. 145 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 124* by Messrs. Larsen and Cannon, has carefully considered said bill and reports the same out favorably.

Respectfully,

LORENZO E. ELGGREN,
Chairman

Report filed.

S. B. No. 124 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 123* by Messrs. Larsen and Cannon, has carefully considered said bill and reports the same out favorably.

Respectfully,

LORENZO E. ELGGREN,
Chairman

Report filed.

S. B. No. 123 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 148*, by Messrs. Reese and Milliman, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman

Report filed.

S. B. No. 148 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 61* by Messrs. Lundell, Dalebout, Wood, Frost, V. Peterson, Bushnell, and Beezley, has carefully considered said bill and reports the same out favorably.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

H. B. No. 61 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 155* by Messrs. Clegg, Fowles, Brockbank and Mrs. Jensen, has carefully considered said bill and reports the same out favorably.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

S. B. No. 155 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 140* by Mr. Gibson, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

S. B. No. 140 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 101*, by Messrs. Day, Cannon and Fowles, has carefully considered said bill and reports the same out without recommendation with the following amendment:

Page 1, line 11, insert after "personal services" "earned in Utah".

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

S. B. No. 101 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 70* by Messrs. Adams, Tippetts, Jenkins, Watson and Elggren, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

S. B. No. 70 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 72* by Messrs. Day, Paxton, Muir, Gibson and Ashton, has carefully considered said bill and reports the same out favorably.

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

S. B. No. 72 was placed on the Second Reading Calendar.

February 7, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. 76*, by Mr. Watson, has carefully considered said bill and reports the same out favorably with the following amendment:

Body, page 1, beginning with line 11, delete the remaining portion of the bill and insert in lieu thereof the following:

"For all services to be performed by a Justice of the Peace, in all default civil action to and including entry of judgment and issuance of execution, $4.00.

For all services to be performed by the Justice of the Peace in all criminal actions where the defendant enters a plea of guilty, to and including entry of judgment and issuance of commitment, $4.00.

For services in any action where evidence, argument or trial is had $6.00 per day in addition to fees allowed for default, civil actions or in criminal actions where defendent enters plea of guilty.

For preparing and certifying transcript on appeal or other transcript necessary to be made to the district court, $1.00.

Preparing any transcript of judgment other than above provided, $1.00."

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 76 was placed on the Second Reading Calendar.

February 7, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 47*, by Messrs. Davis, Luke, Woolley, Jones and Gammell, has carefully considered said bill and reports the same out favorably as amended by the House and with the following additional amendment:

Body, page 3, line 2, after the word "redeem" delete the words "at fair value".

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

H. B. No. 47 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 143* by Messrs. Elggren, Burns, Watson and Marthakis, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 143 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 88* by Messrs. Sheffield, Davis, Thoresen, Dalebout, Frost, Larson, Bunderson, Postma, Luke, Bonacci, J. Johnson, S. Anderson and Jones, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

H. B. No. 88 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 68* by Messrs. Walker and Beezley, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

H. B. No. 68 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 69* by Messrs. Walker, Beezley, Tietjen and Young, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

H. B. No. 69 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 70* by Messrs. Walker and Beezley, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

H. B. No. 70 was placed on the Second Reading Calendar.

February 8, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. J. R. No. 8*, by Messrs. Day, Jenkins and Clegg, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 8 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 188 By Messrs. Milliman, Marthakis, Clegg, Burns and Mrs. Jensen

AN ACT APPROPRIATING FROM THE RESERVE BUILDING FUND TO THE STATE DEPARTMENT OF PUBLIC WELFARE THE SUM OF $300,000 TO FINANCE THE CONSTRUCTION OF A FARM DORMITORY BUILDING, MAINTENANCE SHOP AND WAREHOUSE AND TO ENLARGE CERTAIN OTHER BUILDINGS AND FACILITIES AT THE UTAH STATE TRAINING SCHOOL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 189 By Mr. Hopkin

AN ACT REPEALING 68-0-10, UTAH CODE ANNOTATED 1943, RELATING TO THE CONTROL OF STATE PARKS BY THE COMMISSIONERS OF THE STATE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 68-0-10.10, 68-0-10.20 and 68-0-10.30, PROVIDING FOR A STATE PARKS COMMISSION, ITS POWERS AND DUTIES, INCLUDING THE POWER TO CONDEMN LAND ADJACENT TO THE "THIS IS THE PLACE" MONUMENT FOR PUBLIC PARK PURPOSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 190 By Mr. Day

AN ACT PROVIDING FOR LICENSING OF CONTRACTORS, REQUIREMENTS FOR POSTING BOND, AND PROVIDING FOR RECOVERY ON SUCH BOND OR DEPOSIT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 191 By Messrs Day, Larsen and Hopkin

AN ACT REPEALING THE PUBLIC EMPLOYEES RETIREMENT SYSTEM, CHAPTER 131, LAWS OF UTAH 1947, AS AMENDED BY LAWS OF UTAH 1949, AND AS FURTHER AMENDED; ESTABLISHING A BOARD OF TRUSTEES FOR THE PURPOSE OF PAYING RETIREMENTS GRANTED BY THE BOARD OF ADMINISTRATION OF PUBLIC EMPLOYEES RETIREMENT SYSTEM AND COMPLETELY LIQUIDATING VALID CLAIMS ARISING BECAUSE OF SERVICES PERFORMED PRIOR TO APRIL 1, 1951; DEFINING THE POWERS AND DUTIES OF THE BOARD AND TRANSFERRING THE PUBLIC EMPLOYEES RETIREMENT FUND TO THE BOARD OF TRUSTEES; AND OTHERWISE BRINGING ABOUT THE COMPLETE LIQUIDATION OF THE PUBLIC EMPLOYEES RETIREMENT ACT TO MAKE POSSIBLE THE COVERAGE OF OFFICERS AND EMPLOYEES UNDER THE FEDERAL SOCIAL SECURITY ACT; AND MAKING AN APPROPRIATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 192 By Messrs. Day, Larsen and Ashton

AN ACT AMENDING SECTION 85-5-5, UTAH CODE ANNOTATED 1943, RELATING TO THE APPOINTMENT OF MEMBERS OF THE BOARD OF CONTROL OF THE STATE HISTORICAL SOCIETY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 193 By Messrs. Day, Larsen and Ashton

AN ACT TO ALLOW THE BOARD OF EXAMINERS TO ASSIGN THE PROPERTY AT 603 EAST SOUTH TEMPLE, SALT LAKE CITY, UTAH, TO A STATE AGENCY OR AGENCIES, OR TO DISPOSE OF THE SAME AT PUBLIC OR PRIVATE SALE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 194 By Messrs. Day, Larsen and Ashton

AN ACT AMENDING SECTION 105-18-1, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE DRAWING OR SUMMONING OF GRAND JURIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 195 By Messrs. Cannon and Marthakis

AN ACT AMENDING SECTION 57-7-115, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 65, LAWS OF UTAH, 1949, RELATING TO POWERS OF LOCAL AUTHORITIES TO MODIFY STATE SPEED REGULATIONS WITHIN THEIR RESPECTIVE JURISDICTIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 196 By Mr. Jenkins

AN ACT CREATING A QUALIFICATION AND LICENSE BILL FOR LIFE INSURANCE AGENTS OF THE STATE OF UTAH TO BE ADMINISTERED BY THE INSURANCE DEPARTMENT OF THE STATE OF UTAH; PROVIDING FOR THE DEFINING OF LIFE INSURANCE AGENTS; PROHIBITING ACTING FOR UNAUTHORIZED COMPANIES, ACTING AS AGENT WITHOUT LICENSE, NOR PAYING COMMISSIONS TO UNLICENSED PERSONS; PROVIDING FOR APPLICATION FOR LICENSE, EXAMINATION OF APPLICANTS FOR LICENSE, ISSUANCE OR REFUSAL OF LICENSE, LICENSING OF NON-RESIDENT AGENTS, LICENSED AGENT TO REPRESENT ADDITIONAL INSURERS, EXPIRATION AND RENEWAL OF AGENT'S LICENSE, TEMPORARY LICENSE; PROVIDING THAT COMPANY MUST NOTIFY COMMISSIONER OF TERMINATION OF CONTRACT; COMMUNICATIONS PRIVILEGED; PROVIDING FOR REFUSAL, SUSPENSION, OR REVOCATION OF LICENSES, JUDICIAL REVIEW OF ACTS OF COMMISSIONER, NOTIFICATION TO COMMISSIONER OF CHANGE OF ADDRESS,

PENALTY, RIGHT OF COMMISSIONER TO ESTABLISH RULES AND REGULATIONS, REPEALER, EFFECT OF PARTIAL INVALIDITY AND EFFECTIVE DATE OF ACT, was read the first time and referred to the Committee on Revision and Enrolling.

The President appointed Senators Clegg, Paxton and Hopkin to revise the Journal for the week beginning February 12, 1951.

On motion of Senator Larsen, *S. B. Nos. 48, 49, 50 and 51* were made a special order of business for Friday, February 9, 1951 at 3:00 p.m.

The President appointed Senators Gibson, Tippetts and Day as a special committee to consider and make recommendations concerning *S. B. No. 25.*

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, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Jenkins, Larsen and Thorn.

H. B. No. 12 was returned to the House.

H. B. No. 34 was read the third time and placed on its final passage.

H. B. No. 34 then failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Larsen, Marthakis, Milliman, Paxton (explained vote), Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Muir and Reese.

Absent and not voting: Senator Brockbank.

H. B. No. 34 was returned to the House.

On motion of Senator Milliman, the Senate recessed for fifteen minutes.

The Senate re-assembled.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

H. B. No. 16 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Brockbank.

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

Committee report read and adopted.

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

Page 2, line 11, change the period to a comma and insert "excepting home economics students."

Page 2, line 14, change the period to a comma and insert "excepting home economics students."

H. B. No. 1 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Brockbank.

H. B. No. 45 was read the second time.

Committee report read and adopted.

H. B. No. 45 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Tippetts.

On motion of Senator Adams the Senate adjourned.

THIRTY-THIRD DAY

February 9, 1951

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

Roll Call— All Senators present.

Prayer by the Chaplain.

February 9, 1951

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 corrections noted on the final copy.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 9, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 85*, by Messrs. Thorn and Watson, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 79-1-38, UTAH CODE ANNOTATED 1943, RELATING TO UNAUTHORIZED PRACTICE OR BUSINESS, BY PROVIDING THAT NO CERTIFICATES, PLATS, MAPS, DRAWINGS, SPECIFICATIONS OR OTHER DOCUMENTS

SHALL BE FILED, ACCEPTED OR APPROVED UNLESS STAMPED WITH OFFICIAL SEAL OF INDIVIDUAL AUTHORIZED BY LAW TO EXECUTE THE SAME, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 85 was ordered printed and referred to the Committee on Judiciary.

February 9, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 162*, by Mr. Tippetts, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 162 was ordered printed and referred to the Committee on Education.

February 9, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 176*, by Messrs. Jenkins, Clegg, Brockbank and Mrs. Jensen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 176 was ordered printed and referred to the Committee on Education.

February 9, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 177*, by Mr. Larsen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 177 was ordered printed and referred to the Committee on Highways.

February 9, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 178*, by Messrs. Marthakis, Muir and Reese, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 178 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 9, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 184*, by Messrs. Adams, Watson, Fowles and Clegg, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 184 was ordered printed and referred to the Committee on Judiciary.

February 9, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 189*, by Mr. Hopkin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 189 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 9, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 190*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 190 was ordered printed and referred to the Committee on Judiciary.

February 9, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 191*, by Messrs. Day, Larsen and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 191 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 9, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 193*, by Messrs. Day, Larsen and Ashton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 193 was ordered printed and referred to the Committee on Public Institutions.

February 9, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 194*, by Messrs. Day, Larsen and Ashton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 194 was ordered printed and referred to the Committee on Judiciary.

February 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 13*, by Messrs. Fowles, Tippetts, Marthakis, Ashton and Milliman, entitled:

AN ACT AUTHORIZING THE CREATION AND ORGANIZATION OF FIRE PROTECTION DISTRICTS IN ANY COUNTY OR COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICT, AUTHORIZING THE ACQUISITION OF PROPERTY AND IMPROVEMENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSES FOR WHICH SUCH DISTRICTS ARE CREATED, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING, 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,

EDWIN B. CANNON,
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.

February 8, 1951

Mr. President:

Your Committee on Revision and and Enrolling, to which has been referred *S. B. No. 65*, by Mr. Gibson, entitled:

AN ACT RELATING TO THE MERGER, CONSOLIDATION AND CONVERSION OF NATIONAL AND STATE BANKS AND LOAN AND TRUST COMPANIES, AMENDING TITLE 7, UTAH CODE

ANNOTATED 1943, BY ADDING THERETO A NEW CHAPTER CONSISTING OF SECTIONS TO BE KNOWN AS SECTIONS 7-4b-1, 7-4b-2, 7-4b-3, 7-4b-4, 7-4b-5, 7-4b-6, 7-4b-7, 7-4b-8 AND 7-4b-9, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 65 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 9, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 56*, by Messrs. Burns, Muir and Milliman, entitled:

AN ACT AMENDING SECTION 7 OF CHAPTER 89, LAWS OF UTAH 1947, RELATING TO AID TO THE BLIND AND PROVIDING THAT EARNED INCOME UP TO $50.00 PER MONTH SHALL BE DISREGARDED IN THE DETERMINATION OF 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 56 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 9, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 1*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT PROVIDING FOR THE COVERAGE OF CERTAIN OFFICERS AND EMPLOYEES OF THE STATE AND LOCAL GOVERNMENTS UNDER THE OLD-AGE AND SURVIVORS' INSURANCE PROVISIONS OF TITLE II OF THE FEDERAL SOCIAL SECURITY ACT, AS AMENDED; AUTHORIZING THE STATE FINANCE COMMISSION TO ACT AS THE STATE AGENCY FOR THE ADMINISTRATION THEREOF AND APPROPRIATING MONEY TO DEFRAY

COSTS OF ADMINISTRATION, 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,

EDWIN B. CANNON,
Chairman

Report filed.

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

February 9, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 27*, by Mr. Milliman, entitled:

AN ACT AMENDING SECTION 12, CHAPTER 89, LAWS OF UTAH 1947, RELATING TO PAYMENT OF PUBLIC ASSISTANCE TO THE APPLICANTS OR RECIPIENTS CONFINED TO HOSPITAL OR INFIRMARY, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 27 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 8, 1951

Mr. President:

Your Committee on Military Affairs, to which was referred *S. B. No. 159*, by Messrs. Larsen and Cannon, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

FRED J. MILLIMAN,
Chairman

Report filed.

S. B. No. 159 was placed on the Second Reading Calendar.

February 9, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 163*, by Mr. Watson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 163 was placed on the Second Reading Calendar.

February 9, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 164*, by Mr. Watson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 164 was placed on the Second Reading Calendar.

February 9, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 144*, by Messrs. Marthakis, Muir, Beal, Tippetts, Ashton, Elggren, Jenkins, Milliman and Mrs. Jensen, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 144 was placed on the Second Reading Calendar.

February 9, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 165*, by Mr. Watson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 165 was placed on the Second Reading Calendar.

February 9, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 128*, by Messrs. Marthakis, Burns, Watson, Elggren and Tippetts, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 128 was referred to the Committee on Appropriations and Claims.

February 9, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 138*, by Messrs. Marthakis, Elggren, Brockbank and Mrs. Jensen, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 138 was referred to the Committee on Appropriations and Claims.

February 9, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 125*, by Messrs. Larsen and Muir, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 125 was placed on the Second Reading Calendar.

February 9, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 160*, by Messrs. Larsen and Cannon, entitled, "AN ACT AMENDING SECTION 3, CHAPTER 122, LAWS OF UTAH 1947, AS AMENDED BY SECTION 2, CHAPTER 12, LAWS OF UTAH, FIRST SPECIAL SESSION 1948, RELATING TO APPROPRIATIONS FROM THE EMERGENCY RELIEF FUND TO THE RESERVE BUILD-

ING FUND, AND PROVIDING FOR ALLOCATION OF FUNDS FROM THE EMERGENCY RELIEF FUND TO THE CIVILIAN DEFENSE OR DISASTER PURPOSES FUND." has carefully considered said bill, has deleted the amount of the appropriation, and reports the same back without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

S. B. No. 160 was placed on the Second Reading Calendar.

February 9, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 111*, by Messrs. Clegg, Day, Thorn and Jenkins, entitled, "AN ACT AMENDING THE STATE COUNCIL OF DEFENSE ACT WHICH WAS CHAPTER 33 OF THE LAWS OF 1941 SECOND SPECIAL SESSION AND KNOWN AS SECTIONS 82C-5-1 TO 82C-5-10 INCLUSIVE, UTAH CODE ANNOTATED 1943, PROVIDING DEFINITIONS OF EMERGENCIES AND THE UTILIZATION OF THE LEGISLATURE AND EXISTING STATE AND MUNICIPAL OFFICERS AND ORGANIZATIONS TO DEAL WITH PROBLEMS CREATED BY EMERGENCIES WHETHER CIVIL OR MILITARY, ESTABLISHING A PUBLIC WELFARE COUNCIL, PRESCRIBING ITS POWERS, DUTIES AND FUNCTIONS, AND MAKING AN APPROPRIATION," has carefully considered said bill, has deleted the amount of the appropriation, and reports the same back without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

S. B. No. 111 was placed on the Second Reading Calendar.

February 9, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 84*, by Messrs. Hopkin, Marthakis and Fowles, entitled, "AN ACT CREATING STATE AND LOCAL COUNCILS OF DEFENSE AND DISASTER; AUTHORIZING THE GOVERNOR TO DECLARE AN EMERGENCY; PRESCRIBING THE POWERS, RIGHTS, AND DUTIES OF THE GOVERNOR, THE STATE COUNCIL OF DEFENSE AND DISASTER, AND LOCAL COUNCILS OF DEFENSE AND DISASTER HEREUNDER; ALLOWING THE TAKING OF PUBLIC AND PRIVATE PROPERTY DURING AN EMER-

GENCY; PERMITTING THE STATE AND LOCAL COUNCILS TO COOPERATE WITH AND ENTER INTO MUTUAL AID COMPACTS WITH THE FEDERAL DEFENSE ADMINISTRATOR AND DEFENSE COUNCILS OF OTHER STATES; CONSENTING TO THE ACCEPTANCE OF PROPERTY OFFERED FOR CIVIL DEFENSE OR DISASTER PURPOSES; GRANTING IMMUNITY TO CIVIL DEFENSE WORKERS; PROVIDING FOR AN APPROPRIATION; AND REPEALING CHAPTER 5, TITLE 82C, UTAH CODE ANNOTATED 1943", has carefully considered said bill, has deleted the amount of the appropriation, and reports the same back without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

S. B. No. 84 was placed on the Second Reading Calendar.

February 9, 1951

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 55*, by Messrs. Swenson and Dalebout, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWARD H. WATSON,
Chairman

Report filed.

H. B. No. 55 was placed on the Second Reading Calendar.

February 9, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 42*, by Messrs. Bagnall, Young, Munk, Postma, V. Peterson, White, Bunderson, Tietjen, Russell, J. Johnson, Sevy, Dunn, Thurston, Brotherson, A. Gardner, Hurst and Jarman, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

February 9, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 43*, by Messrs. Postma, Young, Jarman, Tietjen, Hurst, Brotherson, and Patterson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

H. B. No. 43 was referred to the Committee on Appropriations and Claims.

February 9, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 58*, by Messrs. Walker, Bonacci, Bushnell and Davis, 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.

February 9, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 91*, by Mr. Muir, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 91 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 197 By Messrs. Gibson and Hopkin

AN ACT RELATING OF THE ESCHEAT TO THE STATE OF UTAH OF ALL UNCLAIMED MONEYS DEPOSITED IN THE COURTS OR WITH THE CLERKS OF THE COURTS OF THE STATE OF UTAH, AND PROVIDING METHOD OF PROCEDURE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 198 By Mr. Gibson

AN ACT AMENDING SECTION 18-6-13, UTAH CODE ANNOTATED 1943, REQUIRING INCORPORATORS OF SOCIAL CLUBS, RECREATIONAL OR ATHLETIC ASSOCIATIONS OR KINDRED ASSOCIATIONS TO FILE AN AFFIDAVIT AT THE TIME OF INCORPORATION; PROVIDING THAT CERTAIN VIOLATIONS OF THIS ACT CONSTITUTE A MISDEMEANOR AND PROVIDING FOR THE REVOCATION OF THE CHARTER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 199 By Messrs. Marthakis, Fowles, Paxton and Jenkins

AN ACT AMENDING SECTIONS 46-0-126, 46-0-130 and 46-0-183, UTAH CODE ANNOTATED 1943, RELATING TO LABELS AND CONTENTS ON CONTAINERS OF BEER AND LICENSES TO WHOLESALERS FOR THE SALE OF BEER AND PERMITTING SOLICITING AND SALES OF HEAVY BEER BY WHOLESALERS TO COMMISSARY DEPARTMENTS OF RAILROADS WITHOUT ANY LABEL DESIGNATING ALCOHOLIC CONTENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 200 By Messrs. Watson, Marthakis, Burns and Elggren

AN ACT REPEALING SECTIONS 85-7-1.10 AND 85-7-4.10, UTAH CODE ANNOTATED 1943, RELATING TO THE MANAGEMENT AND CONTROL OF THE UTAH STATE HOSPITAL BY THE DEPARTMENT OF PUBLIC WELFARE; ENACTING A NEW SECTION TO BE KNOWN AS SECTION 85-6-1.20 PROVIDING FOR THE APPOINTMENT OF A BOARD OF TRUSTEES TO MANAGE AND CONTROL SAID HOSPITAL AND AMENDING SECTIONS 85-7-4, 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 AND 85-7-45, UTAH CODE ANNOTATED 1943, AND AMENDING SECTION 85-7-6 UTAH CODE ANNOTATED 1943, AS AMENDED BY SUBSECTION 85-7-6 OF SECTION 1, CHAPTER 121, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 123, LAWS OF UTAH 1947 AND AMENDING SECTIONS 85-7-11, 85-7-27, 85-7-32 and 85-7-54, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 121, LAWS OF UTAH 1945, RELATING TO THE POWERS AND DUTIES OF THE PUBLIC WELFARE COMMISSION IN THE MANAGEMENT AND CONTROL OF THE UTAH STATE HOSPITAL AND TRANSFERRING THEREFROM SUCH MANAGEMENT AND CONTROL TO A BOARD OF TRUSTEES AS PROVIDED IN SECTION 2 OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 201 By Messrs. Marthakis, Beal, Larsen, Paxton and Watson

AN ACT AMENDING SECTION 46-0-48, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE LIQUOR CONTROL COMMISSION AND PROVIDING THAT PER-

CENTAGE OF MARK-UP ON INTOXICATING LIQUORS AND WINES BE REDUCED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 202 By Messrs. Jenkins and Fowles

AN ACT DECLARING A POLICY, AUTHORIZING WEBER COLLEGE, BY AND THROUGH THE PROPER OFFICIALS, TO SELL REAL PROPERTY AND THE BUILDINGS THEREON, DIRECTING THE USE OF THE FUNDS OBTAINED THEREFROM, AND MAKING AN APPROPRIATION THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 203 By Messrs. Day, Clegg and Adams

AN ACT AMENDING SECTION 16-0-125, UTAH CODE ANNOTATED 1943, RELATING TO THE MANUFACTURE, IMPORTATION AND SALE OF BEER; AND PROVIDING THAT BEER SHALL NOT BE SOLD ON SUNDAY, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

February 8, 1951

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 Messrs. Larson and Openshaw, entitled:

AN ACT AMENDING SECTION 49-9-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 60, LAWS OF UTAH 1943, RELATING TO TIME EMPLOYERS MUST PAY EMPLOYEES IN PRIVATE EMPLOYMENT AND DEDUCTION STATEMENTS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 59 was read the first time and referred to the Committee on Health and Labor.

February 9, 1951

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. 62*, by Messrs. Bushnell, Howe and Sagers, entitled:

AN ACT AMENDING SECTIONS 15-9-12, 15-9-13 and 15-9-17, UTAH CODE ANNOTATED 1943, RELATING TO QUALIFICATIONS, COMPENSATION AND REMOVAL OF MEMBERS OF CIVIL SERVICE COMMISSIONS, THE ORGANIZATION OF CIVIL SERVICE COMMISSIONS, THEIR OFFICES, AND THEIR PERSONNEL, RULES AND REGULATIONS, THE CERTIFICATION OF ELIGIBILITY LISTS OF CIVIL SERVICE EMPLOYEES, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 62 was read the first time and referred to the Committee on State and Municipal Affairs.

February 9, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 13*, by Messrs. White and Swenson, entitled:

AN ACT AMENDING SECTION 15-6-30, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE APPOINTMENT OF CITY RECORDER IN CITIES OF THE THIRD CLASS AND MAKING THE CITY RECORDER EX-OFFICIO THE CITY AUDITOR, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 13 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 9, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 4*, by Mr. Lundell, entitled:

AN ACT AMENDING SECTIONS 8, 9, AND 10, CHAPTER 17, LAWS OF UTAH, 1945, RELATING TO CEMETERY MAINTENANCE DISTRICTS AND PROVIDING FOR METHOD OF APPOINTING

AND ELECTING CEMETERY MAINTENANCE DISTRICT COMMISSIONERS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 4 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 9, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 10*, by Messrs. White and Swenson, entitled:

AN ACT AMENDING SECTION 15-6-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 14, LAWS OF UTAH 1949, 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,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 10 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 9, 1951

Mr. President:

I am directed 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 Messrs. White and Swenson, entitled:

AN ACT AMENDING SECTION 15-6-3, UTAH CODE ANNOTATED 1943, VESTING THE MUNICIPAL GOVERNMENT IN THIRD CLASS CITIES IN THE MAYOR AND CITY COUNCIL COMPOSED OF FIVE COUNCILMEN, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
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.

February 9, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day receded from its amendments and passed *S. B. No. 24*, by Messrs. Muir, Reese, Elggren, Milliman, Burns and Ashton, entitled:

AN ACT AMENDING SECTION 16A-4-7, UTAH CODE ANNOTATED 1943 RELATING TO COMMERCE AND TRADE — UNFAIR TRADE PRACTICES — SALES LESS THAN COST, AND PROVIDING THAT IN DETERMINING "COST TO THE RETAILER" THE INVOICE COST SHALL BE WITHIN THIRTY DAYS PRIOR TO THE DATE OF SALE OR THE DATE OF OFFERING FOR SALE, and the same is herewith returned for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 24 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

The President recognized former State Senator B. Manning Jolley.

The President recognized former State Senator Ray P. Lund.

The President recognized former State Representative Moses L. Holbrook.

The President recognized Mr. Joe Demman and students from the social science class of the West High School.

On motion of Senator Thorn, *S. B. No. 86* was made a special order of business for Friday, February 16, 1951 at 2:30 p.m.

SPECIAL ORDER

S. B. No. 62, being a special order of business, was before the Senate.

S. B. No. 62 was read the second time.

Committee report read and adopted.

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

Page 6, line 26, after the word "board;" strike the remainder of the line and all of line 27.

Page 6, line 28, after the word "provided," strike the word "further,".

Page 7, line 26, strike the figures "100-9-19" and the remainder of the page.

Page 8, strike lines 1 through 23, both inclusive.

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

Line 1, after the figures "100-9-7" strike the comma and insert the word "AND".

Line 1, after the figures "100-9-11" strike the word and figures "AND 100-9-19,".

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

Line 1, after the figures "100-9-7" strike the comma and insert the word "and".

Line 1, after the figures "100-9-11" strike the word and figures "and 100-9-19".

S. B. No. 62 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 Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Gibson.

S. B. No. 48, being a special order of business, was before the Senate.

S. B. No. 48 was read the second time.

Committee report read and adopted.

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

Page 1, line 1, after the word "is" insert the word "hereby".

Page 1, line 2, after the word "of" insert the words "publicity and".

Page 1, line 3, after the word "Utah" strike the comma and insert in lieu thereof the word "and".

Page 1, line 4, insert a period after the words "the state" and strike the balance of the line and all of line 5.

Page 1, line 6, after the word "of" insert the words "publicity and".

Page 1, line 7, strike the word "nine" and insert in lieu thereof the word "seven".

Page 1, line 7, strike the word "Seven" after the period and insert in lieu thereof the word "Five".

Page 1, line 10, strike the words "Five of the" and insert in lieu thereof the word "The".

Page 1, line 13, after the period strike the balance of the line and all of line 14.

On motion of Senator Larsen the Senate recessed for fifteen minutes.

The Senate re-assembled.

UNFINISHED BUSINESS

S. B. No. 18 was before the Senate as unfinished business.

Page 1, line 15, strike the word "four" and insert in lieu thereof the word "three".

Page 2, line 1, strike the word "three" and insert in lieu thereof the word "two".

Page 2, line 8, strike the "s" from the word "members".

Page 2, line 9, after the word "expenses" add a comma and insert "as approved by the board".

Page 2, line 9, insert a period after the word "meetings" and strike the balance of line 9.

Page 2, line 10, strike the word "Six" and insert in lieu thereof the word "Four".

Page 2, line 10, strike the word "executive".

Page 2, line 13, strike the word "executive".

Page 2, line 13, after the word "appoint" insert the following: "a director by and with the consent of the Governor".

Page 2, line 13, preceding the word "prescribe" insert the word "shall".

Page 2, line 14, after the word "of" strike the word "a" and insert in lieu thereof the word "said".

Page 2, line 14, after the word "compensation" strike the words "in an amount not to" and insert in lieu thereof the words "at the rate approved".

Page 2, line 15, strike the words "exceed $7,500.00 per annum" and insert in lieu thereof the words "by the finance commission".

Page 2, line 16, strike the word "said" and insert in lieu thereof the word "the".

Page 2, line 16, insert a period after the word "board" and strike the balance of the sentence.

Page 2, line 16, strike the word "executive".

Page 2, line 18, strike the word "said" and insert in lieu thereof the word "the".

Page 2, line 20, strike the word "executive".

Page 2, line 26, insert the word "into" at the end of the line.

Page 2, line 27, strike the word "executive".

Page 2, line 28, strike the word "said" and insert in lieu thereof the word "the".

Page 2, line 30, strike the word "executive".

Page 2, line 32, insert a period after the word "department" and strike the balance of lines 32 and 33.

Page 3, strike all of line 1.

Page 3, line 7, change the period to a semicolon, and add "to edit and publish a magazine of high quality as the major activity to accomplish these purposes."

Page 3, strike all the material on lines 16 through 19, both inclusive.

Page 3, line 20, strike the word "executive".

Page 4, line 5, strike the word "executive".

Page 4, strike all the material on lines 9 through 23, both inclusive.

Page 4, line 24, strike the figure "12" and insert in lieu thereof the figure "11".

Page 4, line 29, strike the figure "13" and insert in lieu thereof the figure "12".

Page 4, line 31, strike the figure "14" and insert in lieu thereof the figure "13".

Page 4, line 32, after the word "department" insert "of publicity".

Page 4, line 33, after the word "of" insert "publicity and".

Page 5, line 2, strike the figure "15" and insert in lieu thereof the figure "14".

Page 5, line 5, strike the figure "16" and insert in lieu thereof the figure "15".

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

Line 1, after the word "OF" insert "PUBLICITY AND".

Line 5, after the comma after the word "THEREOF" insert the words "APPOINTMENT OF A DIRECTOR".

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

Page 4, line 25, strike the figures "$200,000.00" and insert in lieu thereof the figures "$50,000.00".

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

Line 1, strike the last "S" from the word "RESOURCES".

Line 6, strike the last "S" from the word "RESOURCES".

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

Page 1, line 2, strike the last "s" from the word "resources".

Page 1, line 6, strike the last "s" from the word "resources".

Page 3, line 31, strike the last "s" from the word "Resources".

Page 4, line 33, strike the last "s" from the word "resources".

S. B. No. 48 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren (explained vote), Jenkins, Jensen, Larsen, Marthakis (explained vote), Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Gibson, Hopkin and Paxton.

Absent and not voting: Senator Brockbank.

SPECIAL ORDER

S. B. No. 38 being a special order of business, was before the Senate for its consideration.

On motion of Senator Milliman *S. B. No. 38* was retained on the calendar as unfinished business.

Senator Paxton moved that when the Senate adjourns today, it stand adjourned until Monday, February 12, 1951 at 2:00 p.m.

Motion passed.

On motion of Senator Adams the Senate adjourned.

THIRTY-SIXTH DAY

February 12, 1951

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

Roll Call--All Senators present.

Prayer by the Chaplain.

Feburary 12, 1951

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 corrections noted on the final copy.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 9, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 2*, by Messrs. Larsen, Tietjen and Woolley, for the Utah Legislative Council, entitled:

AN ACT AMENDING SECTIONS 2, 3, 4, 5, 6, 9, 10, 11 AND 14, CHAPTER 131, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 90, LAWS OF UTAH 1949, AND AMENDING SECTIONS 15.1, 15.2, 15.3 AND 19, CHAPTER 90, LAWS OF UTAH 1949, RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF UTAH AND POLITICAL SUBDIVISIONS THEREOF; ESTABLISHING ELIGIBILITY FOR MEMBERSHIP AND PARTICIPATION IN THE RETIREMENT SYSTEM; PROVIDING FOR CONTRIBUTIONS BY EMPLOYEES AND APPROPRIATIONS TO MAINTAIN A RETIREMENT FUND AND ESTABLISHING A BOARD OF ADMINISTRATION, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

REPORTS OF STANDING COMMITTEES

February 9, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 146*, by Messrs. Marthakis, Cannon, Elggren and Watson, has carefully considered said bill and recommends that it be assigned to the joint Senate and House Committee whose duty it is to study salaries.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 146 was referred to the Special Committee to study the salary structure of the state officers and employees.

February 9, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 147*, by Messrs. Marthakis, Cannon, Elggren and Watson, has carefully considered said bill and recommends that it be assigned to the joint Senate and House Committee whose duty it is to study salaries.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 147 was referred to the Special Committee to study the salary structure of state officers and employees.

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 179*, by Messrs. Marthakis, Milliman and Brockbank, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTIONS 79-1-7, 79-1-13 AND 79-1-21, UTAH CODE ANNOTATED 1943, AND 79-1-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 41, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 32, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 77, LAWS OF UTAH 1949, DESIGNATING THE COMMITTEE OF FIVE PHARMACISTS AS THE STATE BOARD OF PHARMACY; ADDING TO THE GENERAL DUTIES OF THE SEVERAL REPRESENTATIVE COMMITTEES THE PERFORMANCE OF ALL OTHER DUTIES SPECIFICALLY REQUIRED

OF THEM UNDER THE LAWS OF THIS STATE; PROVIDING FOR AN ADDITIONAL FUNCTION AND DUTY OF THE DEPARTMENT OF REGISTRATION UPON THE ACTION AND REPORT IN WRITING OF THE APPROPRIATE REPRESENTATIVE COMMITTEES TO PROMULGATE AND ENFORCE RULES AND REGULATIONS WHEN SUCH COMMITTEES ARE AUTHORIZED BY LAW TO MAKE AND INITIATE SUCH RULES AND REGULATIONS; INCREASING THE MAXIMUM LICENSE, CERTIFICATE, PERMIT, STUDENT CARD AND APPRENTICE CARD RENEWAL FEE FROM $5 TO $10, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 179 was ordered printed and referred to the Committee on Health and Labor.

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 181*, by Messrs. Marthakis, Milliman and Brockbank, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AUTHORIZING THE BOARD OF PHARMACY TO MAKE AND INITIATE RULES AND REGULATIONS FOR PROTECTION OF THE PUBLIC; PROVIDING FOR ELECTION OF OFFICERS OF THE BOARD; AND PROHIBITING BOARD MEMBERS FROM PRIVATELY TEACHING PHARMACY, AND ENACTING A NEW CHAPTER TO BE KNOWN AS CHAPTER 12b, TITLE 79, UTAH CODE ANNOTATED 1943, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 181 was ordered printed and referred to the Committee on Health and Labor.

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 185*, by Messrs. Jenkins, Marthakis, Clegg, Larsen, Hopkin, Brockbank and Cannon, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT REPEALING SECTION 75-8-1, UTAH CODE ANNOTATED 1943, RELATING TO THE ELECTION AND QUALIFICA-

TIONS OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION, AND ENACTING A NEW SECTION TO BE KNOWN AS 75-8-1.10, PROVIDING FOR THE APPOINTMENT OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, AND PRESCRIBING THE QUALIFICATIONS AND DUTIES, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 185 was ordered printed and referred to the Committee on Education.

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 187*, by Messrs. Tippetts, Reese, Adams, Marthakis, Watson, Ashton, Milliman, Burns, Jenkins, Beal, Clegg, Thorn, Muir, Day, Paxton, Larsen, Cannon and Mrs. Jensen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 187 was ordered printed and referred to the Committee on Welfare.

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 188*, by Messrs. Milliman, Marthakis, Clegg, Burns and Mrs. Jensen, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT APPROPRIATING FROM THE RESERVE BUILDING FUND TO THE STATE DEPARTMENT OF PUBLIC WELFARE THE SUM OF $300,000 TO FINANCE THE CONSTRUCTION, EQUIPPING AND FURNISHING OF A FARM DORMITORY BUILDING, MAINTENANCE SHOP AND WAREHOUSE AND TO ENLARGE, RE-

PAIR AND EQUIP CERTAIN OTHER BUILDINGS AND FACILITIES AT THE UTAH STATE TRAINING SCHOOL, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 188 was ordered printed and referred to the Committee on Appropriations and Claims, Subcommittee on Buildings.

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 195*, by Messrs. Cannon and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 195 was ordered printed and referred to the Committee on Highways.

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 196*, by Mr. Jenkins, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 196 was ordered printed and referred to the Committee on Banking and Commerce.

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 197*, by Messrs. Gibson and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 197 was ordered printed and referred to the Committee on Judiciary.

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 198*, by Mr. Gibson, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 18-6-13, UTAH CODE ANNOTATED 1943, RELATING TO SOCIAL CLUBS AS NONPROFIT CORPORATIONS AND REQUIRING INCORPORATORS OF SOCIAL CLUBS, RECRATIONAL OR ATHLETIC ASSOCIATIONS OR KINDRED ASSOCIATIONS TO FILE AN AFFIDAVIT AT THE TIME OF INCORPORATION; PROVIDING THAT CERTAIN VIOLATIONS OF THIS ACT CONSTITUTE A MISDEMEANOR AND PROVIDING FOR THE REVOCATION OF THE CHARTER, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 198 was ordered printed and referred to the Committee on Judiciary.

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 199*, by Messrs. Marthakis, Fowles, Paxton and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 199 was ordered printed and referred to the Committee on Banking and Commerce.

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 200*, by Messrs. Watson, Marthakis, Burns and Elggren, with a few minor changes assented to by the authors and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 200 was ordered printed and referred to the Committee on Public Institutions.

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 201*, by Messrs. Marthakis, Beal, Larsen, Paxton and Watson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 201 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 203*, by Messrs. Day, Adams and Clegg, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 203 was ordered printed and referred to the Committee Banking and Commerce.

February 12, 1951

Mr. President:

Your Committee on Highways to which was referred *S. B. No. 136*, by Messrs. Day, Marthakis, Fowles and Reese, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 136 was placed on the Second Reading Calendar.

February 12, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 73*, by Messrs. Day, Larsen, Reese and Elggren, has carefully considered said bill and reports the same out favorably with the following corrections:

Body, page 2, line 4, correct the misspelling of the word "enforcement".

Page 4, line 20, correct the misspelling of the word "Section".

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 73 was placed on the Second Reading Calendar.

February 12, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 37*, by Messrs. Day, Gibson and Cannon, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

February 12, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 132*, by Messrs. Marthakis, Cannon, Elggren and Watson, has carefully considered said bill and recommends that it be referred to the joint committee whose duty it is to study salaries.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 132 was referred to the Special Committee to study the salary structure of state officers and employees.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 9 By Mr. Day

A JOINT RESOLUTION MEMORIALIZING THE CONGRESS TO SPEEDILY ENACTS INTO LAW THE REMAINDER OF THE RECOMMENDATIONS OF THE HOOVER COMMITTEE FOR REORGANIZATION OF THE EXECUTIVE BRANCH OF THE FEDERAL GOVERNMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No.10 By Messrs. Paxton and Day

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE TWENTY-NINTH 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. 204 By Messrs. Ashton, Jenkins, Muir and Reese

AN ACT AMENDING SECTION 1, OF CHAPTER 126, LAWS OF UTAH, 1945, 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; 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 AGRICULTURE; MEMBERS OF THE ENGINEERING COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 205 By Messrs. Reese, Jenkins, Milliman and Mrs. Jensen

AN ACT TO AMEND SECTION 57-4-9, UTAH CODE ANNOTATED, 1943 TO ALLOW MORE THAN ONE PERSON BESIDES THE DRIVER TO OCCUPY A MOTOR VEHICLE WHILE SUCH DRIVER IS UNDER INSTRUCTION, was read the first time and referred to the Committee on Revision and Enrolling.

A petition from taxpayers with reference to the sales on foods and prescription medicines and the disposition of the old prison site, was read and referred to the Committee on Revenue and Taxation.

On motion of Senator Day, *S. B. No. 25* was made a special order of business for Tuesday, February 13, 1951 at 3:09 P.M.

On motion of Senator Day the Senate resolved itself into a Committee of the Whole for Lincoln Day program.

The Committee of the Whole was dissolved.

On motion of Senator Day, a vote of appreciation was extended to D. Archie Latimer, Ann Cardall, Milton Christensen, Ann Gilhool and Miss Lyle Bradford for their contributions to the program.

On motion of Senator Elggren the Senate adjourned until Tuesday, February 13, 1951 at 10:00 A.M.

THIRTY-SEVENTH DAY

MORNING SESSION

February 13, 1951

The Senate was called to order at 10:00 A.M. President Fowles in the chair.

Roll Call- All Senators present, except Senators Brockbank and Larsen, excused.

Prayer by the Chaplain.

February 13, 1951

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the thirty-sixth day and find it correct with minor corrections noted on the final copy.

Respectfully,

LUKE CLEGG,
Chairman

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 24* by Messrs. Muir, Reese, Elggren, Milliman, Burns and Ashton, entitled:

AN ACT AMENDING SECTION 16A-4-7, UTAH CODE ANNOTATED 1943 RELATING TO COMMERCE AND TRADE—UNFAIR TRADE PRACTICES- SALES LESS THAN COST, AND PROVIDING THAT IN DETERMINING "COST TO THE RETAILER" THE INVOICE COST SHALL BE WITHIN THIRTY DAYS PRIOR TO THE DATE OF SALE OR THE DATE OF OFFERING FOR SALE, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 21 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 12, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 22*, by Messrs. Marthakis, Clegg, Thorn, Day, Paxton and Ashton, entitled:

AN ACT AMENDING SECTIONS 1, 2, 3, 5, 7, 8 AND 11, CHAPTER 24, LAWS OF UTAH 1949 ENABLING IMPROVEMENT DISTRICTS TO INCLUDE INCORPORATED MUNICIPALITIES AND AREAS, PROVIDING FOR OBJECTION BY MORE THAN TWENTY-FIVE PER CENT IN NUMBER OF PROPERTY OWNERS, FOR APPOINTMENT OF BOARD OF TRUSTEES FOR SEWER DISTRICTS INCLUDING A COMBINATION OF TWO OR MORE MUNICIPALITIES OR OTHER AREAS, TIME LIMIT FOR MATURITY OF BONDS, AND FOR THE POWERS OF IMPROVEMENT DISTRICTS, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 22 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 12, 1951

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 79*, by Mrs. Jensen and Messrs. Adams, Watson, Elggren, Gibson, Tippetts, Clegg, Larsen, Marthakis, Jenkins, Milliman and Ashton, has carefully considered said bill and reports the same out without recommendation with the following amendments:

Page 16, line 8, strike the word "geoligic" and add the word "geological".

Page 17, line 17, delete "for the county of Salt Lake or the district attorney". These words should be stricken in the same manner if they appear again in this bill.

Respectfully,

DONALD T. ADAMS,
Chairman

Report filed.

S. B. No. 79 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 11 By Messrs. Day and Jenkins

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UTAH STATE LEGISLATURE, MEMORALIZING THE CONGRESS TO TAKE THE NECESSARY STEPS TO ENFORCE THE TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE NAVAJO TRIBE OF INDIANS PROCLAIMED AUGUST 12th 1868, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 12 By Messrs. Thorn, Day and Clegg

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE TWENTY-NINTH 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. 206 By Mr. Watson

AN ACT TO APPORTION CLAIMANTS SHARE OF RESPONSIBILITIES FOR NEGLIGENCE IN ACTIONS TO RECOVER DAMAGES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 207 By Mr. Day

AN ACT AMENDING SECTION 79-1-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 41 LAWS OF UTAH 1945, AS AMENDED 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 AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 79-15-1, 79-15-2, 79-15-3, 79-15-4, 79-15-5, 79-15-6, 79-15-7, 79-15-8, 79-15-9, 79-15-10, 79-15-11, 79-15-12, 79-15-13, 79-15-14, 79-15-15 AND 79-15-16, REGULATING THE PRACTICE OF REFRIGERATION SERVICE ENGINEERS AND PROVIDING FOR THE EXAMINATION AND LICENSING OF SUCH ENGINEERS; PROVIDING FOR THE QUALIFICATIONS, TYPES OF LICENSES, FOR SUSPENSION OF LICENSES, BONDS, PERMITS, HEARINGS, APPEALS AND PENALTIES, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 4 was before the Senate as unfinished business.

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

Committee report read and adopted.

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

Page 3, line 7, strike the word "six" and insert in lieu thereof the word "five".

Page 7, line 13, strike the word "six" and insert in lieu thereof the word "five".

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

Page 3, line 27, after the letter "(b)", delete all the material on lines 27 to 33, both inclusive, and insert in lieu thereof the following: "The commission may require user-dealer to furnish a bond depending upon financial rating, if they deem it practical and necessary in the administration of this act."

Page 4, delete all the material on lines 1 through 10 both inclusive.

Page 7, line 7, after the figures "57-12-51.", delete all the material on lines 7 through 20, both inclusive.

Page 7, line 21, delete the letter "(b)".

Page 7, line 21, after the word "records" insert the following: "as prescribed by the commission".

S. B. No. 4 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Gibson, Jenkins and Larsen.

S. B. No. 7 was before the Senate as unfinished business.

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

Committee report read and adopted.

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

Page 1, line 20, strike the comma after the word "vehicles".

Page 1, line 20, after the word nonresidents insert a comma.

Page 1, line 21, after the the word "movement" insert a comma and strike "under the authority of the Interstate".

Page 2, line 1, strike the words "Commerce Commission".

Page 2, line 1, after the word "commission" insert the word "shall" and delete the following "may enter into agreements between this and any other state, district, country or sovereignty to".

Page 2, line 3, after the word "fleets" insert a period and delete the balance of the sentence.

S. B. No. 7 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Gibson and Larsen.

S. B. No. 8 was before the Senate as unfinished business.

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

Committee report read and adopted.

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

Line 9, strike the words "three months period" and insert in lieu thereof the words "calendar quarter".

S. B. No. 8 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Gibson and Larsen.

S. B. No. 10 was before the Senate as unfinished business.

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

Committee report read and adopted.

S. B. No. 10 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Marthakis, Milliman, Muir, Paxton (explained vote), Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Jensen and Larsen.

S. B. No. 9 was before the Senate as unfinished business.

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

Committee report read and adopted.

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

Line 3, strike the figures "36-132" and insert in lieu thereof the figures "36-1-32".

Line 3, after the comma following the year 1943 insert "AS AMENDED BY CHAPTER 65, LAWS OF UTAH 1949,".

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

Page 1, line 17, strike all the deletion marks and the words "no vehicle or combination of vehicles" and insert in lieu thereof "subject to all other provisions of law imposing limitations upon the size and weight of vehicles or combination of vehicles no group of axles."

Page 1, line 19, strike ",( )" and insert in lieu thereof "of the group,".

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

Page 2, line 7, delete the deletion marks on the second column heading and insert in lieu thereof "carried on any group of axles."

Page 2, line 8, delete "extreme ( )" on the first column heading and insert in lieu thereof "extremes of any group of".

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

Page 4, line 14, after the word "demeanor" change the comma to a period and strike the balance of the bill.

S. B. No. 9 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Hopkin and Larsen.

The President recognized former State Senator Mitchell Melich and Mrs. Melich.

The President recognized former State Senator Claud Hirschi and Mrs. Hirschi.

On motion of Senator Muir the Senate voted to meet on Saturday, February 17, 1951 at 10:00 A.M.

On motion of Senator Muir, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Fowles in the chair.

Roll Call—Al Senators present.

REPORTS OF STANDING COMMITTEES

February 13, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 180*, by Messrs. Marthakis, Milliman and Brockbank, with a few minor changes assented to by the authors, including the following revision of of the title:

AN ACT AMENDING SECTIONS 79-12-2, 79-12-7, 79-12-8, 79-12-10, 79-12-11, 79-12-12, 79-12-13, UTAH CODE ANNOTATED 1943; AND ENACTING NEW SECTIONS 79-12-2.1, 79-12-2.2, 79-12-2.3, 79-12-8.1, 79-12-10.1, 79-12-10.2, 79-12-10.3, 79-12-10.4, 79-12-11.1, 79-12-12.1, 79-12-12.2, 79-12-16.1, 79-12-16.2, 79-12-16.3, 79-12-16.4, 79-12-16.5, 79-12-16.6, 79-12-16.7, 79-12-16.8, 79-12-16.9, UTAH CODE ANNOTATED 1943, RELATING TO LICENSES TO PRACTICE PHARMACY; RAISING THE APPLICATION FEE FROM $15 TO $20, AND RAISING THE ANNUAL RENEWAL FEE FROM $5 TO $10; REGULATING THE MANUFACTURE AND SALE OF DRUGS AND PROVIDING FOR THE LICENSING OF MANUFACTURING, WHOLESALE AND RETAIL DRUG BUSINESSES, AND PROVIDING THE FEES THEREFOR; PROVIDING FOR INVESTIGATIONS BY THE BOARD OF PHARMACY; RELATING TO THE REFILLING OF PRESCRIPTIONS, AND REPEALING SECTIONS 79-12-29, 79-12-30, 79-12-31, 79-12-32, UTAH CODE ANNOTATED 1943, RELATING TO THE EMPLOMENT OF REGISTERED PHARMACISTS AND PRESCRIBING A PENALTY AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 79-12-29.10 PROVIDING FOR A PENALTY FOR THE VIOLATION OF THE PROVISIONS OF THIS CHAPTER, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 180 was ordered printed and referred to the Committee on Health and Labor.

February 13, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 182*, by Messrs. Marthakis, Milliman and Brockbank, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 182 was ordered printed and referred to the Committee on Health and Labor.

February 13, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 183*, by Messrs. Larsen and Reese, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT CREATING A DEPARTMENT OF PUBLIC SAFETY, TO PROVIDE FOR THE CENTRALIZATION OF ALL ACTIVITIES RELATING TO TRAFFIC LAW ENFORCEMENT, LICENSING AND CONTROL OF DRIVERS, ACCIDENT RECORDS, FINANCIAL RESPONSIBILITIES OF DRIVERS, SAFETY EDUCATION, AND CRIMINAL IDENTIFICATION, AND TRANSFERRING TO THE DEPARTMENT OF PUBLIC SAFETY ALL THE POWERS, DUTIES AND FUNCTIONS OF THE UTAH HIGHWAY PATROL, STATE TAX COMMISSION AND STATE BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION CONFERRED UPON OR REQUIRED OF SUCH DEPARTMENTS BY EXISTING LAW RELATING TO SUCH MATTERS, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 183 was ordered printed and referred to the Committee on Highways.

February 13, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 186*, by Messrs. Jenkins, Marthakis, Larsen, Clegg, Hopkin, Brockbank, Cannon, and Mrs. Jensen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 186 was ordered printed and referred to the Committee on Education.

February 13, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 202*, by Messrs. Jenkins and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 202 was ordered printed and referred to the Committee on Education.

February 13, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 177*, by Mr. Larsen, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 177 was placed on the Second Reading Calendar.

February 13, 1951

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 151*, by Messrs. Marthakis, Day, Gibson and Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWARD H. WATSON,
Chairman

Report filed.

S. B. No. 151 was placed on the Second Reading Calendar.

February 13, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 153*, by Messrs. Reese and Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

S. B. No. 153 was placed on the Second Reading Calendar.

February 13, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 172*, by Messrs. Day and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

S. B. No. 172 was placed on the Second Reading Calendar.

February 13, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 173*, by Messrs. Day, Ashton and Beal, has carefully considered said bill and reports the same out favorably.

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

S. B. No. 173 was placed on the Second Reading Calendar.

February 13, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 174*, by Messrs. Day, Ashton and Beal, has carefully considered said bill and reports the same out favorably.

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

S. B. No. 174 was placed on the Second Reading Calendar.

February 13, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 175*, by Messrs. Day, Ashton and Beal, has carefully considered said bill and reports the same out favorably.

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

S. B. No. 175 was placed on the Second Reading Calendar.

February 13, 1951

Mr. President:

I am directed 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. Fowles, Gibson and Hopkin, entitled:

AN ACT PROVIDING FOR THE COVERAGE OF CERTAIN OFFICERS AND EMPLOYEES OF THE STATE AND LOCAL GOVERNMENTS UNDER THE OLD-AGE AND SURVIVORS' INSUR-

ANCE PROVISIONS OF TITLE II OF THE FEDERAL SOCIAL SECURITY ACT, AS AMENDED; AUTHORIZING THE STATE FINANCE COMMISSION TO ACT AS THE STATE AGENCY FOR THE ADMINISTRATION THEREOF AND APPROPRIATING MONEY TO DEFRAY COSTS OF ADMINISTRATION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

February 13, 1951

Mr. President:

I am directed 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. Fowles, Tippetts, Marthakis, Ashton and Milliman, entitled:

AN ACT AUTHORIZING THE CREATION AND ORGANIZATION OF FIRE PROTECTION DISTRICTS IN ANY COUNTY OR COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICT, AUTHORIZING THE ACQUISITION OF PROPERTY AND IMPROVEMENTS BY SUCH DISTRICTS, AND THE ISSUANCE OF BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSES FOR WHICH SUCH DISTRICTS ARE CREATED, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 13 was transmitted to the Governor.

February 13, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 22*, by Messrs. Marthakis, Clegg, Thorn, Day, Paxton and Ashton, entitled:

AN ACT AMENDING SECTIONS 1, 2, 3, 5, 7, 8 AND 11, CHAPTER 24, LAWS OF UTAH 1949 ENABLING IMPROVEMENT DISTRICTS TO INCLUDE INCORPORATED MUNICIPALITIES AND AREAS, PROVIDING FOR OBJECTION BY MORE THAN TWENTY-FIVE PERCENT IN NUMBER OF PROPERTY OWNERS, FOR APPOINTMENT OF BOARD OF TRUSTEES FOR SEWER DISTRICTS INCLUDING A COMBINATION OF TWO OR MORE MUNICIPALITIES OR OTHER AREAS, TIME LIMIT FOR MATURITY OF BONDS, AND FOR THE POWERS OF IMPROVEMENT DISTRICTS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

February 13, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 24*, by Messrs. Muir, Reese, Elggren, Milliman, Burns and Ashton, entitled:

AN ACT AMENDING SECTION 16A-4-7, UTAH CODE ANNOTATED 1943 RELATING TO COMMERCE AND TRADE — UNFAIR TRADE PRACTICES SALES LESS THAN COST, AND PROVIDING THAT IN DETERMINING "COST TO THE RETAILER" THE INVOICE COST SHALL BE WITHIN THIRTY DAYS PRIOR TO THE DATE OF SALE OR THE DATE OF OFFERING FOR SALE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

February 13, 1951

Mr. President:

I am directed 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. 27*, by Mr. Milliman, entitled:

AN ACT AMENDING SECTION 12, CHAPTER 89, LAWS OF UTAH 1947, RELATING TO PAYMENT OF PUBLIC ASSISTANCE TO THE APPLICANTS OR RECIPIENTS CONFINED TO HOSPITAL OR INFIRMARY, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 27 was transmitted to the Governor.

February 13, 1951

Mr. President:

I am directed 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. 56*, by Messrs. Burns, Muir and Milliman, entitled:

AN ACT AMENDING SECTION 7 OF CHAPTER 89, LAWS OF UTAH 1947, RELATING TO AID TO THE BLIND AND PROVIDING THAT EARNED INCOME UP TO $50.00 PER MONTH SHALL BE DISREGARDED IN THE DETERMINATION OF NEED, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 56 was transmitted to the Governor.

February 13, 1951

Mr. President:

I am directed 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. 65*, by Mr. Gibson, entitled:

AN ACT RELATING TO THE MERGER, CONSOLIDATION AND CONVERSION OF NATIONAL AND STATE BANKS AND LOAN AND TRUST COMPANIES, AMENDING TITLE 7, UTAH CODE ANNOTATED 1943, BY ADDING THERETO A NEW CHAPTER CONSISTING OF SECTIONS TO BE KNOWN AS SECTIONS 7-4b-1, 7-4b-2, 7-4b-3, 7-4b-4, 7-4b-5, 7-4b-6, 7-4b-7, 7-4b-8 and 7-4b-9, UTAH CODE ANNOTATED 1943, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 65 was transmitted to the Governor.

February 13, 1951

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. 97*, by Messrs. Young, White, Munk, Tietjen, Brotherson, Mrs. Gerald Cazier, Albrecht, L. Johnson, Thurston, Luke, Bagnall, Hopkins, Hurst, Patterson, Hinton, J. Johnson, A. Gardner, Dunn, Postma, Crofts, Bunderson, Russell, Sevy, Taylor and Barton, entitled:

AN ACT AMENDING SECTIONS 50-1-1, 50-1-2 and 50-1-3, UTAH CODE ANNOTATED 1943 FIXING THE REPRESENTATION AND THE METHODS OF THE ELECTION OF MEMBERS OF THE SENATE, FIXING THE REPRESENTATION IN THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH, AND PROVIDING FOR THE DIVISION OF COUNTIES HAVING MORE THAN ONE REPRESENTATIVE INTO REPRESENTATIVE DISTRICTS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 97 was read the first time and referred to the Committee on State and Municipal Affairs.

February 13, 1951

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. 164*, by Messrs. Woolley, Swenson, Larson and Rowberry, entitled:

AN ACT APPROPRIATING FROM THE STATE HIGHWAY FUND NOT OTHERWISE APPROPRIATED $300,000 TO PURCHASE ROAD EQUIPMENT FOR USE BY THE STATE ROAD COMMISSION, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 164 was read the first time and referred to the Committee on Highways.

February 13, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 184*, by Messrs. Bonacci, Larson, Taylor and Davis, entitled:

AN ACT AMENDING SECTION 42-2a-3, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 67, LAWS OF UTAH 1945, CHAPTER 54, LAWS OF UTAH 1947 AND CHAPTER 53, LAWS OF UTAH 1949; SECTIONS 42-2a-5, 42-2a-6 AND 42-2a-11, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 53, LAWS OF UTAH 1949; SECTION 42-2a-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 56, LAWS OF UTAH 1947 AND CHAPTER 53, LAWS OF UTAH 1949; SECTION 42-2a-14, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 68, LAWS OF UTAH 1945 AND CHAPTER 53, LAWS OF UTAH 1949; SECTION 42-2a-16, UTAH CODE ANNOTATED 1943; AND ENACTING NEW SECTIONS 42-2a-25 AND 42-2a-26, RELATIVE TO UNEMPLOYMENT COMPENSATION; BENEFITS; ELIGIBILITY FOR BENEFITS; REQUIRED REPORTS; INELIGIBILITY FOR BENEFITS; EMPLOYER CONTRIBUTIONS; DUTIES OF INDUSTRIAL COMMISSION; MERIT RATING; PENALTIES; PERSONNEL; DEFINING TERMS; EFFECTIVE DATE, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 184 was read the first time and referred to the Committee on Health and Labor.

February 13, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 93*, by Messrs. Tietjen, White, Luke, Dalebout, C. Gardner, Larsen and Frost, entitled:

AN ACT AMENDING SECTION 7-3-6, UTAH CODE ANNOTATED 1943, RELATING TO THE LOCATION AT WHICH THE BUSINESS OF A BANK SHALL BE CONDUCTED AND TO THE ESTABLISHMENT OF BRANCH BANKS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 93 was read the first time and referred to the Committee on Banking and Commerce.

February 13, 1951

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. 94*, by Messrs. Tietjen, Larsen, White, Luke, Dalebout, C. Gardner and Frost, entitled:

AN ACT TO AMEND SECTIONS 7-1-9, 7-1-10, 7-1-11 AND 7-1-11X, UTAH CODE ANNOTATED 1943, RELATING TO THE EXAMINATION OF, AND THE FEES PAYABLE TO THE BANK COMMISSIONER BY, FINANCIAL INSTITUTIONS UNDER THE SUPERVISION OF THE STATE BANKING DEPARTMENT, AND THE DISPOSITION TO BE MADE OF FEES SO PAID, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 94 was read the first time and referred to the Committee on Banking and Commerce.

UNFINISHED BUSINESS

S. B. No. 12 was before the Senate as unfinished business.

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

Committee report read and adopted.

S. B. No. 12 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 Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senators Larsen, Muir and Tippetts.

S. B. No. 38 was before the Senate as unfinished business.

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

Page 2, line 3, strike the word "private" and insert in lieu thereof the word "commercial".

Page 3, line 2, strike the word "two" and insert in lieu thereof the word "five".

Page 3, line 3, add a comma after the word "aeronautics" and insert "two years of which shall have been devoted to gainful employment or interest in aeronautics."

Page 3, line 4, after the period insert "The remaining two members shall show by past experience that they have a definite interest in aviation and its development; provided, that no member during the term of his office shall be an employee of the state."

Page 3, delete lines 8 through 11, both inclusive.

Page 3, line 12, strike the figures "4-0-22.5" and insert in lieu thereof the figures "4-0-22.4".

Page 3, line 20, strike the figures "4-0-22.6" and insert in lieu thereof the figures "4-0-22.5".

Page 3, line 25, strike the figures "4-0-22.7" and insert in lieu thereof the figures "4-0-22.6".

Page 4, line 2, strike the figures "4-0-22.8" and insert in lieu thereof the figures "4-0-22.7".

Page 2, line 23, strike ",4-0-22.8".

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

Line 6, strike "4-0-22.8,".

S. B. No. 38 was placed on the Third Reading Calendar on the following roll call:

Ayes, 12; Nos, 9; Absent, 2.

Those voting in the affirmative were: Senators Beal, Brockbank, Burns, Cannon, Clegg, Day (explained vote), Jenkins, Jensen, Larsen, Marthakis, Milliman and Tippetts.

Those voting in the negative were: Senators Ashton, Elggren, Gibson, Muir, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senators Adams and Hopkin.

S. B. No. 25 was before the Senate as unfinished business.

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

Page 1, line 1, before the word "Chapter" insert "Section 1. Sec. 1,".

Page 1, line 2, strike the word "hereby".

Page 1, line 5, after the word "land" strike all the remaining language of the bill and insert in lieu thereof "particularly described as follows:

Beginning 184.41 feet South 0°63'37" West from the north ¼ corner of Section 21. T. 1 S., R. 1 E., S.L.B. & M.; thence South 89°52'00" East 409.89 feet, to a point on the east fence line of the prison property and 37.5 feet South 0°08'00" West from the city monument line on 21st South Street; thence South 0°17'36" West 1316.5 feet, along said east fence line; thence North 89°42'24" West 1178.4 feet; thence North 0°17'36" East 660.0 feet; thence South 89°42'24" East 378.4 feet; thence North 0°17'36" East 704.67 feet; thence South 74°52'00" East 194.80 feet; thence South 89°52'00" East 201.81 feet, to the point of beginning, containing 30.00 acres, more or less,

in the Northeasterly area of the old State Prison property for use as a site for a high school and civic center. The land left remaining within the old Utah state prison site, ( ) except the lands north of 21st South Street, as it now is, and except the lands covered by the railroad right-of-way is set apart and designated as a State Park( )."

S. B. No. 25 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams (explained vote), Brockbank, Burns, Cannon, Day, Elggren, Gibson (explained vote), Hopkin (explained vote), Jenkins, Jensen, Marthakis, Milliman, Muir, Reese, Tippetts (explained vote), Watson and Mr. President.

Those voting in the negative were: Senators Ashton, Beal, Clegg, Paxton and Thorn.

Absent and not voting: Senator Larsen.

S. B. No. 25 was transmitted to the House.

The President recognized former State Senator Hyrum Gibbons.

A letter from the Box Elder Wildlife Federation was read and the attached resolution which had been adopted by the Federation with reference to fish and game licenses was referred to the Committee on Fish and Game.

The President recognized Mrs. Erickson and Mr. Carling and students from the Farrar Junior High School, Provo, Utah.

On motion of Senator Marthakis the Senate adjourned until Wednesday, February 14, 1951 at 10.00 A.M.

THIRTY-EIGHTH DAY

MORNING SESSION

February 14, 1951

The Senate was called to order at 10:00 A.M. President Fowles in the chair.

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

Prayer by the Chaplain.

February 14, 1951

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 corrections noted on the final copy.

Respectfully,

LUKE CLEGG,
Chairman

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 14, 1951

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 187*, by Messrs. Tippetts, Reese, Adams, Marthakis, Watson, Ashton, Milliman, Burns, Jenkins, Beal, Clegg, Thorn, Muir, Day, Paxton, Larsen, Cannon and Mrs. Jensen, has carefully considered said bill and reports the same out favorably.

Respectfully,

JAMES E. BURNS,
Chairman

Report filed.

S. B. No. 187 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 208 By Messrs. Day and Elggren

AN ACT AMENDING SECTION 79-7-22, UTAH CODE ANNOTATED 1943 RELATING TO UNPROFESSIONAL CONDUCT OF FUNERAL DIRECTORS AND ENUMERATING AND SETTING FORTH ADDITIONAL ACTS AND CONDUCT CONSIDERED TO BE UNPROFESSIONAL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 209 By Messrs. Fowles and Burns

AN ACT AMENDING SECTION 87-1-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 97, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 124, LAWS OF UTAH 1945, AND SECTIONS 87-1-3 AND 87-1-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 125, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 124, LAWS OF UTAH 1947, AND SECTION 1, CHAPTER 126, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 132, LAWS OF UTAH 1947, RELATING TO SALARIES OF STATE OF-

FICERS, JUSTICES OF THE SUPREME COURT AND JUDGES OF THE DISTRICT COURTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 210 By Mr. Gibson

AN ACT ENACTING A SECTION TO BE KNOWN AS 85-9-81.10, UTAH CODE ANNOTATED 1943, AUTHORIZING THE GOVERNOR TO ENTER INTO AMENDMENTS OF COMPACTS WITH ANY OF THE UNITED STATES FOR MUTUAL HELPFULNESS IN RELATION TO CONVICTED PERSONS ON PROBATION OR PAROLE AND, SPECIFICALLY, ALLOWING OUT-OF-STATE INCARCERATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 211 By Mr. Gibson

AN ACT TO PROVIDE THAT THE STATE OF UTAH MAY ENTER INTO COMPACTS PROVIDING FOR THE IMPRISONMENT, SUBSISTANCE AND CARE OF WOMEN FELONS IN PENAL INSTITUTION LOCATED IN OTHER STATES AND RATIFYING AND CONFIRMING PREVIOUS COMPACTS WITH THE STATE OF COLORADO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 212 By Mr. Day

AN ACT AMENDING SECTION 46-0-237, UTAH CODE ANNOTATED 1943 TO PROHIBIT STORING ALCOHOLIC BEVERAGES OR THE MIXING OR DRINKING OF ALCOHOLIC BEVERAGES IN PRIVATE CLUBS AND RECREATION AND SOCIAL PLACES TO REMOVE AMBIGUITY FROM THE PRESENT LAWS, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 49 was before the Senate as unfinished business.

S. B. No. 49 was read the second time.

Committee report read and adopted.

S. B. No. 49 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 Adams, Ashton, Beal, Burns, Clegg, Day, Elggren (explained vote), Jenkins, Jensen, Larsen, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Cannon, Gibson, Hopkin and Marthakis.

S. B. No. 50 was before the Senate as unfinished business.

S. B. No. 50 was read the second time.

Committee report read and adopted.

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

Line 7, change the period to a semi-colon and add "provided the Utah historical society may turn the direct custody of any of the aforementioned buildings and monuments over to any suitable non-profit organization or society. Such custody shall be resumed or changed by the historical society whenever it appears to be in the best interests of the building or monument. The society shall require such periodical reports from the custodian as may be deemed advisable to keep the society properly informed of the custodial activities."

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

Line 4, change the period to a comma and insert "when released by the this is the place monument commission."

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

Line 3, strike the words "Henefer State Park,".

S. B. No. 50 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Beal, Burns, Clegg, Day, Elggren, Jenkins, Jensen, Larsen, Milliman, Muir, Paxton, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative: Senator Adams.

Absent and not voting: Senators Brockbank, Cannon, Gibson, Hopkin, Marthakis and Reese.

S. B. No. 51 was before the Senate as unfinished business.

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

Committee report read and adopted.

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

Page 1, line 17, after the word "governor" insert "by and with the consent of the Senate".

Page 1, line 18, change the period to a comma and add "except directors to be appointed in 1951 then only six shall be appointed to a four year term and six shall be appointed to a two year term. The board of directors shall meet at least four times each year and daily during the days the state fair is being conducted. Each director shall be paid mileage for attend-

ance at such meetings according to standards adopted by the state department of finance, together with a fee of $10.00 per diem for attendance at such meetings."

Page 1, line 21, change the period to a comma and add "the board of directors with the consent of the governor shall appoint a secretary-manager."

Page 2, line 4, strike the word "two" and insert in lieu thereof the word "one".

Page 2, line 5, strike the "s" in the word "years".

Page 2, line 6, after the words "appoint a" insert "vice-president,".

Page 2, line 13, change the period to comma and insert "the director-manager, with the approval of the board of directors, may employ legal counsel for such compensation as said director-manager and said commission may determine."

Page 2, line 15, after the word "such" insert "livestock and poultry,".

Page 2, line 15, after the word "horticultural" insert a comma and "floricultural".

Page 2, line 16, strike the first word "and" and insert in lieu thereof a comma.

Page 2, line 16, insert a comma and the word "industrial" after the the word "mineral".

Page 2, line 17, after the word "stimulate" insert "agricultural," and after the word "industrial" insert "and educational".

S. B. No. 51 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 Adams, Ashton, Beal, Burns, Day, Elggren, Hopkin, Jensen, Larsen, Milliman, Muir, Paxton, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Cannon, Clegg, Gibson, Jenkins, Marthakis and Reese.

CONSIDERATION OF BILLS ON THIRD READING

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

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Day, Elggren, Jenkins, Jensen, Larsen, Milliman, Muir, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Cannon, Gibson, Hopkin, Marthakis, Paxton and Reese.

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

H. B. No. 1 was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal Burns, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Larsen, Milliman, Muir, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Cannon, Gibson, Marthakis, Paxton and Reese.

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

H. B. No. 45 was read the third time and placed on its final passage.

H. B. No. 45 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Cannon, Gibson, Muir, Paxton and Reese.

H. B. No. 45 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 49 was read the second time.

Committee report read and adopted.

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

Page 2, line 18, strike "Article 2".

Page 2, line 18, strike the figure "1" after the word "Section" and insert in lieu thereof the figure "3".

H. B. No. 49 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senator Ashton, Beal, Burns, Clegg, Day, Elggren, Gibson, Jenkins, Larsen, Marthakis, Milliman, Muir, Paxton, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Adams, Brockbank, Cannon, Hopkin, Jensen and Reese.

H. B. No. 40 was read the second time.

Committee report read and adopted.

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

Page 1, line 1, after the figures "19" strike the comma and insert the word "and"; after the figures "20" strike ", and 21".

Page 10, strike lines 23 through 29, both inclusive.

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

Line 1, after the figures "19" strike the comma and insert the word "AND".

Line 2, after the figures "20" strike ", AND 21".

H. B. No. 40 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Larsen and Reese.

Absent and not voting: Senator Brockbank.

On motion of Senator Day the enacting clause on *S. B. No. 59* was struck.

On motion of Senator Elggren, it was agreed that when the Senate adjourns today, it adjourn at 4:30 P.M.

The President recognized former State Representative Horace L. Allred and Lawrence M. Atwood.

The President recognized former State Senator Frank Williams.

On motion of Senator Milliman the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Fowles in the chair.

Roll Call—All Senators present.

COMMUNICATIONS FROM THE HOUSE

February 14, 1951

Mr. President:

I am directed to request your Honorable Body to return to the House *H. B. No. 97,* by Messrs. Young, White, Munk, Tietjen, Brotherson, Mrs. Cazier, Albrecht, Johnson, Thurston, Luke, Bagnall, Hurst. Patterson, Hinton, Johnson, Gardner, Wood, Dunn, Postma, Crofts, Bunderson, Russell, Sevy, Taylor, Barton and Hopkins, entitled:

AN ACT AMENDING SECTIONS 50-1-1, 50-1-2, AND 50-1-3, UTAH CODE ANNOTATED 1943, FIXING THE REPRESENTATION AND THE METHODS OF THE ELECTION OF MEMBERS OF THE SENATE, FIXING THE REPRESENTATION IN THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH, AND PROVIDING FOR THE DIVISION OF COUNTIES HAVING MORE THAN ONE REPRESENTATIVE INTO REPRESENTATIVE DISTRICTS, for further consideration by the House.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Tippetts *H. B. No. 97* was lifted from the Committee on State and Municipal Affairs and returned to the House.

February 14, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended in Title and Body, by Senate and House, *S. B. No. 2,* by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT PROVIDING FOR THE COMPILATION, ANNOTATION, DISTRIBUTION OF THE STATUTES OF THE STATE OF UTAH AND CREATING AND APPOINTING A COMPILATION COMMISSION AND MAKING AN APPROPRIATION OF $100,000 THEREFOR, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Day, the Senate concurred in the House amendments.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Marthakis, Milliman, Muir, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Jenkins, Larsen, Paxton, Reese and Thorn.

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

February 14, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 36,* by Messrs. Cannon, Watson, Day and Gibson, entitled:

AN ACT AUTHORIZING THE SUPREME COURT TO SUPERVISE THE VARIOUS COURTS OF THIS STATE, ASSIGN TEMPORARY JUDGES FROM ONE DISTRICT, CITY, OR PRECINCT TO ANOTHER, ASSIGN CITY COURT JUDGES TO THE DISTRICT COURTS TEMPORARILY WHEN NECESSARY AND APPOINT NOT TO EXCEED TWO ADDITIONAL JUSTICES OF THE SUPREME COURT FOR A TEMPORARY PERIOD WHEN NECESSARY; ALSO PROVIDING FOR THE APPOINTMENT OF AN ADMINISTRATOR FOR THE COURTS OF THE STATE OF UTAH TO ACT UNDER THE SUPERVISION OF THE SUPREME COURT AND FIXING HIS POWERS AND DUTIES, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 36 was filed.

REPORTS OF STANDING COMMITTEES

February 14, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

February 14, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 11*, by Messrs. Day and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. J. R. No. 11 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 14, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 12*, by Messrs. Thorn, Day and Clegg, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. J. R. No. 12 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 14, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 192*, by Messrs. Day, Larsen and Ashton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 192 was ordered printed and referred to the Committee on Public Institutions.

February 14, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 205*, by Messrs. Reese, Jenkins, Milliman and Mrs. Jensen, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 57-4-9, UTAH CODE ANNOTATED 1943, TO ALLOW MORE THAN ONE PERSON OTHER THAN THE DRIVER TO OCCUPY A MOTOR VEHICLE WHILE SUCH DRIVER IS UNDER INSTRUCTION, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 205 was ordered printed and referred to the Committee on Highways.

February 14, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 206*, by Mr. Watson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 206 was ordered printed and referred to the Committee on Judiciary.

February 14, 1951

Mr. President:

Your Committee on Highways, to which was referred *H. B. No. 164*, by Messrs. Woolley, Swenson, Larson and Rowberry, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

H. B. No. 164 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 138*, by Messrs. Marthakis, Elggren, Brockbank, and Mrs. Jensen, entitled, "AN ACT AUTHORIZING THE UNIVERSITY OF UTAH TO CONSTRUCT A CLASSROOM BUILDING AND SCIENTIFIC LABORATORY BUILDING UPON ITS CAMPUS, APPROPRIATING $1,500,000.00 FOR THE CONSTRUCTION OF THE CLASS-

ROOM BUILDING AND $2,000,000.00 FOR THE CONSTRUCTION OF THE SCIENTIFIC LABORATORY BUILDING OUT OF THE FIRST ACCUMULATIONS IN THE RESERVE BUILDING FUND SUFFICIENT THEREFOR IN THE ORDER NAMED AND DIRECTING THE TRANSFER THEREOF FOR SAID PURPOSES AS AVAILABLE TO THE BUILDING COMMISSION BY THE PROPER FISCAL OFFICER UPON CERTIFICATION BY THE BOARD OF EXAMINERS", has carefully considered said bill, has deleted the amount of the appropriation, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

S. B. No. 138 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 128*, by Messrs. Marthakis, Burns, Watson, Elggren and Tippetts, entitled, "AN ACT APPROPRIATING THE SUM OF $2,400,000 FROM THE GENERAL FUND FROM MONEY NOT OTHERWISE APPROPRIATED TO THE UTAH STATE TEACHERS' RETIREMENT FUND", has carefully considered said bill, has deleted the amount of the appropriation, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

S. B. No. 128 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *H. B. No. 43*, by Messrs. Postma, Young, Jarman, Tietjen, Hurst, Brotherson and Patterson, 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 RECEIPT THEREFROM, ALLOCATION OF THE AERONAUTIC FUND AND HOW IT IS USED, REPORTS OF DISTRIBUTORS AND DEALERS, DISPOSITION OF THE BALANCE, BY APPROPRIATING 93% TO THE STATE HIGHWAY CONSTRUCTION FUND, CREATING A MOTOR FUEL RESERVE FUND AND

APPROPRIATING 7% 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," has carefully considered said bill, has deleted the amount of the appropriation, and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

H. B. No. 43 was placed on the Second Reading Calendar.

On motion of Senator Tippetts the rules were suspended and *H. B. No. 43* was placed to follow *H. B. No. 42*, now on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 162*, by Mr. Tippetts, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 162 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 176*, by Messrs. Jenkins, Clegg, Brockbank and Mrs. Jensen, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 176 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 179*, by Messrs. Marthakis, Milliman and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

S. B. No. 179 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 181* by Messrs. Marthakis, Milliman and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

S. B. No. 181 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 182*, by Messrs. Marthakis, Milliman and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

S. B. No. 182 was placed on the Second Reading Calendar.

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

On motion of Senator Milliman, the Senate resolved itself into Regular Session.

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

FOR COMMISSIONER, DEPARTMENT OF FINANCE:

Truman S. Curtis, Logan, to succeed J. Fred Pingree, resigned; effective May 19, 1949, for unexpired term ending March 1, 1953.

FOR COMMISSIONER, STATE TAX COMMISSION:

Patrick Healy, Jr., Ogden, to succeed H. C. Shoemaker, transferred; effective January 7, 1950, to fill unexpired term ending March 1, 1953.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

H. B. No. 51 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 Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Muir, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Larsen, Milliman, Paxton, Reese and Thorn.

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

Committee report read and adopted.

H. B. No. 52 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 Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Adams, Hopkin, Paxton, Reese and Thorn.

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

Committee report read and adopted.

H. B. No. 53 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 Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Larsen, Reese and Thorn.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 3 was read the third time and placed on its final passage.

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

Page 1, line 4, strike the word "six" and insert in lieu there "five".

Page 2, after line 2, insert a new section: "Section 2. This act shall take effect July 1, 1951."

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Larsen and Thorn.

S. B. No. 3 was transmitted to the House.

S. B. No. 4 was read the third time and placed on its final passage.

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

Page 10, line 32, after the period after the word "tax" strike all the material in the previous amendment and insert in lieu thereof "The remaining balance in the general highway fund shall be allocated to the state highway construction and maintenance fund from the effective date of this act, until January 31, 1952. After this date, the remaining balance in the general highway fund shall be allocated as follows: seventy-seven percent (77%) to the state highway construction and maintenance fund and twenty-three percent (23%) to the Class "B" and Class "C" roads accounts."

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Larsen and Thorn.

S. B. No. 4 was transmitted to the House.

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

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

Page 3, Section 3, strike the words "This act shall take effect as of July 1, 1951" and insert in lieu thereof "This act shall take effect January 1, 1952, except that the schedule of registration fees contained in this act shall apply to all registrations for the calendar year 1952 and thereafter."

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Larsen, Milliman and Thorn.

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

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

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

Line 6, after the word "collection" insert a period and delete all the material in the previous amendment.

Line 8, after the word "made", delete all the material in the previous amendment.

Add new section: "Section 2. This act shall take effect July 1, 1951."

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Muir, Tippetts and Mr. President.

Those voting in the negative were: Senators Elggren (explained vote), Paxton, Reese and Watson (explained vote).

Absent and not voting: Senators Jenkins and Thorn.

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

S. B. No. 7 was read the third time and placed on its final passage.

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

Page 2, add a new section: "Section 2. This act shall take effect July 1, 1951."

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Jenkins, Muir and Thorn.

S. B. No. 7 was transmitted to the House.

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

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

Add a new section: "Section 2. This act shall take effect July 1, 1951.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts (explained vote), Watson and Mr. President.

Absent and not voting: Senators Jenkins, Muir and Thorn.

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

On motion of Senator Marthakis the Senate recessed for fifteen minutes.

The Senate re-assembled.

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

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

Page 2, line 20, after the word "and" delete all the material in the previous amendment and insert in lieu thereof "the state finance commission for services rendered the state road department; the remaining balance in the general highway fund shall be allocated to the state highway construction and maintenance fund from the effective date of this act until January 31, 1952. After this date the remaining balance in the general

highway fund shall be allocated as follows: seventy-seven percent (77%) to the state highway construction and maintenance fund and twenty-three percent (23%) to the Class "B" and Class "C" road accounts."

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Paxton, Reese and Thorn.

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

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

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

Page 1, line 17, change the period to a comma and insert "except, that money in the motor vehicle registration fund for 1951 registrations, and not previously appropriated, on the effective date of this act, shall be transferred to the Class "C" and Class "B" roads account."

Page 1 Add new section: "Section 2. This act shall take effect January 1, 1952."

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Elggren, Reese and Thorn.

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

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

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

Page 2, delete lines 3 through 6, both inclusive.

Page 4, line 14, after the word "demeanor" change the period to a comma and insert "and upon conviction thereof shall be punished by a fine of not less than $50.00 nor more than $299.00 or by imprisonment not to exceed 6 months or by both such fine and imprisonment,".

Page 1, line 3, after the comma after the year 1943 insert "as amended by Chapter 65, laws of Utah 1949,".

Page 4, line 13, after the figures "57-3a-133" strike ", and" and insert in lieu thereof the word "or".

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

Ayes, 16; Nos, 5; Absent, 2.

Those voting in the affirmative were: Senators Adams, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen (explained vote), Larsen, Marthakis, Milliman, Tippetts, Watson and Mr. President.

Those voting in the negative: Senators Ashton, Jenkins, Muir, Paxton and Reese.

Absent and not voting: Senators Brockbank and Thorn.

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

The President recognized former State Senator Rue L. Clegg.

On motion of Senator Marthakis, the Senate voted to accept the invitation of the Geneva Steel Company to visit its plant on February 22, 1951.

On motion of Senator Marthakis the Senate adjourned until Thursday, February 15, 1951 at 10:00 A.M.

THIRTY-NINTH DAY

MORNING SESSION

February 15, 1951

The Senate was called to order at 10:00 A.M. President Fowles in the chair.

Roll Call- All Senators present except Senator Brockbank, excused.

Prayer by the Chaplain.

February 15, 1951

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 corrections noted on the final copy.

Respectfully,

LUKE CLEGG,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 14, 1951

Dear Mr. President and Members of the Senate:

This is to advise you that I have approved *S. B. No. 27*, by Mr. Milliman, entitled:

AN ACT AMENDING SECTION 12, CHAPTER 89, LAWS OF UTAH 1947, RELATING TO PAYMENT OF PUBLIC ASSISTANCE TO THE APPLICANTS OR RECIPIENTS CONFINED TO HOSPITAL OR INFIRMARY.

This bill has been sent to the Secretary of State as of this date.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

February 14, 1951

Dear Mr. President and Members of the Senate:

This is to advise you that I have approved and sent to the Secretary of State, *S. B. No. 56*, by Messrs. Burns, Muir and Milliman, entitled:

AN ACT AMENDING SECTION 7 OF CHAPTER 89, LAWS OF UTAH 1947, RELATING TO AID TO THE BLIND AND PROVIDING THAT EARNED INCOME UP TO $50.00 PER MONTH SHALL BE DISREGARDED IN THE DETERMINATION OF NEED.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed

February 14, 1951

Dear Mr. President and Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 65*, by Mr. Gibson, entitled:

AN ACT RELATING TO THE MERGER, CONSOLIDATION AND CONVERSION OF NATIONAL AND STATE BANKS AND LOAN AND TRUST COMPANIES, AMENDING TITLE 7, UTAH CODE ANNOTATED 1943, BY ADDING THERETO A NEW CHAPTER

CONSISTING OF SECTIONS TO BE KNOWN AS SECTIONS 7-4b-1, 7-4b-2, 7-4b-3, 7-4b-4, 7-4b-5, 7-4b-6, 7-4b-7, 7-4b-8, AND 7-4b-9, UTAH CODE ANNOTATED 1943.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

February 14, 1951

Dear Mr. President and Members of the Senate:

I am enclosing two copies of House Joint Memorial No. 2, which was sent to me by the Legislature of the State of Colorado.

It was the request of that Legislature that I bring this Memorial to the attention of the Utah Legislature for whatever action it deems appropriate.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication referred to the Committee on Judiciary.

February 14, 1951

Dear Mr. President and Members of the Senate:

I am enclosing a copy of a letter I have received from the First Presidency of the Church of Jesus Christ of Latter Day Saints.

This letter concerns a proposed bill that has been or will be introduced in the Legislature providing that the campus, buildings, and equipment of Snow, Weber, and Dixie Junior Colleges cease to be used and operated for educational purposes by the State of Utah. I am also attaching a copy of this bill.

I am confident the First Presidency and other L. D. S. church authorities will be happy to talk with the Legislature and clarify any points which may be raised as a result of this measure and their letter.

I have taken the liberty of making copies of the letter available to all members of the Legislature.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication referred to the Committee on Education.

February 14, 1951

Dear Mr. President and
Members of the Senate:

In compliance with State laws, I am submitting the following appointments to your honorable body for advice and consent:

COMMISSIONER, DEPARTMENT OF AGRICULTURE:

Alden K. Barton, Manti; for six-year term, expiring on March 1, 1957.

MEMBER, BOARD OF CORRECTIONS:

Dr. Leslie D. Burbidge, Salt Lake City; for six-year term, expiring on April 1, 1957.

COMMISSIONER, DEPARTMENT OF ENGINEERING:

Harley J. Corleissen, Provo; for six-year term, expiring on March 1, 1957.

COMMISSIONER, DEPARTMENT OF FINANCE:

Truman S. Curtis, Logan; for six-year term, expiring on March 1, 1957.

COMMISSIONER, UTAH STATE LIQUOR CONTROL COMMISSION:

J. W. Pace, Delta; for six-year term, expiring July 1, 1957.

COMMISSIONER, PUBLIC WELFARE COMMISSION:

William A. Dawson, Salt Lake City; for six-year term, expiring on March 1, 1957.

MEMBERS, HISTORICAL SOCIETY, BOARD OF CONTROL:

Levi Edgar Young, Salt Lake City.
C. Henry Anderson, Ogden.
Charles R. Mabey, Salt Lake City.
W. R. Palmer, Cedar City.
A. B. Gibson, Nephi.

All are four-year terms, expiring April 1, 1955.

Respectfully yours,

J. BRACKEN LEE,
Governor

Communication referred to the Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

February 14, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day, refused to reconsider its action on *H. B. No. 97*, by Messrs. Young, White, Munk, Tietjen, Brotherson, Mrs. Gerald Cazier, Albrecht, L. Johnson, Thurston, Luke, Bagnall, Hopkins, Hurst, Patterson, Hinton, J. Johnson, A. Gardner, Dunn, Postma, Crofts, Bunderson, Russell, Sevy, Taylor and Barton, entitled:

AN ACT AMENDING SECTIONS 50-1-1, 50-1-2 AND 50-1-3, UTAH CODE ANNOTATED 1943, FIXING THE REPRESENTATION AND THE METHODS OF THE ELECTION OF MEMBERS OF THE SENATE, FIXING THE REPRESENTATION IN THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH, AND PROVIDING FOR THE DIVISION OF COUNTIES HAVING MORE THAN ONE REPRESENTATIVE INTO REPRESENTATIVE DISTRICTS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 97, having been read for the first time on the 37th day, was referred to the Committee on State and Municipal Affairs.

February 14, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 20*, by Messrs. Day, Gibson, Reese, Fowles and Paxton, entitled:

AN ACT CARRYING INTO EFFECT SECTION 3, ARTICLE VIII OF THE CONSTITUTION AS AMENDED BY SENATE JOINT RESOLUTION NO 2, LAWS OF UTAH 1943, ADOPTED AT THE GENERAL ELECTION NOVEMBER 7, 1944, BY AMENDING SECTION 25-1-7, UTAH CODE ANNOTATED 1943, AND AMENDING SECTION 25-3-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 14, CHAPTER 35, LAWS OF UTAH 1947, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 25-16-1, 25-16-2, 25-16-3, 25-16-4, 25-16-5, 25-16-6, UTAH CODE ANNOTATED, 1943, 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 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 RENUMERATION; 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 returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 20 was filed.

REPORTS OF STANDING COMMITTEES

February 14, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 2*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT PROVIDING FOR THE COMPILATION, ANNOTATION, PUBLICATION AND DISTRIBUTION OF THE STATUTES OF THE STATE OF UTAH AND CREATING AND APPOINTING A COMPILATION COMMISSION AND MAKING AN APPROPRIATION OF $100,000 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,

EDWIN B. CANNON,
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.

February 14, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 185*, by Messrs. Jenkins, Marthakis, Clegg, Larsen, Hopkin, Brockbank and Cannon, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 185 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 186*, by Messrs. Jenkins, Marthakis, Larsen, Clegg, Hopkin, Brockbank, Cannon and Mrs. Jensen, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 186 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 202*, by Messrs. Jenkins and Fowles has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 202 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 166*, by Messrs. Larsen, Clegg, Milliman, Cannon, Tippetts, Marthakis, Beal, Muir, Ashton, Thorn, Burns, Paxton, Reese, Watson, Hopkin, Jenkins, Elggren, Gibson, Brockbank, Day, Fowles and Mrs. Jensen, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 166 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 150*, 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. 150 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 149*, by Messrs. Brockbank and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 149 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 53*, by Messrs. Day, Adams, Clegg and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

February 14, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 52*, by Messrs. Day, Adams, Clegg and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

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

February 14, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 60*, by Messrs. Day, Fowles, Jenkins, Watson, Clegg and Cannon, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 60 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 194*, by Messrs. Day, Larsen and Ashton, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 194 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 190*, by Mr. Day, 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 14, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 197*, by Messrs. Gibson and Hopkin, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 197 was placed on the Second Reading Calendar.

February 14, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 184*, by Messrs. Adams, Watson, Fowles and Clegg, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 184 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 13 By Mr. Day

A JOINT RESOLUTION PROVIDING FOR A STUDY OF THE DESIRABILITY OF REQUIRING SUPPORT BY THE RELATIVES OF INMATES OF STATE INSTITUTIONS AND PROVIDING FOR A LIEN ON THE PROPERTY OF SAID INMATES COVERING THE COST OF THEIR SUPPORT, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 213 By Messrs. Day and Jenkins

AN ACT AMENDING SECTION 15-8-51, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS OF CITIES AND TOWNS AND PROVIDING FOR THE DEFINITION, SUPPRESSION, PROHIBITION AND PUNISHMENT OF PROSTITUTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 214 By Messrs. Ashton, Watson, Elggren and Jenkins

AN ACT AMENDING SECTIONS 46-0-45, UTAH CODE ANNOTATED, 1943, 46-0-118, UTAH CODE ANNOTATED, 1943, AND 46-0-137, UTAH CODE ANNOTATED, 1943, AMENDED BY CHAPTER 74, LAWS OF UTAH, 1945, AND 46-0-140, UTAH CODE ANNOTATED, 1943, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 46-1-137.1, 46-1-137.2 AND SECTIONS 46-0-140.1, 46-0-140.2, 46-0-140.3, 46-0-140.4, 46-0-140.5, 46-0-140.6, AND 46-0-140.7 UTAH CODE ANNOTATED, 1943, AND REPEALING SECTIONS 46-0-138, 46-0-139, 46-0-144, 46-0-145, 46-0-146, 46-0-147, 46-0-148, 46-0-149, 46-0-150, 46-0-151, 46-0-152, UTAH CODE ANNOTATED, 1943, RELATING TO AN EXCISE TAX ON BEER AND PROVIDING FOR THE PAYMENT OF THE TAX BY THE BREWER OR WHOLESALER OR DISTRIBUTOR IMPORTING THE BEER INTO THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 215 By Mrs. Jensen, Messrs. Elggren, Watson, Burns, Tippetts, Brockbank, Milliman, Marthakis, Jenkins, Ashton and Adams

AN ACT AMENDING SECTIONS 10 AND 19, CHAPTER 89, LAWS OF UTAH 1947 AS AMENDED BY CHAPTER 9 LAWS OF UTAH 1948, FIRST SPECIAL SESSION RELATING TO PUBLIC ASSISTANCE TO PERSONS IN NEED; PROVIDING AN INCREASE IN BUDGETARY NEED MAXIMUMS IN DETERMINING THE AMOUNT OF GRANTS AND PROVIDING THAT RECIPIENTS MAY RECEIVE CERTAIN MONIES FROM OTHER SOURCES WITHOUT

DEDUCTIONS FROM THEIR GRANTS; AND PROVIDING A MINIMUM ASSESSED VALUATION UPON WHICH A LIEN MAY BE TAKEN AND INCREASING THE CASH EXEMPTION ALLOWED UPON SATISFACTION OF A LIEN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 216 By Messrs. Larsen and Muir

AN ACT APPROPRIATING FROM THE UNINCUMBERED MONEYS IN THE MOTOR POOL FUND, TO THE BOARD OF EXAMINERS, AS MUCH MONEY AS IS NECESSARY, BUT NOT TO EXCEED TWENTY-FIVE THOUSAND ($25,000.00) DOLLARS, TO BUILD A STORAGE AND SERVICE GARAGE ON THE NORTH EAST PORTION OF THE STATE CAPITOL BUILDING GROUNDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 217 By Messrs. Muir, Hopkin and Larsen

AN ACT REPEALING SECTIONS 75-6-1 AND 75-6-2, UTAH CODE ANNOTATED, 1943, AND CHAPTER 120, LAWS OF UTAH 1947, AND SECTIONS 75-6-3, 75-6-4, 75-6-4.10, 75-6-5, 75-6-6, 75-6-7, 75-6-8, 75-6-9 AND 75-6-10, UTAH CODE ANNOTATED, 1943, RELATING TO SNOW COLLEGE, WEBER COLLEGE AND DIXIE JUNIOR COLLEGE AND PROVIDING THAT THE PROPERTIES CONNECTED THEREWITH WILL NO LONGER BE USED AND OPERATED FOR EDUCATIONAL PURPOSES BY THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 218 By Messrs. Muir, Hopkin and Larsen

AN ACT AMENDING SECTION 75-6-11, 75-6-12, AND 75-6-13, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 75-6-14, UTAH CODE ANNOTATED 1943, RELATING TO CARBON COLLEGE AND PROVIDING THAT THE MANAGEMENT AND CONTROL OF CARBON COLLEGE SHALL BE VESTED IN THE BOARD OF REGENTS OF THE UNIVERSITY OF UTAH AND THAT CARBON COLLEGE SHALL BE A BRANCH OF THE UNIVERSITY OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 219 By Messrs. Reese and Jenkins

AN ACT AMENDING SECTION 36-2-6, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 60, LAWS OF UTAH 1945, RELATING TO AND AUTHORIZING THE STATE ROAD COMMISSION TO ACQUIRE AND DISPOSE OF REAL PROPERTY OR OTHER INTERESTS THEREIN FOR ROAD PURPOSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 220 By Messrs. Reese and Jenkins

AN ACT AMENDING SECTION 36-2-1, UTAH CODE ANNOTATED 1943, RELATING TO THE MEMBERS OF THE STATE ROAD COMMISSION, AND PROVIDING FOR THE PAYMENT OF CLAIMS ARISING OUT OF NEGLIGENCE OF THE COMMISSION OR ITS EMPLOYEES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 221 By Messrs. Larsen, Muir and Day

AN ACT AMENDING SECTION 75-7-1, UTAH CODE ANNOTATED 1943, AND PROVIDING FOR THE ELECTION OF MEMBERS TO THE STATE BOARD OF EDUCATION AS REQUIRED BY ARTICLE X, SECTION 8, OF THE CONSTITUTION OF THE STATE OF UTAH, AS AMENDED BY THE CONSTITUTIONAL AMENDMENT SUBMITTED TO THE PEOPLE BY JOINT RESOLUTION OF THE TWENTY-EIGHT LEGISLATURE OF THE STATE OF UTAH, *H. J. R. NO. 5*, AND APPROVED BY THE PEOPLE IN THE GENERAL ELECTION OF NOVEMBER 7, 1950, 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, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 222 By Messrs. Larsen, Muir and Day

AN ACT AMENDING SECTION 75-8-1, UTAH CODE ANNOTATED 1943, AND PROVIDING FOR THE APPOINTMENT BY THE STATE BOARD OF EDUCATION OF A STATE SUPERINTENDENT OF PUBLIC INSTRUCTION AS REQUIRED BY ARTICLE X, SECTION 8, OF THE CONSTITUTION OF THE STATE OF UTAH, AS AMENDED BY THE CONSTITUTIONAL AMENDMENT SUBMITTED TO THE PEOPLE BY A JOINT RESOLUTION OF THE TWENTY-EIGHTH LEGISLATURE OF THE STATE OF UTAH, *H. J. R. NO. 5*, AND APPROVED BY THE PEOPLE IN THE GENERAL ELECTION OF NOVEMBER 7, 1950, 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, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 223 By Messrs. Day, Fowles and Adams

AN ACT TO ESTABLISH A JUDICIAL COUNCIL, TO PROVIDE FOR ITS MEMBERSHIP, POWERS, DUTIES AND EXPENSES; TO PROVIDE A SECRETARY OF THE COUNCIL AND HIS POWERS, DUTIES AND SALARY; AND TO REPEAL ALL ACTS IN CONFLICT HEREWITH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 224 By Messrs. Clegg and Day

AN ACT ENACTING A NEW SECTION TO TITLE 103, CHAPTER 5, UTAH CODE ANNOTATED 1943, TO BE KNOWN AS SECTION 103-5-17, PROVIDING FOR THE REQUIRING OF MOTORISTS WHO RUN DOWN DOMESTIC ANIMALS ON THE HIGHWAY, TO STOP AND GIVE APPROPRIATE AID THEREUNTO AND REPORT THE ACCIDENT, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 49 was read the third time and placed on its final passage.

H. B. No. 49 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Gibson, Hopkin, Jensen, Larsen, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Elggren, Jenkins, Marthakis and Paxton.

H. B. No. 49 was returned to the House.

H. B. No. 40 was read the third time and placed on its final passage.

H. B. No. 40 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Gibson, Jensen, Milliman, Muir, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Elggren, Hopkin, Jenkins, Larsen, Marthakis and Tippetts.

H. B. No. 40 was returned to the House.

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, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Hopkin, Larsen and Marthakis.

H. B. No. 51 was returned to the House.

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, 18; Nos, 0; Absent, 5.

Those voting in the affirmative were: Senators Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Adams, Brockbank, Hopkin, Larsen and Marthakis.

H. B. No. 52 was returned to the House.

H. B. No. 53 was read the third time and placed on its final passage.

H. B. No. 53 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Watson.

Absent and not voting: Senators Adams, Brockbank, Fowles, Hopkin, Larsen and Marthakis.

H. B. No. 53 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

H. B. No. 20 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Watson.

Absent and not voting: Senators Brockbank, Fowles and Larsen.

H. B. No. 37 was read the second time.

Committee report read and adopted.

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

Page 5, delete lines 29 to 33, both inclusive and insert in lieu thereof "a physician from those who have contracted to render service hereunder, or in the event of emergency, to the free choice of any qualified and duly licensed medical doctor."

Page 6, delete all of page 6 and insert in lieu thereof "Section 15. A medical service contract shall not be issued or delivered in this state until:

(1) a copy of the form thereof, and, if more than one class of risks is written, of the classification of risks, and the consideration payable by the subscriber pertaining thereto are filed with the Commissioner;

(2) either:

(a) thirty days expire without notice from the Commissioner after such copy is filed, or

(b) the Commissioner gives his written approval prior to that time.

Section 16. If the Commissioner notifies the corporation, in writing, that the filed form does not comply with requirements of law, specifying the reasons for his opinion, it is unlawful for the corporation thereafter to issue any contract in such form."

H. B. No. 37 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Gibson, Jenkins, Jensen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Day (explained vote), Elggren and Muir.

Absent and not voting: Senators Brockbank, Hopkin and Larsen.

Senator Hopkin moved that the President appoint a Sifting Committee to begin its functions at the end of the 39th legislative day, and that all bills on the Second Reading Calendar at the end of the said 39th legislative day and all bills subsequently reported by standing committees be referred to this committee.

Motion carried.

On motion of Senator Gibson, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Fowles in the chair.

Roll Call — All Senators present.

COMMUNICATIONS FROM THE GOVERNOR

February 15, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that the Governor has approved *S. B. No. 24*, by Messrs. Muir, Reese, Elggren, Milliman, Burns and Ashton, entitled:

AN ACT AMENDING SECTION 16A-4-7, UTAH CODE ANNOTATED 1943 RELATING TO COMMERCE AND TRADE — UNFAIR TRADE PRACTICES — SALES LESS THAN COST, AND PROVIDING THAT IN DETERMINING "COST TO THE RETAILER" THE INVOICE COST SHALL BE WITHIN THIRTY DAYS PRIOR TO THE DATE OF SALE OR THE DATE OF OFFERING FOR SALE; and

S. B. No. 1, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT PROVIDING FOR THE COVERAGE OF CERTAIN OFFICERS AND EMPLOYEES OF THE STATE AND LOCAL GOVERNMENTS UNDER THE OLD-AGE AND SURVIVORS' INSURANCE PROVISIONS OF TITLE II OF THE FEDERAL SOCIAL SECURITY ACT, AS AMENDED; AUTHORIZING THE STATE FINANCE COMMISSION TO ACT AS THE STATE AGENCY FOR THE ADMINISTRATION THEREOF AND APPROPRIATING MONEY TO DEFRAY COSTS OF ADMINISTRATION.

These bills have been transmitted to the Secretary of State.

Sincerely yours,

HAROLD W. SIMPSON,
Executive Assistant

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 14, 1951

Mr. President:

I am directed to request your Honorable Body to return to the House, *S. B. No. 96*, by Messrs. Day, Marthakis and Elggren, entitled:

AN ACT CREATING AND ESTABLISHING A STATE DEPARTMENT OF VETERANS' AFFAIRS FOR THE PURPOSE OF AIDING, ASSISTING, COUNSELING AND ADVISING PERSONS KNOWN AS VETERANS; DEFINING THE POWERS AND DUTIES OF SUCH A STATE DEPARTMENT OF VETERANS' AFFAIRS; PROVIDING FOR A VETERANS' COUNCIL AND THE ADMINISTRATION RELATING THERETO AND FOR THE APPOINTMENT OF A DIRECTOR; DEFINING POWERS AND DUTIES, AND FIXING SALARY; PROVIDING FOR OPERATING AND ADMINISTRATIVE ASSISTANTS, TRAVELING EXPENSES, AND OPERATING EXPENSES

IN CONNECTION THEREWITH; PROVIDING FOR AN ADVISORY COUNCIL TO SUCH A DEPARTMENT; REQUIRING THE STATE ATTORNEY GENERAL TO RENDER LEGAL ASSISTANCE TO SUCH A DEPARTMENT AND PROVIDING FOR A TRANSFER OF RECORDS NOW HELD FOR THE STATE VETERANS' SERVICE TO THE STATE DEPARTMENT OF VETERANS' AFFAIRS, AND MAKING AN APPROPRIATION THEREFOR.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

On motion of Senator Day, *S. B. No. 96* was returned to the House.

February 14, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 21*, by Messrs. Brockbank, Fowles, Elggren, Marthakis, Jenkins and Watson, entitled:

AN ACT AMENDING SECTION 42-4-2, UTAH CODE ANNOTATED, 1943; SECTION 42-4-4 UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 69, LAWS OF UTAH, 1945, AS AMENDED BY CHAPTER 61, LAWS OF UTAH, 1947; SECTION 42-4-7, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 70 LAWS OF UTAH, 1945, AND SECTION 42-4-8 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 71, LAWS OF UTAH, 1945, RELATING TO THE SOURCE OF MONIES OF THE UTAH FIREMEN'S PENSION FUND; THE GRANTING OF SERVICE AND DISABILITY PENSIONS TO PAID AND VOLUNTEER FIREMEN, THE AMOUNTS AND PAYMENTS THEREOF, THE PROCEDURE IN APPLYING FOR AND GRANTING SAID PENSIONS; PAYMENT FROM THE FIREMEN'S PENSION FUND OF DEATH BENEFITS TO THE WIDOW AND DEPENDENT MINOR CHILDREN OF PAID AND RETIRED FIREMEN; AND THE PAYMENT FROM THE FIREMEN'S PENSION FUND OF DEATH BENEFITS TO THE WIDOW AND DEPENDENT CHILDREN OF FIREMEN WHERE DEATH RESULTS FROM ACCIDENT OR EXPOSURE IN THE PERFORMANCE OF DUTY, and the same is transmitted herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

S. B. No. 21 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 14, 1951

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. 16*, by Messrs. T. M. Rees and Jarman, entitled:

A RESOLUTION OF CONDOLENCE TO REPRESENTATIVE LAWRENCE B. JOHNSON UPON THE DEATH OF HIS BROTHER, ELSWORTH MARION JOHNSON, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

H. J. R. No. 16 was read the first time.

On motion of Senator Marthakis the rules were suspended and *H. J. R. No. 16* was read the second and third times and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Muir, Paxton, Thorn, Watson and Mr. President.

Absent and not voting: Senators Larsen, Milliman, Reese and Tippetts.

H. J. R. No. 16 was returned to the House.

February 15, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 14th day of February, 1951, approve and transmit to the Secretary of State, *H. B. No. 4*, by Mr. Lundell, entitled:

AN ACT AMENDING SECTIONS 8, 9 AND 10, CHAPTER 17, LAWS OF UTAH, 1945, RELATING TO CEMETERY MAINTENANCE DISTRICTS AND PROVIDING FOR METHOD OF APPOINTING AND ELECTING CEMETERY MAINTENANCE DISTRICT COMMISSIONERS.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

February 15, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 14th day of February, 1951, approve and transmit to the Secretary of State, *H. B. No. 10*, by Messrs. White and Swenson, entitled:

AN ACT AMENDING SECTION 15-6-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 14, LAWS OF UTAH 1949, 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,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

February 15, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 14th day of February, 1951, approve and transmit to the Secretary of State, *H. B. No. 13*, by Messrs. White and Swenson, entitled:

AN ACT AMENDING SECTION 15-6-30 UTAH CODE ANNOTATED 1943, PROVIDING FOR THE APPOINTMENT OF CITY RECORDER IN CITIES OF THE THIRD CLASS AND MAKING THE CITY RECORDER EX-OFFICIO THE CITY AUDITOR.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

February 15, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 14th day of February, 1951, approve and transmit to the Secretary of State, *H. B. No. 14*, by Messrs. White and Swenson, entitled:

AN ACT AMENDING SECTION 15-6-3, UTAH CODE ANNOTATED 1943, VESTING THE MUNICIPAL GOVERNMENT IN THIRD CLASS CITIES IN THE MAYOR AND CITY COUNCIL COMPOSED OF FIVE COUNCILMEN.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

February 14, 1951

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. 17*, by Messrs. Rees, Jarman and Luke, entitled:

A RESOLUTION OF CONDOLENCE TO REPRESENTATIVE JOHN P. BARTON UPON THE DEATH OF HIS BROTHER-IN-LAW, WILLIAM B. FENNEMORE, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

H. J. R. No. 17 was read the first time.

On motion of Senator Marthakis the rules were suspended and *H. J. R. No. 17* was read the second and third times and placed on its final passage.

H. J. R. No. 17 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senators Adams, Larsen and Tippetts.

H. J. R. No. 17 was returned to the House.

February 15, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 48*, by Messrs. Young, Bagnal, Patterson, Bunderson, Albrecht, Luke, Munk and Jarman, entitled:

AN ACT RELATING TO THE CONTROL AND ERADICATION OF BRUCELLOSIS (BANGS DISEASE); AUTHORIZING THE STATE BOARD OF AGRICULTURE 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, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

H. B. No. 48 was read the first time and referred to the Committee on Agriculture and Irrigation.

REPORTS OF STANDING COMMITTEES

February 15, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 10*, by Messrs. Paxton and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

February 15, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 208*, by Messrs. Day and Elggren, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 79-7-22, UTAH CODE ANNOTATED 1943 RELATING TO UNPROFESSIONAL CONDUCT OF FUNERAL DIRECTORS AND SETTING FORTH ADDITIONAL ACTS AND CONDUCT CONSIDERED TO BE UNPROFESSIONAL, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 208 was ordered printed and referred to the Committee on Banking and Commerce.

February 15, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 209*, by Messrs. Fowles and Burns, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 209 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 15, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 210*, by Mr. Gibson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 210 was ordered printed and referred to the Committee on Judiciary.

February 15, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 211*, by Mr. Gibson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 211 was ordered printed and referred to the Committee on Judiciary.

February 15, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 226*, by Messrs. Gibson, Hopkin, Fowles and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 226 was ordered printed and referred to the Committee on Health and Labor.

February 15, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 227*, by Messrs. Gibson, Hopkin, Fowles and Marthakis, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 227 was ordered printed and referred to the Committee on Health and Labor.

February 15, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 85*, by Messrs. Thorn and Watson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 85 was placed on the Second Reading Calendar.

February 15, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 195*, by Messrs. Cannon and Marthakis, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 195 was placed on the Second Reading Calendar.

February 15, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 183*, by Messrs. Larsen and Reese, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 183 was placed on the Second Reading Calendar.

February 15, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 170*, by Mr. Watson, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

CLARENCE L. ASHTON,
Chairman

Report filed.

S. B. No. 170 was placed on the Second Reading Calendar.

February 15, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 167*, by Mr. Beal, 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 15, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 205*, by Messrs. Reese, Jenkins, Milliman and Mrs. Jensen, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 205 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 14 By Messrs. Watson and Day

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UTAH STATE LEGISLATURE, MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PASS CERTAIN LEGISLATION NOW PENDING BEFORE THE NATIONAL CONGRESS WHICH IN EFFECT PROVIDES FOR THE CONSENT OF THE UNITED STATES TO SUITS AGAINST IT FOR THE ADJUDICATION OF WATER RIGHTS, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 225 By Messrs. Fowles, Jenkins and Burns

AN ACT AMENDING SECTION 100-11-14 RELATING TO WATER CONSERVANCY DISTRICTS AND MORE PARTICULARLY TO THE ORGANIZATION OF SUBDISTRICTS, THE APPOINTMENT OF THE BOARD OF DIRECTORS AND THE POWERS AND DUTIES OF SUCH BOARD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 226 By Messrs. Gibson, Hopkin, Fowles and Marthakis

AN ACT PROVIDING FOR THE APPOINTMENT OF A COUNCIL WITH REFERENCE TO WORKMEN'S COMPENSATION AND OCCUPATIONAL DISEASE DISABILITY MATTERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 227 By Messrs. Gibson, Hopkin, Fowles and Marthakis

AN ACT PROVIDING FOR THE APPOINTMENT OF A MEDICAL PANEL WITH REFERENCE TO TOTAL PERMANENT DISABILITY AND DEATH CASES ARISING FROM OCCUPATIONAL DISEASE, was read the first time and referred to the Committee on Revision and Enrolling

S. B. No. 228 By Messrs. Muir and Milliman

AN ACT PROVIDING THAT TEACHERS WHOSE APPLICATIONS FOR MEMBERSHIP IN THE TEACHERS RETIREMENT SYSTEM BETWEEN MAY 8, 1945, AND DECEMBER 31, 1945 WERE DENIED BECAUSE THEY HAD REACHED THE AGE OF SEVENTY BEFORE THE APPLICATION DATE, BE ACCEPTED INTO SAID SYSTEM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B.No. 229 By Messrs. Marthakis, Elggren and Watson

AN ACT AMENDING SECTION 43-32-10 OF CHAPTER 32 OF CHAPTER 63, LAWS OF UTAH 1947 PROVIDING THAT VOTES MAY BE CAST BY THE MEMBERS BY PROXY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 230 By Messrs. Tippetts and Muir

AN ACT AMENDING SECTION 75-6-1, UTAH CODE ANNOTATED 1943, RELATING TO SNOW COLLEGE AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 75-6-1.10 AND 75-6-1.20, MAKING SAID SCHOOL A BRANCH OF THE UTAH STATE AGRICULTURAL COLLEGE AND TRANSFERRING THE

MANAGEMENT AND CONTROL THEREOF TO THE BOARD OF TRUSTEES OF THE UTAH STATE AGRICULTURAL COLLEGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 231 By Messrs. Marthakis, Milliman, Burns, Watson and Elggren

AN ACT AMENDING SECTION 86-1-18, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 81, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 129, LAWS OF UTAH 1947, RELATING TO MINING LEASES, RENTALS, AND ROYALTIES ON LANDS OF THE STATE OF UTAH, PROVIDING FOR OIL AND GAS LEASES, AND FOR DRILLING ON LEASED LAND AND FOR ROYALTIES ON PRODUCTS THEREFROM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 232 By Messrs. Thorn, Day and Larsen

AN ACT RELATING TO PRIMARY ELECTIONS AND NOMINATIONS OF CANDIDATES FOR PUBLIC OFFICE; PROVIDING FOR NOMINATIONS BY A SYSTEM OF DIRECT PRIMARIES; PROVIDING THAT ALL CANDIDATES FOR THE SAME OFFICE WILL BE LISTED UNDER THE SAME HEADING; OUTLINING PROCEDURE FOR NOMINATING OFFICERS, OUTLINING PROCEDURE FOR CONDUCT OF PRIMARY ELECTIONS, PROCEDURE IN CASE OF A TIE VOTE; DEFINING RIGHTS OF CANDIDATES; PROVIDING FOR FILING FEES, AND PROVIDING THE DISTRIBUTION THEREOF; PROVIDING FOR DEFRAYING COSTS OF PRIMARIES; DESCRIBING BALLOTS, SELECTING OF OFFICERS OF ELECTION; OUTLINING PROCEDURE FOR VOTING, COUNTING, AND RECORDING BALLOTS; PROVIDING FOR COUNTY AND STATE ORGANIZATION OF POLITICAL PARTIES FOR PARTY CONVENTIONS, FOR THE ELECTION OF DELEGATES TO PARTY, COUNTY, AND STATE CONVENTIONS; PROVIDING FOR REFILLING OF VACANCIES; CORRECTING OF ERRORS IN BALLOTS; OUTLINING PROCEDURE FOR SETTLING CONTESTS; PROVIDING FOR THE NOMINATION OF INDEPENDENT CANDIDATES; PROVIDING FOR THE SELECTION OF PRESIDENTIAL ELECTORS; PROVIDING FOR PENALTIES IN VIOLATION OF THE ACT, AND REPEALING SECTIONS 25-3-7, 25-3-9, 25-3-13, 25-3-16, 25-3-24, 25-3-25, 25-3-26, 25-3-29, 25-3-30, 25-3-31, 25-3-34, 25-3-35, 25-3-36, 25-3-37, 25-3-39, 25-3-40, 25-3-42, 25-3-45, 25-3-46, 25-3-47, 25-3-48, 25-3-49, 25-3-50, 25-3-51, 25-3-52, 25-3-53, 25-3-54 AND 25-3-55, UTAH CODE ANNOTATED 1943; SECTION 25-3-33, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944, FIRST SPECIAL SESSION; SECTIONS 25-3-8 AND 25-3-11, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944, FIRST SPECIAL SESSION, CHAPTER 35, LAWS OF UTAH 1947; SECTIONS 25-3-10, 25-3-14, 25-3-15, 25-3-17, 25-3-27, 25-3-28, 25-3-32 AND 25-3-41, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 35, LAWS OF UTAH

1947; SECTION 25-3-38, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 34, LAWS OF UTAH 1949; CHAPTER 35, LAWS OF UTAH 1947; CHAPTER 34, LAWS OF UTAH 1949; AND CHAPTER 38, LAWS OF UTAH 1947, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 233 By Messrs. Watson and Elggren

AN ACT AMENDING SECTION 76-1-4, UTAH CODE ANNOTATED 1943, PROVIDING FOR EXAMINERS TO BE APPOINTED BY THE PUBLIC SERVICE COMMISSION TO CONDUCT HEARINGS AND INVESTIGATIONS AND TO MAKE RECOMMENDED FINDINGS AND ORDERS ON SUCH HEARINGS, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 61 was read the second time.

Committee report read and adopted.

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

Page 3, line 27, strike the word "may" and insert in lieu thereof the word "shall".

H. B. No. 61 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 Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Gibson (explained vote) and Paxton.

On motion of Senator Day the enacting clause on *S. B. No. 60* was struck.

On motion of Senator Day, the Senate recessed for fifteen minutes.

The Senate re-assembled.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 47 was read the second time.

Committee report read and adopted.

H. B. No. 47 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Jensen, Larsen, Marthakis, Milliman, Paxton, Tippetts and Watson.

Absent and not voting: Senators Brockbank, Fowles, Gibson, Hopkin, Jenkins, Muir, Reese and Thorn.

On motion of Senator Ashton, *S. B. No. 204* was withdrawn.

The President recognized former State Senator George M. Miller.

The President recognized Mr. Stewart G. Wilson, western representative of the Council of State Governments.

A resolution from the Women's Republican Club of Salt Lake City in regard to proposed legislation for construction of a medical-surgical center at the Utah State Hospital, Provo, Utah, was read.

On motion of Senator Hopkin it was agreed that when the Senate adjourns today, it stand adjourned until Friday, February 16, 1951 at 2:00 P.M.

President Fowles appointed Senators Gibson, Adams, Reese, Hopkin, Day, Thorn and Muir to serve as the Sifting Committee.

On motion of Senator Watson *H. B. Nos. 42 and 43* were made a special order of business for Friday, February 16, 1951 at 3:30 P.M.

On motion of Senator Tippetts, the Senate adjourned.

FORTIETH DAY

February 16, 1951

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 16, 1951

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the thirty-ninth day and find it correct with minor corrections noted on the final copy.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

COMMUNICATIONS FROM THE HOUSE

February 15, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 1*, by Messrs. Larsen, Tietjen and Woolley, entitled:

AN ACT REPEALING CHAPTER 79 OF THE LAWS OF UTAH 1947 AND CREATING A NEW ACT PROVIDING FOR THE APPROPRIATION TO AND EQUITABLE DISTRIBUTION AMONG THE VARIOUS JUNIOR COLLEGES, THE UNIVERSITY OF UTAH (NOT INCLUDING THE MEDICAL SCHOOL), THE UTAH STATE AGRICULTURAL COLLEGE (NOT INCLUDING THE EXPERIMENT STATION AND EXTENSION SERVICE) AND THE BRANCH AGRICULTURAL COLLEGE OF THE MONIES FOR THE COMMON COSTS OF SUCH STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION FOR INSTRUCTION, MAINTENANCE AND REPAIR OF PHYSICAL PLANTS AND GROUNDS AND ADMINISTRATION.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

February 16, 1951

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. 96*, by Messrs. Day, Marthakis and Elggren, entitled:

AN ACT CREATING AND ESTABLISHING A STATE DEPARTMENT OF VETERAN'S AFFAIRS FOR THE PURPOSE OF AIDING, ASSISTING, COUNSELING AND ADVISING PERSONS KNOWN AS VETERANS; DEFINING THE POWERS AND DUTIES OF SUCH A STATE DEPARTMENT OF VETERANS' AFFAIRS; PROVIDING FOR A VETERANS' COUNCIL AND THE ADMINISTRTION RELATING THERETO AND FOR THE APPOINTMENT OF A DIRECTOR; DEFINING POWERS AND DUTIES, AND FIXING SALARY; PROVIDING FOR OPERATING AND ADMINISTRATIVE ASSISTANTS, TRAVELING EXPENSES, AND OPERATING EXPENSES IN CONNECTION THEREWITH; PROVIDING FOR AN ADVISORY COUNCIL TO SUCH A DEPARTMENT; REQUIRING THE STATE ATTORNEY GENERAL TO RENDER LEGAL ASSISTANCE TO SUCH A DEPARTMENT AND PROVIDING FOR A TRANSFER OF

RECORDS NOW HELD FOR THE STATE VETERANS' SERVICE TO THE STATE DEPARTMENT OF VETERANS' AFFAIRS, AND MAKING AN APPROPRIATION THEREFOR, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

On motion of Senator Day, the Senate concurred in the House amendments to *S. B. No. 96*.

S. B. No. 96 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative: Senator Paxton.

S. B. No. 96 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 16, 1951

Mr. President:

I am directed 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 Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT PROVIDING FOR THE COMPILATION, ANNOTATION, PUBLICATION AND DISTRIBUTION OF THE STATUTES OF THE STATE OF UTAH AND CREATING AND APPOINTING A COMPILATION COMMISSION AND MAKING AN APPROPRIATION OF $100,000 THEREFOR, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

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

REPORTS OF STANDING COMMITTEES

February 16, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. J. R. No. 13 was ordered printed and referred to the Committee on Public Institutions.

February 16, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 212*, by Mr. Day, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 46-0-237, UTAH CODE ANNOTATED 1943 TO PROHIBIT STORING, MIXING OR DRINKING OF ALCOHOLIC BEVERAGES IN PRIVATE CLUBS AND RECREATION AND SOCIAL PLACES, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 212 was ordered printed and referred to the Committee on Judiciary.

February 16, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 213*, by Messrs. Day and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 213 was ordered printed and referred to the Committee on Judiciary.

February 16, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 215*, by Mrs. Jensen, Messrs. Elggren, Watson, Burns, Tippetts, Brockbank, Milliman, Marthakis, Jenkins, Ashton and Adams, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 215 was ordered printed and referred to the Committee on Welfare.

February 16, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 216*, by Messrs. Larsen and Muir, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 216 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 16, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 217*, by Messrs. Muir, Hopkin and Larsen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 217 was ordered printed and referred to the Committee on Education.

February 16, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 218*, by Messrs. Muir, Hopkin and Larsen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 218 was ordered printed and referred to the Committee on Education.

February 16, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 220*, by Messrs. Reese and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 220 was ordered printed and referred to the Committee on Judiciary.

February 16, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 221*, by Messrs. Larsen, Muir and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 221 was ordered printed and referred to the Committee on Education.

February 16, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 222*, by Messrs. Larsen, Muir and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 222 was ordered printed and referred to the Committee on Education.

February 16, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 223*, by Messrs. Day, Fowles and Adams, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 223 was ordered printed and referred to the Committee on Judiciary.

February 16, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 224*, by Messrs. Clegg and Day, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT ENACTING A NEW SECTION TO TITLE 103, CHAPTER 5, UTAH CODE ANNOTATED, 1943, TO BE KNOWN AS SECTION 103-5-17, PROVIDING THAT MOTORISTS WHO RUN DOWN DOMESTIC ANIMALS ON THE HIGHWAY SHALL STOP AND GIVE APPROPRIATE AID THEREUNTO, AND REPORT THE ACCIDENT, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,

Committee report read and adopted. Chairman

S. B. No. 224 was ordered printed and referred to the Committee on Highways.

February 16, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 21*, by Messrs. Brockbank, Fowles, Elggren, Marthakis, Jenkins and Watson, entitled:

AN ACT AMENDING SECTION 42-4-2, UTAH CODE ANNOTATED, 1943; SECTION 42-4-4 UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 69, LAWS OF UTAH, 1945, AS AMENDED BY CHAPTER 61, LAWS OF UTAH, 1947; SECTION 42-4-7, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 70 LAWS OF UTAH, 1945, AND SECTION 42-4-8 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 71, LAWS OF UTAH, 1945, RELATING TO THE SOURCE OF MONIES OF THE UTAH FIREMEN'S PENSION FUND; THE GRANTING OF SERVICE AND DISABILITY PENSIONS TO PAID AND VOLUNTEER FIREMEN, THE AMOUNTS AND PAYMENTS THEREOF, THE PROCEDURE IN APPLYING FOR AND GRANTING SAID PENSIONS; PAYMENT FROM THE FIREMEN'S PENSION FUND OF DEATH BENEFITS TO THE WIDOW AND DEPENDENT MINOR CHILDREN OF PAID AND RETIRED FIREMEN; AND THE PAYMENT FROM THE FIREMEN'S PENSION FUND OF DEATH BENEFITS TO THE WIDOW AND DEPENDENT CHILDREN OF FIREMEN WHERE DEATH RESULTS FROM ACCIDENT OR EXPOSURE

IN THE PERFORMANCE OF DUTY, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 21 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 16, 1951

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 48*, by Messrs. Young, Bagnall, Patterson, Bunderson, Albrecht, Luke, Munk and Jarman, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWARD H. WATSON,
Chairman

Report filed.

H. B. No. 48 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 93*, by Messrs. Tietjen, White, Luke, Dalebout, C. Gardner, Larsen and Frost, has carefully considered said bill and reports the same out favorably.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

H. B. No. 93 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *H. B. No. 94*, by Messrs. Tietjen, Larsen, White, Luke, Dalebout, C. Gardner and Frost, has carefully considered said bill and reports the same out favorably.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

H. B. No. 94 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 169*, by Messrs. Paxton, Reese and Ashton, has carefully considered said bill and reports the same out favorably.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

S. B. No. 169 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 203*, by Messrs. Day, Clegg and Adams, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

S. B. No. 203 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 199*, by Messrs. Marthakis, Fowles, Paxton and Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

S. B. No. 199 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 196*, by Mr. Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

S. B. No. 196 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. J. R. No. 9*, by Mr. Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 9 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 2*, by Messrs. Larsen, Tietjen and Woolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

H. B. No. 2 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. J. R. No. 11*, by Messrs. Day and Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 11 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 189*, by Mr. Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 189 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on State and Municipal Affairs to which was referred *S. B. No. 178*, by Messrs. Marthakis, Muir and Reese, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 178 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 201*, by Messrs. Marthakis, Beal, Larsen, Paxton and Watson, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 201 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 161*, by Messrs. Clegg, Fowles and Milliman, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 161 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 168*, by Messrs. Gibson, Hopkin and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 168 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 62*, by Messrs. Bushnell, Howe and Sagers has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

H. B. No. 62 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 191*, by Messrs. Day, Larsen and Hopkin, has carefully considered said bill and reports the same out favorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 191 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 16, 1951

Mr. President:

Your Special Joint Senate and House Committee to study the salary structure of state officers and employees, to which was referred *S. B. No. 132*, by Messrs. Marthakis, Cannon, Elggren and Watson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CLARENCE L. ASHTON,
Chairman

Report filed.

S. B. No. 132 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Special Joint Senate and House Committee to study the salary structure of state officers and employees, to which was referred *S. B. No. 146*, by Messrs. Marthakis, Cannon, Elggren and Watson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CLARENCE L. ASHTON,
Chairman

Report filed.

S. B. No. 146 was referred to the Sifting Committee.

February 16, 1951

Mr. President:

Your Special Joint Senate and House Committee to study the salary structure of state officers and employees, to which was referred *S. B. No. 147*, by Messrs. Marthakis, Cannon, Elggren and Watson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CLARENCE L. ASHTON,
Chairman

Report filed.

S. B. No. 147 was referred to the Sifting Committee.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 15 By Messrs. Cannon and Ashton

A JOINT RESOLUTION PROVIDING FOR A STUDY OF THE PROVISIONS OF THE CONSTITUTION OF THE STATE OF UTAH AND THE LAWS OF THE STATE OF UTAH RELATING TO SESSIONS OF THE LEGISLATURE AND THE DESIRABILITY OF CHANGES THEREIN, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 16 By Messrs. Larsen and Muir

A JOINT RESOLUTION MEMORIALIZING CONGRESS TO ENACT A BILL, SHORTLY TO BE INTRODUCED BY SENATOR ARTHUR V. WATKINS TO AMEND SECTION 35 OF THE MINERAL LEASING ACT OF 1920, AS AMENDED, RELATING TO THE DISTRIBUTION OF PROCEEDS OF SALES, BONUSES, ROYALTIES AND RENTALS ON UNSURVEYED PUBLIC LANDS AND PROVIDING FOR PARTICIPATION OF STATES IF SUCH LEASED LANDS ARE UNSURVEYED, NOTWITHSTANDING OTHER PROVISIONS OF THE ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 17 By Messrs. Jenkins, Milliman and Mrs. Jensen

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. 234 By Mr. Cannon and Mrs. Jensen

AN ACT AUTHORIZING "THIS IS THE PLACE" MONUMENT COMMISSION TO SUE AND BE SUED ON ITS WRITTEN CONTRACTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 235 By Mr. Day

AN ACT APPROPRIATING THE REMAINING SUMS IN THE POSSESSION OF THE ADJUTANT GENERAL OF THE STATE OF UTAH UNDER THE PROVISIONS OF AN ACT OF CONGRESS KNOWN AS CHAPTER 647, 55th CONGRESS, SECOND SESSION, JULY 8, 1898, TO THE STATE DEPARTMENT OF UTAH UNITED SPANISH WAR VETERANS FOR THE RELIEF AND BENEFIT OF LIVING SPANISH AMERICAN WAR VETERANS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 236 By Messrs. Reese and Day

AN ACT AMENDING SECTION 30-0-22, UTAH CODE ANNOTATED 1943, RELATING TO MALE PERSONS UNDER TWELVE YEARS OF AGE AND FEMALE PERSONS UNDER SIXTEEN YEARS OF AGE, WHO ARE CITIZENS OF THE UNITED STATES AND BONA FIDE RESIDENTS OF THE STATE OF UTAH, MAY ANGLE FOR FISH IN ACCORDANCE WITH THE PROVISIONS OF TITLE NUMBER 30, WITHOUT FIRST PROCURING A LICENSE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 237 By Mr. Day

AN ACT AMENDING SECTION 29A-1-6, UTAH CODE ANNOTATED 1943, RELATING TO FIRE WORKS AND EXPLOSIVES AND PROVIDING THAT IT SHALL BE LEGAL FOR STATE AND FEDERAL OFFICIALS TO USE FIRE WORKS AND EXPLOSIVES TO PROTECT PROPERTY AND WILD LIFE RESOURCES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 238 By Mr. Beal

AN ACT APPROPRIATING $275,000 TO THE STATE BOARD OF EDUCATION FOR THE CONSTRUCTION OF A GYMNASIUM AND AN INDUSTRIAL ARTS BUILDING FOR DIXIE JUNIOR COLLEGE AT SAINT GEORGE, UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 239 By Messrs. Larsen and Milliman

AN ACT AMENDING SECTION 6, CHAPTER 141, LAWS OF UTAH 1947 RELATING TO THE USE AND DISPOSITION OF WATER, WATER CHARGES, AND THE DISPOSITION OF FUNDS AND PROVIDING FOR AN INTEREST RATE OF TWO PERCENT PER ANNUM ON THE ACTUAL COSTS OF PROJECTS TO THE STATE OR UNPAID PORTION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 240 By Messrs. Elggren, Tippetts, Burns, Watson, Brockbank and Mrs. Jensen

AN ACT AMENDING SECTION 1 CHAPTER 67, LAWS OF UTAH 1947, RELATING TO THE LEGISLATIVE COUNCIL AND PROVIDING THAT ALL MEMBERS THEREOF SHALL BE CONFIRMED BY THE SENATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 241 By Mrs. Jensen, Messrs. Adams and Brockbank

AN ACT REPEALING CHAPTER 2 OF TITLE 79, UTAH CODE ANNOTATED 1943, AMENDING SECTION 79-1-5, UTAH CODE 1943 AS AMENDED BY CHAPTER 41, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 32, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 77, LAWS OF UTAH 1949, AS AMENDED BY *H. B. NO. 12*, OF THE 29TH LEGISLATURE OF THE STATE OF UTAH, RELATING TO THE DEPARTMENT OF REGISTRATION, THE VARIOUS PROFESSIONS, TRADES AND OCCUPATIONS, AND ENACTING A NEW ACT REGARDING CERTIFIED PUBLIC ACCOUNTANTS, AND PUBLIC ACCOUNTANTS, COMMITTEES, APPOINTMENTS, AND TERMS OF OFFICE, POWERS AND DUTIES OF THE BOARD, FEES, REGISTRATION OF ACCOUNTANTS, TITLES, REGISTRATION FOR PERMITS, CERTIFICATES, EXAMINATIONS, OFFENSES, RECORDS AND DEFINITIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 242 By Messrs. Burns and Day

AN ACT AMENDING SECTIONS 40-3-6 AND 40-3-7, UTAH CODE ANNOTATED 1943, RELATING TO ACTIONS FOR DIVORCE AND PROVIDING FOR THE FILING OF AN APPLICATION WITH THE OFFICE OF THE COUNTY CLERK FOR INVESTIGATION

BY THE DEPARTMENT OF PUBLIC WELFARE AND ALLOWING INDIVIDUALS OR AGENCIES TO ASSIST IN REHABILITATING COUPLES CONTEMPLATING DIVORCE, ENACTING SECTIONS TO BE KNOWN AS SECTIONS 40-3-1A AND 40-3-1B, SO AS TO SHORTEN THE TIME IN WHICH THE DECREE OF DIVORCE SHALL BECOME FINAL FROM SIX MONTHS TO TEN DAYS, AND PROVIDING TIME IN WHICH AN APPEAL MAY BE TAKEN FROM A DECREE OF DIVORCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 243 By Messrs. Marthakis and Clegg

AN ACT AMENDING SECTION 57-10-1 UTAH CODE ANNOTATED 1943, RELATING TO MINORS DRIVING A MOTOR VEHICLE IN REFERENCE TO AGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 244 By Messrs. Marthakis and Clegg

AN ACT AMENDING SECTION 57-4-7, UTAH CODE ANNOTATED 1943, RELATING TO PERSONS TO WHOM LICENSE SHALL NOT BE ISSUED FOR THE OPERATION OF MOTOR VEHICLES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 245 By Messrs. Elggren, Burns, Watson, Milliman, Day and Mrs. Jensen

AN ACT AMENDING SECTION 1, CHAPTER 124, LAWS OF UTAH 1947, RELATING TO THE DESIGNATION OF THE OLD UTAH STATE PRISON SITE AS A STATE PARK AND PROVIDING THAT THE STATE HISTORICAL SOCIETY OF UTAH SHALL HAVE THE MANAGEMENT AND CONTROL OF SAID STATE PARK, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 246 By Messrs. Paxton, Day and Beal

AN ACT APPROPRIATING $250,000.00 TO THE STATE BOARD OF HEALTH FROM RESERVE BUILDING FUND FOR THE CONSTRUCTION OF A PUBLIC HEALTH LABORATORY AT SALT LAKE CITY, UTAH AND APPROPRIATING $80,000.00 FROM THE GENERAL FUND FOR MAINTENANCE AND OPERATION OF THE ABOVE BUILDING UNTIL THE END OF THE BIENNIUM JUNE 30, 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 247 By Messrs. Clegg, Beal, Watson, Day and Larsen

AN ACT AMENDING SECTIONS 3-5-114, 3-5-129, 3-5-130, 3-5-131, 3-5-144, 3-5-147, 3-5-150, 3-5-151, 3-5-152, 3-5-153, 3-5-154, 3-5-158, 3-5-166, 3-5-170 AND 3-5-175, UTAH CODE ANNOTATED 1943, RELATING TO THE DEFINITION OF LIVESTOCK, LIVESTOCK

AUCTION SALES RING, AND CARCASSES; ELIMINATING CERTAIN REQUIREMENTS INCIDENT TO BILLS OF SALE; REQUIRING POSSESSION OF A BILL OF SALE FOR CARCASSES; DIRECTING THE DISPOSITION OF ESTRAYS; REQUIRING LIVESTOCK AUCTION SALES RINGS, IN LIEU OF LIVESTOCK SALES RINGS, TO BE LICENSED; REQUIRING CATTLE AND HORSES TO BE BRAND INSPECTED BEFORE OFFERED FOR SALE IN SALES RINGS; SUBSTITUTING THE WORD "LIVESTOCK" FOR THE WORD "CATTLE"; PROVIDING FOR 3 MILL LEVY UPON THE ASSESSED VALUATION OF HORSES, MULES, AND CATTLE AND A ONE MILL LEVY UPON SHEEP AND GOATS; AND PROVIDING AUTHORITY TO STATE BRAND INSPECTORS TO INSPECT AND SEARCH VEHICLES TRANSPORTING LIVESTOCK AND LIVESTOCK PRODUCTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 248 By Messrs. Marthakis and Gibson

AN ACT PROVIDING FOR THE SURVIVAL, AFTER DEATH OF THE INJURED PARTY, OF A RIGHT OF ACTION FOR WRONGFUL INJURIES AND PROVIDING WHO MAY BRING SUCH ACTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 249 By Messrs. Elggren, Watson and Marthakis

AN ACT AUTHORIZING CITIES OF THE FIRST AND SECOND CLASS TO RAISE REVENUE BY LEVYING AND COLLECTING AN OCCUPATION TAX, NOT TO EXCEED 1% OF GROSS INCOME, IN ADDITION TO POWERS HERETOFORE GRANTED TO SUCH CITIES TO LEVY AND COLLECT TAXES FOR LOCAL PURPOSES, PROVIDING FOR REPEAL OF CITY ORDINANCES PERTAINING TO SO-CALLED NUISANCE TAXES, AND AMENDING SECTION 15-8-87, UTAH CODE ANNOTATED 1943, RELATING TO MAXIMUM MILL LEVIES IN CITIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 250 By Mr. Tippetts

AN ACT AMENDING SECTION 36-6-26, UTAH CODE ANNOTATED 1943, AS ENACTED BY CHAPTER 18, LAWS OF UTAH 1949, RELATING TO DESIGNATION OF CERTAIN ROADS AS STATE ROADS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 251 By Mr. Watson

AN ACT APPROPRIATING TO ORSON LEWIS, DOING BUSINESS AS LEWIS BROS. STAGES, THE SUM OF $2875.00 TO REIMBURSE SAID ORSON LEWIS, AS AFORESAID, FOR SALES TAXES PAID BUT NOT COLLECTED IN OPERATION OF MOTOR BUSSES BETWEEN SALT LAKE CITY AND KEARNS, UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

Pursuant to a motion adopted by the Senate on the 39th legislative day the following bills were referred to the Sifting Committee:

S. B. Nos. 17, 83, 93, 78, 63, 64, 117, 33, 16, 46, 61, 119, S. J. R. No. 3, S. B. Nos. 71, 95, 47, 98, 67, 130, 114, 129, 81, 97, 99, 112, S. J. R. No. 2, S. B. Nos. 55, 54, 120, 105, 113, 40, 106, 66, 118, 82, 92, 100, 141, 94, S. J. R. No. 4, S. B. Nos. 142, 58, 102, 109, 127, 104, 103, S. J. R. No. 6, S. B. Nos. 121, 139, 137, 134, 131, 126, 87, 69, 133, 32, 135, S. J. R. No. 7, S. B. Nos. 107, 115, 116, 154, 80, 152, 145, 124, 123, 148, 155, 140, 101, 70, 72, 76, 143, H. B. Nos. 88, 68, 69, 70, S. J. R. No. 8, S. B. Nos. 159, 163, 164, 144, 165, 125, 160, 111, 84, H. B. Nos. 55, 58, S. B. Nos. 91, 136, 73, 37, 79, 177, 151, 153, 172, 173, 174, 175, 187, H. B. No. 164, S. B. Nos. 138 128, 162, 176, 179, 181, 182, 185, 186, 202, 166, 150, 149, 53, 52, 194, 190, 197, 184, 85, 195, 183, 170, 205.

REPORTS OF STANDING COMMITTEES

February 16, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 42*, by Messrs. Larsen, Watson, Adams, Clegg, Marthakis, Elggren, Burns, Fowles, Gibson, has carefully considered said bill and reports the same out favorably with the following amendments:

Strike line 1 through line 10, page 1. All of page 2, page 3, page 4, page 5, page 6, page 7, page 8, page 9, page 10, page 11, page 12 and page 13 and insert in lieu thereof the following:

Section 1. Sections 42-1a-13, 42-1a-14 and 42-1a-34, Utah Code Annotated 1943, and Sections 42-1a-15 and Section 42-1a-58, Utah Code Annotated 1943, as amended by Chapter 51, Laws of Utah 1949, relating to occupational diseases, are amended to read:

Section 42-1a-13. (a) There is imposed upon every employer a liability for the payment of compensation to every employee who becomes totally disabled by reason of an occupational disease subject to the following conditions:

(1) No compensation shall be paid when the last day of injurious exposure of the employee to the hazards of said occupational diseases shall have occurred prior to the effective date of this act.

(2) No compensation shall be paid for a disease other than silicosis unless total disability results within one hundred twenty days from the last day upon which the employee actually worked for the employer against whom compensation is claimed.

(3) No compensation shall be paid in case of silicosis unless during the ( ) fifteen years immediately preceding the disablement, the injured employee shall have been exposed to harmful quantities of silicon dioxide (SiO_2) dust for a total period of not less than five years in this state and unless total disability results within: (a) two years in case of

silicosis not complicated by active tuberculosis, or (b) five years in case of silicosis complicated by active tuberculosis, from the last day upon which the employee actually worked for the employer against whom compensation is claimed.

(4) No claim shall be maintained nor compensation paid unless the claim has been filed with the commission in writing within the time fixed by the appropriate subdivision of Section 49 of this act.

(b) There is imposed upon every employer a liability for the payment of compensation to the dependents of every employee in cases where death results from an occupational disease, subject to the following conditions:

(1) No compensation shall be paid when the last day of injurious exposure of the employee to the hazards of said occupational disease shall have occurred prior to the effective date of this act.

(2) No compensation shall be paid for death from silicosis unless during the ( ) fifteen years immediately preceding the disablement the deceased employee shall have been exposed to harmful quantities of silicon dioxide (SiO_2) dust for a total period of not less than five years in this state.

(3) No compensation shall be paid for death from silicosis unless the death results within two years from the last day upon which the employee actually worked for the employer against whom compensation is claimed, except: (a) in those cases where death results during a period of continuous total disability from silicosis for which compensation has been paid or awarded, or (b) in those cases where death results from silicosis complicated by active tuberculosis and such silico-tuberculosis is evidenced by positive laboratory sputum tests and X--rays and other clinical findings, and in such cases compensation shall be paid if such death results within five years from the last day upon which the employee actually worked for the employer against whom compensation is claimed.

(4) No compensation shall be paid for death from an occupational disease other than silicosis unless death results within one year from the last day upon which the employee actually worked for the employer against whom compensation is claimed, except in those cases where death results during a period of continuous total disability from an occupational disease other than silicosis for which compensation has been paid or awarded, and in such cases compensation shall be paid if such death results within three years from the last day upon which the employee actually worked for the employer against whom compensation is claimed.

(5) No claim shall be maintained nor compensation paid unless the claim has been filed with the commission in writing within the time fixed by the appropriate subdivision of Section 49 of this act.

Section 42-1a-14. Where compensation is payable for an occupational disease the only employer liable shall be the employer in whose

employment the employee was last injuriously exposed to the hazards of such disease, provided that in the case of silicosis the only employer liable shall be the employer in whose employment the employee was last exposed to harmful quantities of silicon dioxide (SiO_2) dust during a period of ( ) thirty days or more after the effective date of this Act.

Section 42-1a-15. The benefits to which a disabled employee or his dependents shall be entitled under this act shall be based upon his average weekly wage computed under the formula set forth in Section 42-1-70, Utah Code Annotated 1943, as amended, and are to be limited as follows:

Permanent total disability. (a) In cases of permanent total disability the award shall be 60% of the average weekly wages for a period of not to exceed five years, beginning with the date total disability began, and thereafter 45% of such average weekly wages, but not to exceed a maximum of ( ) $27.50 per week and not less than ( ) $17.50 per week, plus 5% of such award for each dependent minor child under the age of 18 years up to a maximum of 5 such dependent minor children; provided, however, that in no case of permanent total disability shall the employer or its insurance carrier be required to pay more than $11,000.00; and provided, further, that a finding by the commission of permanent total disability shall in all cases be tentative and not final until such time as the following proceedings have been had:

Where the employee has tentatively been found to be permanently and totally disabled, as in this section provided, it shall be mandatory that the industrial commission of Utah refer such employee to the division of vocational rehabilitation under the state board of education for rehabilitation training and it shall be the duty of the commission to order paid to such vocational rehabilitation division, out of that special fund provided for by Section 42-1-64, Utah Code Annotated 1943, as amended, subdivision 1, not to exceed $520.00 for use in the rehabilitation and training of such employee; the rehabilitation and training of such employee shall generally follow the practice applicable under Section 42-1-65, Utah Code Annotated 1943, as amended, and relating to the rehabilitation of employees having combined injuries. If and when the division of vocational rehabilitation under the state board of education certifies to the industrial commission of Utah in writing that such employee has fully cooperated with the division of vocational rehabilitation in its efforts to rehabilitate him, and in the opinion of the division the employee may not be rehabilitated, then the commission shall order that there be paid to such employee weekly benefits at the rate of 45% of his average weekly earnings, but not to exceed ( ) $27.50 per week, out of that special fund provided for by Section 42-1-64, Utah Code Annotated 1943, as amended, for such period of time beginning with the time that the payments (as in this section provided) to be made by the employer or its insurance carrier terminate and ending with the death of the employee. No employee, however, shall be entitled to any such payments if he fails or refuses to cooperate with the division of vocational rehabilitation as set forth herein.

The division of vocational rehabilitation shall, at the termination of the vocational training of the employee, certify to the industrial commission of Utah the work the employee is qualified to perform, and thereupon the commission shall, after notice to the employer and an opportunity to be heard, determine whether the employee has, notwithstanding such rehabilitation, sustained a loss of bodily function.

In no case shall the employer be required to pay compensation for any combination of disabilities of any kind including loss of function, in excess of $11,000.00.

Temporary total disability. (b) In cases of temporary total disability the award shall be 60% of the average weekly wages as determined under Section 42-1-70, Utah Code Annotated 1943, as amended, but not to exceed a maximum of ( ) $27.50 per week and not less than ( ) $17.50 per week, plus 5% of such award for each dependent minor child under the age of 18 years up to a maximum of 5 such dependent minor children, such payment to be made for a period not exceeding 52 weeks; in the event total disability continues in excess of 52 weeks, then the commission shall apply the rehabilitation provisions of this section hereinafter set forth.

Death cases. (c) In case of death those persons who were wholly dependent upon the employee at the time of death shall be entitled to and shall receive the difference, if any, between Eight Thousand ($8,000.00) Dollars and the amounts the employer may have paid to the employee on account of permanent total, total temporary and partial permanent disability provided that if the deceased had minor children wholly dependent upon him at the time of death, then said limit of Eight Thousand ($8,000.00) Dollars shall be increased by Three Hundred Fifty-Six and 25/100 ($356.25) Dollars for each such dependent minor child up to five (5) wholly dependent minor children or a maximum of Nine Thousand Seven Hundred Eighty-One and 25/100 ($9,781.25) Dollars in case of five (5) wholly dependent minor children; the payments to the dependents to be made at the same weekly rate as the payments made to the deceased employee immediately preceding his death. If the dependents of the deceased were but partly dependent upon him at the time of death, then the compensation payable shall be in such amount and at such times as the commission may determine but shall not exceed two-thirds of the amount that would have been payable (as in this paragraph provided) if the dependents had been wholly dependent at the time of death.

Medical Expenses. (d) In the event the employee becomes totally disabled from an occupational disease, the employer shall furnish and pay for such medical service, hospitalization and medicines as may be reasonably required, but not to exceed the sum of $1000.00; except that in special cases of prolonged hospitalization the commission may, in its discretion, increase the amount to a maximum of $1500.00.

Burial Expenses. (e) In case death results from such occupational disease the employer shall pay not to exceed $350.00 burial expenses.

Section 42-1a-34. An award or denial of award of compensation for an occupational disease may be reviewed and compensation increased, reduced or terminated where previously awarded, or awarded where previously denied, only upon proof of fraud or undue influence or of change in conditions, and then only upon application by a party in interest made not later than ( ) two years after the denial or award, or, where compensation has been awarded, after the award or the date when the last payment was made under the award, ( ) except that in case of a denial of an award of compensation for silicosis not complicated with active tuberculosis, the commission may review such order upon proof of a substantial change in condition made upon application by a party in interest within two years after the denial of the award, and except further that in case of silicosis complicated with active tuberculosis evidenced by positive laboratory sputum tests, X-rays and other clinical findings, the commission may review its denial of award within five years after such denial.

Section 42-1a-58. I. There is imposed upon the employer a liability for the payment of benefits, as hereinafter provided, to every employee who becomes partially and permanently disabled and such disability is primarily caused or contributed to by a disease or injury to health arising out of or in the course of employment, subject however to the following conditions:

(a) No compensation shall be paid when the last day of injurious exposure of the employee to the hazards of the occupational disease shall have occurred prior to July 1, 1941.

(b) No compensation shall be paid unless such partial disability results within two years prior to the day upon which claim for such compensation was filed with the industrial commission of Utah.

(c) No compensation shall be paid unless the partial disability results within two years of the last day in which the employee was exposed to the occupational disease.

II. It is recognized that the measurement of partial disability is a highly technical and difficult task and should be placed in the hands of physicians specially trained for the care and treatment of the occupational disease involved, and that particularly in cases of silicosis such determination should be by physicians limiting largely their practice to diseases of the chest; that the measurement of the extent of such disability should not be determined by physicians in general practice nor by laymen. Where a claim for compensation based upon partial permanent disability due to an occupational disease is filed with the commission, the commission shall appoint an impartial medical panel to consist of not less than three physicians specializing in the treatment of the disease or condition involved in the claim, and such medical panel shall make such study, take such X-rays and perform such tests as the panel may determine and certify to the commission the extent, if any, of the permanent disability of the claimant from performing work for remunera-

tion or profit, and whether the sole cause of such partial permanent disability, in the opinion of the panel, results from the occupational disease and whether any other cause or causes have aggravated, prolonged, accelerated or in anywise contributed to the disability, and if so, the extent (in percentage) to which such other cause or causes has so contributed to the disability. The report of the panel shall be made to the commission in writing and shall be in substantially the following form:

REPORT OF MEDICAL PANEL

Partial Permanent Disability Cases

To the Industrial Commission of Utah
State Capitol Building
Salt Lake City, Utah

Re: , Claimant

Claim No.

The medical panel, composed of the undersigned physicians, has completed its study and examination of the above named claimant with respect to the measurement of the ability of the claimant to perform physical labor (But without regard to the education, experiences or training of the claimant) and on the assumption that the normal person functions at 100%, finds as follows:

	Percentage	Percentage
(1) Extent of Permanent Partial Disability from all causes (if any		
(2) Specific causes of such disability:		
a. Occupational Disease (if any) Name of occupational disease		
b. Other diseases or injuries Name of such diseases or injuries		
c. Other contributing factors Description of such factors		
TOTAL		

Dated , 19

(MEDICAL PANEL)

*Sec. 1949 Session Laws Utah, defines partial permanent disability as: "Partial permanent disability," as herein used, is defined as that pathological condition directly resulting from an occupational disease and causing substantial physical impairment, evidenced by objective medical and clinical findings readily demonstrable, and which has reduced the earning capacity of the employee, excluding, however, total disability cases.

**The sum of the percentage under (2) a b and c should equal the percentage of (1).

and the commission shall promptly distribute by mail full copies of such report to the claimant, employer against whom compensation is claimed and the insurance carrier. Thereafter any such party shall have ten days to object, in writing, to such report, and if no objections are filed with the commission within such period, the percentage of partial disability caused solely by the occupational disease and so certified by the medical panel shall be deemed accepted. The expense of such study and certification shall be paid out of the fund provided for by 42-1-64, Utah Code Annotated, 1943, as amended, and such study and certification shall be a part of the record. If objections to such report are filed, then it shall be the duty of the commission to determine the percentage of such partial permanent disability after formal hearing, and at such formal hearing the party objecting must show by the weight of the evidence the extent of such claimed partial permanent disability and on appeal the evidence shall be reviewed as in equity cases, nothwithstanding section 42-1a-39, Utah Code Annotated, 1943.

III. Where an employee has been found to be partially and permanently disabled by reason of an occupational disease, as in this section provided, and the commission further finds that the employee is unable to obtain employment in his usual trade or occupation, or on application of either the employee or employer the commission finds that it is to the best interest of the employee so partially and permanently disabled by reason of an occupational disease that he no longer works at his usual trade or occupation, then it shall be the duty of the commission to order that there be paid to the division of vocational rehabilitation of the state board of education out of that special fund provided for by section 42-1-64, Utah Code Annotated, 1943, as amended, subdivision 1, not to exceed $520.00 for use in the rehabilitation and training of such employee, such rehabilitation to be directed and controlled by such division of rehabilitation acting in conjunction with the industrial commission of Utah and shall generally follow the practice applicable under section 42-1-65, Utah Code Annotated 1943, as amended, and relating to the rehabilitation of employees having combined injuries.

IV. The benefits imposed upon the employer and to which an employee found, as in this section above provided, to be partially permanently disabled, shall be entitled under this act, are limited to the following:

During those weeks in which the employee is actively in training under the division of rehabilitation, as in this section above referred to, the employee shall receive ( ) $27.50 per week for not to exceed 10 weeks, or a total of ( ) $275.00, such payment to be made at four-week intervals and upon the filing with the commission at two-week intervals of a certificate by the division of rehabilitation that the employee is cooperating with such division in his rehabilitation training.

At the termination of such training in rehabilitation, the employee shall be paid ( ) $15.00 a week at four-week intervals until such time as the total payments so made, plus the weekly payments received by the employee during rehabilitation training, equals a sum equivalent to that amount determined under the following formula:

By applying the percentage of partial permanent disability resulting from the occupational disease and determined by the medical panel (or in case of formal hearing, then by the commission) to the amount of $3000.00. For example: Assume a finding by the medical panel that the employee has sustained partial permanent disability from an occupational disease to the extent of 20% loss of bodily function. 20% of $3000.00 equals $600.00. The amount payable would therefore be:

10 weeks rehabilitation	( )	$275.00
Balance at intervals of 4 weeks	( )	325.00
TOTAL		$600.00

Notwithstanding anything hereinabove provided, payments for partial permanent disability shall not exceed in any one case an aggregate of Three Thousand Dollars ($3000.00) and all payments so made shall be credited to the employer and deducted from any award which might ultimately be made should the employee subsequently become totally and permanently disabled.

That the title be amended as follows:

On line 1 of the title, strike "42-1a-6, 42-1a-18, 42-1a-19" and insert in lieu thereof "42-1a-14".

On line 2, strike "42-1a-23, 42-1a-24, 42-1a-29, 42-1a-30, 42-1a-46, 42-1a-48, 42-".

On line 3, strike "1a-39, 42-1a-53, 42-1a-55" and "AND".

All of the line 4 of the title, all of line 5 of the title to and including the ";".

Line 6 of the title, strike "42-1a-57" and insert in lieu thereof "42-1a-15".

Line 8 of the title strike the word "and" and the balance of said line and all of line 9 and to and including "1949," in line 10.

Line 11 of the title, strike all of said line beginning with the word "providing", and all of lines 12, 13, 14 and 15 and insert in lieu thereof "EXTENDING TIME IN WHICH COMPENSATION MAY BE CLAIMED OR REVIEWED; INCREASING THE BENEFITS; AND ENLARGING REHABILITATION PAYMENTS".

The proposed amendments are in pursuance of an agreement made between representatives of industry and labor through recommendations in which this bill as recommended by the Committee was unanimously and whole-heartedly approved in accordance with the joint letter addressed to the President of the Senate and the Speaker of the House and attached hereto.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

Senator Marthakis moved that the rules be suspended and that the Senate do now consider *S. B. No. 42.*

Motion carried.

S. B. No. 42 was before the Senate for consideration.

S. B. No. 42 was read the second time.

Committee report read and adopted.

On motion of Senator Marthakis 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, 21; Nos, 1; Absent, 1.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President

Those voting in the negative were: Senator Larsen (explained vote).

Absent and not voting: Senator Muir.

S. B. No. 42 was transmitted to the House.

SPECIAL ORDER

S. B. No. 86, being a special order of business, was before the Senate.

S. B. No. 86 was read the second time.

Committee report read and adopted.

Senator Thorn moved that the rules be suspended and that *S. B. No. 85* be lifted from the Sifting Committee and that the Senate do now consider *S. B. No. 85*.

Motion carried.

S. B. No. 85 was before the Senate for consideration.

S. B. No. 85 was read the second time.

Committee report read and adopted.

On motion of Senator Thorn the enacting clause of *S. B. Nos. 85 and 86*, respectively, was struck.

The Senate voted to accept the invitation of the Utah Symphony Orchestra to attend its concert on Wednesday, February 21, 1951 at 8:30 P. M. in the Salt Lake Tabernacle.

On motion of Senator Elggren the Senate extended a vote of appreciation to both industry and labor on getting together on matters of legislation relating to workmen's compensation and occupational diseases and disability compensation and other legislation dealing with industry-labor matters and also a vote of appreciation to the Committee on Health and Labor for its collaboration.

On motion of Senator Marthakis, the enacting clause of *H. B. No. 11* was struck.

H. B. No. 11 was returned to the House.

On motion of Senator Watson, the Senate reconsidered its action on *S. B. Nos. 85 and 86*, and *S. B. Nos. 85 and 86* were made a special order of business for Monday, February 19, 1951 at 3:00 P.M.

On motion of Senator Hopkin, the Senate recessed for fifteen minutes.

The Senate re-assembled.

REPORTS OF STANDING COMMITTEES

February 16, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 43*, by Messrs. Larsen, Watson, Adams, Clegg, Marthakis, Elggren, Burns, Fowles and Gibson, has carefully considered said bill and reports the same out favorably with the following amendments:

Strike line 1 through 18, page 1. All of pages 2, 3, 4 and 5, 6 and 7 and insert in lieu thereof the following:

Section 1. Sections 42-1-61, 42-1-62, 42-1-63, 42-1-64 and 42-1-75, Utah Code Annotated 1943, as amended by Chapter 52, Laws of Utah 1949, relating to workmen's compensation, are amended to read:

Sec. 42-1-61. In case of temporary disability, the employee shall receive sixty per cent of his average weekly wages so long as such disability is total, not to exceed a maximum of ( ) $27.50 per week and not less than a minimum of ( ) $17.50 per week, plus five per cent of the amount of such award for each dependent minor child under the age of eighteen years, up to and including five such minor children or a maximum increase of twenty-five per cent in case of five or more such minor dependents; provided that where the wage earned at the time of injury is less than ( ) $17.50 per week, the amount of wages earned shall be the amount of compensation to be paid. In no case shall such compensation continue for more than six years from the date of the injury or exceed $7800.00 in the case of no minor children, as herein defined, or $7800.00, plus five per cent for each minor child, up to a maximum of five such minor children or a maximum payment of $9750.00.

Sec. 42-1-62. Where the injury causes partial disability for work, the employee shall receive, during such disability and for a period of not to exceed six years from the date of the injury, a weekly compensation equal to 60 per cent of the difference between his average weekly wages before the accident and the weekly wages he is able to earn thereafter, but not more than ( ) $27.50 per week, and in addition thereto 5 per cent of the amount of the award for each dependent minor child under the age of eighteen years, up to and including five, or a maximum of ( ) $34.37 per week in the case of five or more such dependent minor children.

In case the partial disability begins after a period of total disability, the period of total disability shall be deducted from the total period of compensation.

In no case shall the weekly payments continue after the disability ends, or the death of the injured person.

In the case of the following injuries the compensation shall be 60 per cent of the average weekly wages, but not more than ( ) $27.50 per week, plus 5 per cent of such award for each dependent minor child, as herein defined, up to a maximum of five such dependent minor children, or a maximum of ( ) $34.37 per week in case of five such dependent minor children, to be paid weekly for the periods stated against such injuries respectively, and shall be in addition to the compensation hereinbefore provided for temporary total disability, to wit:

For loss of	
One arm at or near shoulder	200 weeks
One arm at elbow	180 weeks
One arm between the wrist and the elbow	160 weeks
One hand	150 weeks
One thumb and the metacarpal bone thereof	60 weeks
One thumb at the proximal joint	30 weeks
One thumb at the second or distal joint	20 weeks
One first finger and the metacarpal bone thereof	30 weeks

One first finger at the proximal joint	20 weeks
One first finger at the second joint	15 weeks
One first finger at the distal joint	10 weeks
One second finger and the metacarpal bone thereof	30 weeks
One second finger at the proximal joint	15 weeks
One second finger at the second joint	10 weeks
One second finger at the distal joint	5 weeks
One third finger and metacarpal bone thereof	20 weeks
One third finger at the proximal joint	12 weeks
One third finger at the second joint	8 weeks
One third finger at the distal joint	4 weeks
One fourth finger and metacarpal bond thereof	12 weeks
One fourth finger at the proximal joint	9 weeks
One fourth finger at the second joint	6 weeks
One fourth finger at the distal joint	3 weeks
One leg at or so near the hip joint as to preclude the use of an artificial limb	180 weeks
One leg at or above the knee where stump remains sufficient to permit the use of an artifical limb	150 weeks
One leg between the knee and ankle	140 weeks
One foot at the ankle	125 weeks
One great toe with the metatarsal bone thereof	30 weeks
One great toe at the proximal joint	15 weeks
One great toe at the second joint	10 weeks
One toe other than the great toe with the metatarsal bone thereof	12 weeks
One toe other than the great toe at the proximal joint	6 weeks
One toe other than the great toe at the distal joint	3 weeks

In the above cases permanent and complete loss of use shall be deemed equivalent to loss of the member or part thereof.

One eye by enucleation	120 weeks
Total blindness of one eye	100 weeks

For any other disfigurement or the loss of bodily function not otherwise provided for herein, such period of compensation as the commission shall deem equitable and in proportion as near as may be to compensation for specific loss as set forth in the schedule in this section, but not exceeding in any case two hundred weeks.

The amounts specified in this section are all subject to the limitations as to the maximum weekly amount payable as specified in this section, and in no event shall more than a total of $6250.00 be required to be paid.

Sec. 42-1-63. In cases of permanent total disability, the award shall be 60 per cent of the average weekly wages for five years from date of injury, and thereafter 45 per cent of such average weekly wages, but not to exceed a maximum of ( ) $27.50 per week and not less than ( ) $17.50 per week, plus 5 per cent of such award for each dependent minor child under the age of 18 years up to a maximum of 5 such dependent minor children; provided however, that in no case of permanent total disability shall the employer or its insurance carrier be

required to pay more than $11,000.00; and provided further, that a finding by the commission of permanent total disability shall in all cases be tentative and not final until such time as the following proceedings have been had:

Where the employee has tentatively been found to be permanently and totally disabled, it shall be mandatory that the industrial commission of Utah refer such employee to the division of vocational rehabilitation under the state board of education for rehabilitation training and it shall be the duty of the commission to order paid to such vocational rehabilitation division, out of that special fund provided for by section 42-1-64, Utah Code Annotated 1943, as amended, subdivision 1, not to exceed $520.00 for use in the rehabilitation and training of such employee; the rehabilitation and training of such employee shall generally follow the practice applicable under section 42-1-65, Utah Code Annotated 1943, as amended, and relating to the rehabilitation of employees having combined injuries. If and when the division of vocational rehabilitation under the state board of education certifies to the industrial commission of Utah in writing that such employee has fully cooperated with the division of vocational rehabilitation in its efforts to rehabilitate him, and in the opinion of the division the employee may not be rehablitated, then the commission shall order that there be paid to such employee weekly benefits at the rate of 45% of his average weekly earnings, but not to exceed ( ) $27.50 per week, out of that special fund provided for by section 42-1-64, Utah Code Annotated 1943, as amended, for such period of time beginning with the time that the payments (as in this section provided) to be made by the employer or its insurance carrier terminate and ending with the death of the employee. No employee, however, shall be entitled to any such payments if he fails or refuses to cooperate with the division of vocational rehabilitation as set forth herein.

The division of vocational rehabilitation shall , at the termination of the vocational training of the employee, certify to the industrial commission of Utah the work the employee is qualified to perform, and thereupon the commission shall, after notice to the employer and an opportunity to be heard, determine whether the employee has, notwithstanding such rehabilitation, sustained a loss of bodily function.

The loss of permanent and complete loss of use of both hands or both arms, or both feet or both legs, or both eyes, or of any two thereof, shall constitute total and permanent disability, to be compensated according to the provisions of this section and no tentative finding of permanent total disability shall be required in such instances; in all other cases, however, and where there has been rehabilitation effected but where there is some loss of bodily function, the award shall be based upon partial permanent disability.

In no case shall the employer be required to pay compensation for any combination of disabilities of any kind including loss of function, in excess of $11,000.00.

Sec. 42-1-64. In case injury causes death within the period of three years, the employer or insurance carrier shall pay the burial expenses of the deceased as provided herein, and further benefits in the amounts and to the persons as follows:

(1) If there are no dependents, the employer and insurance carrier shall pay into the state treasury the sum of Eighteen Hundred Dollars. Any claim for compensation must be filed with the commission within one year from the date of the death of the deceased, and, if at the end of one year from the date of the death of the deceased no claim for compensation shall have been filed with the commission, the said sum of Eighteen Hundred Dollars shall be paid at that time into the state treasury by the employer or the insurance carrier. Such payment shall be held in a special fund for the purposes provided in this title; the state treasurer shall be the custodian of such special fund, and the commission shall direct the distribution thereof.

(2) If there are wholly dependent persons at the time of the death, the payment shall be sixty per cent of the average weekly wage, but not to exceed a maximum of ( ) twenty-seven and 50 100 dollars per week, plus five per cent for each dependent minor child, to continue for the remainder of the period between the date of the death and not to exceed six years after the date of the injury, and shall not amount to more than a maximum of Eight Thousand Dollars or less than a minimum of Twenty-two Hundred Dollars; provided that if the deceased had minor children wholly dependent upon him at the time of death then said limit of Eight Thousand Dollars shall be increased by Three Hundred Fifty-six and 25 100 Dollars for each dependent minor child up to five (5) wholly dependent minor children or a maximum of Nine Thousand Seven Hundred Eighty-one and 25 100 Dollars in case of five (5) wholly dependent minor children.

(3) If there are partly dependent persons at the time of the death, the payment shall be sixty per cent of the average weekly wage, but not to exceed the maximum of ( ) Twenty-seven and 50 100 Dollars per week, to continue for all or such portion of the period of six years after the date of injury as the commission in each case may determine and shall not amount to more than a maximum of Five Thousand Seven Hundred Eighty Dollars. The benefits provided for in this subdivision shall be in keeping with the circumstances and conditions of dependency existing at the date of injury, and any amount awarded by the commission under this subdivision must be consistent with the general provisions of this title.

(4) If there are wholly dependent persons and also partially dependent persons at the time of death, the commission may apportion the benefits as it deems just and equitable; provided, that the total benefits awarded to all parties concerned shall not exceed the maximum provided for by law.

Sec. 42-1-75. In addition to the compensation provided for in this title the employer or insurance carrier, or the commission of finance out of the state insurance fund, shall in ordinary cases also be required to pay

such a reasonable sum for medical, nurse, and hospital services, and for medicines, and for such artificial means and appliances as may be necessary to treat the patient as in the judgment of the industrial commission may be just, not exceeding the sum of $1000.00, provided that if upon application to and investigation by the industrial commission it shall find that in particular cases such an amount is insufficient, it shall determine and fix such a reasonable amount as under all the circumstances may be fair and just, and, in case death results from the injury, it shall also require the employer or insurance carrier, or the commission of finance out of the state insurance fund, to pay the burial expenses, in ordinary cases not exceeding the sum of $350.00.

In case a compensable accident results in the amputation of a limb or the enucleation of an eye, the employer, in the commission's discretion, shall be required to purchase and pay for an artificial limb or eye, as the case may be, at an expense to the employer of not to exceed $450.00 for each appliance.

In the event a compensable accident results in the breaking or loss of an artificial appliance, the employer, in the Commission's discretion, shall be required to purchase and pay for a replacement of the artificial appliance at an expense to the employer of not to exceed $450.00 for each appliance, provided however, that if the artificial appliance so broken or lost is eye glasses, then it shall be mandatory in the replacement thereof that case-hardened safety glasses be so supplied if the wearing of safety glasses is required by rule of the employer. Nothing herein shall require the replacement of an artificial appliance damaged by ordinary wear and tear.

That the title be amended as follows:

On line 5 of the title after the word "benefits" insert the following:

"TO INJURED WORKMEN; INCREASED BENEFITS IN DEATH CASES;"

The proposed amendments are in pursuance of an agreement made between representatives of industry and labor through recommendations in which this bill as recommended by the Committee was unanimously and whole-heartedly approved in accordance with the joint letter addressed to the President of the Senate and the Speaker of the House and attached hereto.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

Senator Marthakis moved that the rules be suspended and that the Senate do now consider *S. B. No. 43.*

Motion carried.

S. B. No. 43 was before the Senate for consideration.

S. B. No. 43 was read the second time.

Committee report read and adopted.

On motion of Senator Marthakis 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, 21; Nos, 0; Absent, 2.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Jenkins.

S. B. No. 43 was transmitted to the House.

February 16, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 226*, by Messrs. Gibson, Hopkin, Fowles and Marthakis, has carefully considered said bill and reports the same out favorably.

This bill is one of the four bills unanimously agreed upon between industry and labor.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

Senator Marthakis moved that the rules be suspended and that the Senate do now consider *S. B. No. 226*.

Motion carried.

S. B. No. 226 was before the Senate for consideration.

S. B. No. 226 was read the second time.

Committee report read and adopted.

On motion of Senator Marthakis the rules were suspended and *S. B. No. 226* was read the third time and placed on its final passage.

S. B. No. 226 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Jenkins and Jensen.

S. B. No. 226 was transmitted to the House.

February 16, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 227*, by Messrs. Gibson, Hopkin, Fowles and Marthakis, has carefully considered said bill and reports the same out favorably.

This bill is one of the four bills unanimously agreed upon between industry and labor.

Respectfully,

P. S. MARTHAKIS,

Report filed. Chairman

Senator Marthakis moved that the rules be suspended and that the Senate do now consider *S. B. No. 227*.

Motion carried.

S. B. No. 227 was before the Senate for consideration.

S. B. No. 227 was read the second time.

Committee report read and adopted.

On motion of Senator Marthakis the rules were suspended and *S. B. No. 227* was read the third time and placed on its final passage.

S. B. No. 227 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Jenkins.

S. B. No. 227 was transmitted to the House.

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

On motion of Senator Jensen, the Senate resolved itself into Regular Session.

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

FOR STATE ENGINEER:

Joseph M. Tracy, Ogden, to succeed Harold A. Linke, resigned; effective August 19, 1950, for term ending March 1, 1953.

Motion carried.

On motion of Senator Watson, *H. B. Nos. 42 and 43* were made a special order of business for Saturday, February 17, 1951 at 10:30 A.M.

On motion of Senator Marthakis, the Senate adjourned until Saturday, February 17, 1951 at 10:00 A.M.

FORTY-FIRST DAY

February 17, 1951

The Senate was called to order at 10:00 A.M. President Fowles in the chair.

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

Prayer by the Chaplain.

February 17, 1951

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the fortieth day and find it correct with minor corrections noted on the final copy.

Respectfully,

LUKE CLEGG,
Chairman

Report adopted and filed.

The President appointed Senators Muir, Elggren and Watson to revise the Journal for the week beginning February 19, 1951.

COMMUNICATIONS FROM THE HOUSE

February 16, 151

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 40*, by Messrs. Young, Hurst Hopkins, Munk, Jarman, Luke, C. Anderson and Bagnall, entitled:

AN ACT AMENDING SECTIONS 1, 2, 4, 5, 6, 7, 8, 9, 12, 15, 19 AND 20 OF CHAPTER 8, LAWS OF UTAH 1945, DEFINING TERMS USED, AUTHORIZING THE STATE BOARD OF AGRICULTURE TO PROMULGATE RULES AND REGULATIONS TO INSURE SANITATION OF MILK FIXING THE BOARD'S DUTY IN CONNECTION THEREWITH, PROHIBITION OF ADULTERATED PRODUCTS, PROVIDING FOR COLLECTION AND EXAMINATION OF SAMPLES OF MILK AND ITS PRODUCTS, PROVIDING FOR PERMITS — FEES — RULES AND REGULATIONS — HEARINGS — VIOLATIONS, PROVIDING POWER TO CONDEMN AND SEIZE

PRODUCTS NOT IN CONFORMANCE WITH THIS ACT, MAKING IT A MISDEMEANOR TO VIOLATE THE PROVISIONS OF THIS ACT, EXCLUDING CERTAIN PRODUCTS FROM OPERATION OF THIS ACT.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

February 16, 151

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 49*, by Messrs. Openshaw, Woolley and Romney, entitled:

AN ACT RELATING TO THE TERMINATION OF CONTRACTS FOR PUBLIC WORK BECAUSE OF NATIONAL EMERGENCIES WHICH CAUSE A STOPPAGE OF CONSTRUCTION OR WORK THEREON, AND TO PRESCRIBE PROCEDURE, THE ADJUSTMENT AND PAYMENT OF COMPENSATION, AND TO PROVIDE A METHOD FOR SETTLEMENT OF DISPUTES IN CONNECTION THEREWITH.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

REPORTS OF STANDING COMMITTEES

February 17, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 96*, by Messrs. Day, Marthakis and Elggren, entitled:

AN ACT CREATING AND ESTABLISHING A STATE DEPARTMENT OF VETERANS' AFFAIRS FOR THE PURPOSE OF AIDING, ASSISTING, COUNSELING AND ADVISING PERSONS KNOWN AS VETERANS; DEFINING THE POWERS AND DUTIES OF SUCH A STATE DEPARTMENT OF VETERANS' AFFAIRS; PROVIDING FOR A VETERANS' COUNCIL AND THE ADMINISTRATION RELATING THERETO AND FOR THE APPOINTMENT OF A DIRECTOR; DEFINING POWERS AND DUTIES, AND FIXING SALARY; PROVIDING FOR OPERATING AND ADMINISTRATIVE ASSISTANTS, TRAVELING EXPENSES, AND OPERATING EXPENSES IN CONNECTION THEREWITH; PROVIDING FOR AN ADVISORY COUNCIL TO SUCH A DEPARTMENT; REQUIRING THE STATE ATTORNEY GENERAL TO RENDER LEGAL ASSIS-

TANCE TO SUCH A DEPARTMENT AND PROVIDING FOR A TRANSFER OF RECORDS NOW HELD FOR THE STATE VETERANS' SERVICE TO THE STATE DEPARTMENT OF VETERANS' AFFAIRS, AND MAKING 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 96 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, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 200* by Messrs. Watson, Marthakis, Burns and Elggren, has carefully considered said bill and reports the same out favorably.

Respectfully,

LORENZO E. ELGGREN,
Chairman

Report filed.

S. B. No. 200 was referred to the Sifting Committee.

SPECIAL ORDER

H. B. No. 42 being a special order of business was before the Senate.

H. B. No. 42 was read the second time.

Committee report read and adopted.

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

Page 1, line 11, change the period to a comma and insert "and also provided, however, that tax refund to any individual or corporation shall not exceed $100.00 for any calendar year."

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

Page 1, line 4, strike the words "other than vehicles designed for highway use".

Page 4, line 22, after the word "non-transportation" insert "or for off-highway".

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

Page 2, line 3, after the word "original" insert the word "paid".

Page 2, line 4, after the word "purchase" insert the words "and actual payment thereof".

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

Page 2, line 2, strike the words "during September of each year" and insert "within 180 days from date of purchase and providing not more than two claims shall be made for each calendar year".

Page 2, line 10, strike the word "No" and all of lines 11 to 16 inclusive.

Page 2, line 19, change the period to a semi-colon and strike the words "Such payment of claims shall be made on or before December 31 of each year.".

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

Lines 6 and 7, after ", OR" strike the words "FOR CLEANING, DYEING OR".

H. B. No. 42 was placed on the Third Reading Calendar on the following roll call:

Ayes, 15; Nos, 5; Absent, 3.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Elggren, Hopkin, Jenkins, Jensen, Marthakis, Paxton, Reese, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Cannon, Day, Gibson, Milliman and Thorn.

Absent and not voting: Senators Brockbank, Larsen and Muir.

H. B. No. 43 being a special order of business was before the Senate.

H. B. No. 43 was read the second time.

Committee report read and adopted.

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

Page 2, line 29, strike "93%" and insert in lieu thereof "95%".

Page 2, line 31, strike "7%" and insert in lieu thereof "5%".

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

Line 8, strike "93%" and insert in lieu thereof "95%".

Line 10, strike "7%" and insert in lieu thereof "5%".

H. B. No. 43 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Brockbank, Jenkins, Muir and Watson.

On motion of Senator Hopkin it was agreed that when the Senate adjourns today, it stand adjourned until Monday, February 19, 1951 at 2:00 P.M.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 35 was read the third time and placed on its final passage.

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

Line 1, after the word "person" insert the words "other than insurance organizations".

S. B. No. 35 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Paxton and Thorn.

S. B. No. 35 was transmitted to the House.

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, 0; Absent, 4.

Those voting in the affirmative were; Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts and Watson.

Absent and not voting: Senators Brockbank, Fowles, Paxton and Thorn.

S. B. No. 45 was transmitted to the House.

S. B. No. 90 was read the third time and placed on its final passage.

S. B. No. 90 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts and Watson.

Absent and not voting: Senators Brockbank, Elggren, Fowles, Hopkin, Paxton and Thorn.

S. B. No. 90 was transmitted to the House.

S. B. No. 62 was read the third time and placed on its final passage.

S. B. No. 62 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts and Watson.

Absent and not voting: Senators Brockbank, Elggren, Fowles, Gibson, Paxton and Thorn.

S. B. No. 62 was transmitted to the House.

Senator Day moved that the rules be suspended and that the Senate do now consider *S. B. No. 38*.

Motion carried.

S. B. No. 38 was read the third time and placed on its final passage.

On motion of Senator Hopkin the Senate adjourned.

FORTY-THIRD DAY

February 19, 1951

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 19, 1951

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the forty-first day and find it correct with minor corrections noted on the final copy.

Respectfully,

LUKE CLEGG,
Chairman

Report adopted and filed.

On motion of Senator Muir, the President appointed Senators Muir, Day and Marthakis as a committee to draft a resolution of condolence to the family of William H. Griffin, Jr., former State Senator, deceased.

REPORTS OF STANDING COMMITTEES

February 17, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. J. R. No. 10*, by Messrs. Paxton and Day, has carefully considered said resolution and reports the same out without recommendation.

Respectfully,

CLARENCE L. ASHTON,
Chairman

Report filed.

S. J. R. No. 10 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 19, 1951

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 139 and 187.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. Nos. 139 and 187 were placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 18 By Messrs. Muir, Day and Marthakis

A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF WILLIAM H. GRIFFIN, JR. - IN MEMORIAM

S. J. R. No. 18 was read the first time.

On motion of Senator Marthakis the rules were suspended and *S. J. R. No. 18* was placed before the Senate for its consideration.

On motion of Senator Marthakis the rules were suspended and *S. J. R. No. 18* was read the second and third times and placed on its final passage.

S. J. R. No. 18 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Jenkins and Reese.

S. J. R. No. 18 was transmitted to the House.

UNFINISHED BUSINESS

S. B. No. 38, being unfinished business, was before the Senate.

S. B. No. 38 then failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Cannon, Day (explained vote), Larsen and Milliman.

Those voting in the negative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Clegg, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Muir, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senator Tippetts.

S. B. No. 38 was filed.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 48 was read the third time and placed on its final passage.

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

Line 1, strike the words "AND RESOURCE".

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

Line 6, strike the word "RESOURCE" and insert in lieu thereof the word "PUBLICITY".

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

Page 1, line 2, strike the words "and resource".

Page 1, line 6, strike the words "and resource".

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

Page 1, line 3, change the comma after the word "Utah" to a period and strike "and promoting the industrial development of the state".

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

Page 3, strike lines 12 to 15 inclusive.

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

Page 3, line 28, strike the word "resources" and insert in lieu thereof "publicity".

Page 3, line 31, strike the word "Resource" and insert in lieu thereof the word "Publicity".

Page 4, line 33, strike the words "and resource".

Page 5, line 1, strike "development."

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

Page 3, line 7, strike the previous amendment.

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

Page 1, line 7, strike the word "Seven" and insert in lieu thereof "Five".

Page 1, line 8, strike the last word in the line "The", all of line 9, and on line 10 the words "chairman of the industrial commission."

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

Page 2, line 10, strike the word "Four" and insert in lieu thereof "Three".

S. B. No. 48 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Beal, Brockbank, Burns, Clegg, Day, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn and Mr. President.

Those voting in the negative were: Senators Ashton, Cannon, Elggren (explained vote), Gibson, Hopkin, Paxton and Watson.

S. B. No. 48 was transmitted to the House.

SPECIAL ORDER

S. B. Nos. 85 and 86, being a special order of business, was before the Senate.

On motion of Senator Thorn, the enacting clause in *S. B. Nos. 85 and 86*, respectively, was struck.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 49 was read the third time and placed on its final passage.

S. B. No. 49 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jensen, Larsen, Marthakis, Muir, Paxton, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Gibson, Jenkins, Milliman and Reese.

S. B. No. 49 was transmitted to the House.

S. B. No. 50 was read the third time and placed on its final passage.

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

Line 1, after the words "AN ACT", strike the balance of line 1, all of lines 2 through 8 inclusive, and insert in lieu thereof: "REPEALING SECTIONS 68-0-10, 68-0-11, 68-0-12, 68-0-13, 68-0-14, 68-0-15 AND 68-0-16, UTAH CODE ANNOTATED 1943, TRANSFERRING THE ADMINISTRATION CONTROL AND MAINTENANCE OF STATE PARKS AND CERTAIN HISTORICAL MONUMENTS FROM THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT TO THE DEPARTMENT OF ENGINEERING AND PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS OF THE ENGINEERING COMMISSION WITH RESPECT THERETO."

On motion of Senator Hopkin the Senate recessed for fifteen minutes.

The Senate re-assembled.

On motion of Senator Hopkin, *S. B. No. 50* was made a special order of business for Tuesday, February 20, 1951 at 2:30 P.M.

S. B. No. 51 was read the third time and placed on its final passage.

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

Page 2, line 13, strike the previous amendment.

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

Page 1, line 16, change the period to a comma, and insert "at least one director must be selected from each judicial district in the state."

S. B. No. 51 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Jenkins and Milliman.

S. B. No. 51 was transmitted to the House.

H. B. No. 20 was read the third time and placed on its final passage.

H. B. No. 20 then passed on the following roll call:

Ayes, 20; Nos, 1; Absent, 2.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative: Senator Muir.

Absent and not voting: Senators Brockbank and Milliman.

H. B. No. 20 was returned to the House.

H. B. No. 37 was read the third time and placed on its final passage.

On motion of Senator Hopkin, *H. B. No. 37* was made a special order of business for Tuesday, February 20, 1951 at 3:00 P.M.

H. B. No. 61 was read the third time and placed on its final passage.

H. B. No. 61 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Reese, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Beal, Gibson, Muir and Paxton.

Absent and not voting: Senators Brockbank and Milliman.

H. B. No. 61 was returned to the House.

H. B. No. 47 was read the third time and placed on its final passage.

H. B. No. 47 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Larsen.

H. B. No. 47 was returned to the House.

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, 16; Nos, 5; Absent, 2.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Elggren, Hopkin, Jenkins, Jensen, Marthakis, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Cannon, Day, Gibson, Milliman and Thorn.

Absent and not voting: Senators Brockbank and Larsen.

H. B. No. 42 was returned to the House.

H. B. No. 43 was read the third time and placed on its final passage.

H. B. No. 43 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Hopkin and Larsen.

H. B. No. 43 was returned to the House.

The President recognized Miss Darlene Paul, Vice-President of the student-body, Weber College, and members of the Board of Control of Weber College.

On motion of Senator Watson the Senate adjourned until Tuesday, February 20, 1951 at 2:00 P.M.

FORTY-FOURTH DAY

February 20, 1951

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 20, 1951

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 corrections noted on the final copy.

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 19, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 13*, by Messrs. Fowles, Tippetts, Marthakis, Ashton and Milliman, which is entitled:

AN ACT AUTHORIZING THE CREATION AND ORGANIZATION OF FIRE PROTECTION DISTRICTS IN ANY COUNTY OR COUNTIES OF THE STATE, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICT, AUTHORIZING THE

ACQUISITION OF PROPERTY AND IMPROVEMENTS OF SUCH DISTRICTS, AND THE ISSUANCE OF BONDS OF THE DISTRICTS IN PAYMENT THEREFOR, PROVIDING FOR THE LEVY OF TAXES TO CARRY OUT THE PURPOSES FOR WHICH SUCH DISTRICTS ARE CREATED, AND MAKING CERTAIN PROVISIONS WITH RESPECT TO THE FOREGOING.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

February 20, 1951

Dear Mr. President and
Members of the Senate:

I have approved, and am transmitting *S. B. No. 2*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT PROVIDING FOR THE COMPILATION, ANNOTATION, PUBLICATION, AND DISTRIBUTION OF THE STATUTES OF THE STATE OF UTAH AND CREATING AND APPOINTING A COMPILATION COMMISSION AND MAKING AN APPROPRIATION OF $100,000 THEREFOR.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

February 20, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I approved and transmitted to the Secretary of State, *S. B. No. 22*, by Messrs. Marthakis, Clegg, Thorn, Day, Paxton and Ashton, entitled:

AN ACT AMENDING SECTIONS 1, 2, 3, 5, 7, 8, AND 11, CHAPTER 24, LAWS OF UTAH 1949, ENABLING IMPROVEMENT DISTRICTS TO INCLUDE INCORPORATED MUNICIPALITIES AND AREAS, PROVIDING FOR OBJECTION BY MORE THAN TWENTY-FIVE PER CENT IN NUMBER OF PROPERTY OWNERS, FOR APPOINTMENT OF BOARD OF TRUSTEES FOR SEWER DISTRICTS INCLUDING A COMBINATION OF TWO OR MORE MUNICIPALITIES OR OTHER AREAS, TIME LIMIT FOR MATURITY OF BONDS, AND FOR THE POWERS OF IMPROVEMENT DISTRICTS.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 19, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 32*, by Messrs. Howe, Bushnell, Sheffield and Davis, entitled:

AN ACT REQUIRING A NON-RESIDENT PERSON DOING BUSINESS IN THE STATE OF UTAH TO FILE A CERTIFICATE WITH THE SECRETARY OF STATE DESIGNATING AN AGENT UPON WHOM PROCESS CAN BE SERVED AND UPON FAILURE SO TO DO AUTHORIZING SERVICE OF PROCESS ON ANY PERSON EMPLOYED BY OR ACTING AS AGENT FOR SUCH NON-RESIDENT, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

H. B. No. 32 was read the first time and referred to the Committee on Judiciary.

February 19, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 67*, by Messrs. Beezley, Crofts, Openshaw and Walker, entitled:

AN ACT AMENDING SECTION 104-49-20 UTAH CODE ANNOTATED 1943, RELATING TO DUTY TO ANSWER QUESTIONS PERTAINING TO CONVICTION OF FELONY IN THE TRIAL OF CIVIL CASES, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

H. B. No. 67 was read the first time and referred to the Committee on Judiciary.

February 19, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 31*, by Messrs. Howe, Bushnell, Davis, Sheffield and Sagers, entitled:

AN ACT TO REVISE, CODIFY AND RE-ENACT INTO LAW UNDER TITLE 104 ALL OF THOSE SECTIONS OF TITLE 20, UTAH CODE ANNOTATED 1943, KNOWN AS "COURTS," AND TITLE 104, UTAH CODE ANNOTATED 1943, KNOWN AS THE "CODE OF CIVIL PROCEDURE," AND ALL SUBSEQUENT ACTS AMENDATORY THEREOF OR SUPPLEMENTAL THERETO, INCLUDING CHAPTERS 18, 19, 20, 21, 33, 34, 35, 36 LAWS OF UTAH 1943; CHAPTERS 25, 26, 39 AND 40, LAWS OF UTAH 1945; CHAPTERS 8, 9, 10, 11 AND 31, LAWS OF UTAH 1947, AND CHAPTERS 17, 26 AND 76, LAWS OF UTAH 1949, WHICH HAVE NOT BEEN SUPERSEDED BY THE UTAH RULES OF CIVIL PROCEDURE AS ADOPTED BY THE SUPREME COURT OF UTAH, SAID NEW ENACTMENT TO BE KNOWN AS "THE JUDICIAL CODE"; ALSO ADDING THERETO NECESSARY SECTIONS TO CARRY INTO EFFECT SAID ENACTMENT WITHOUT AFFECTING EXISTING RIGHTS OR OBLIGATIONS; ALSO REPEALING TITLE 20 AND TITLE 104, UTAH CODE ANNOTATED 1943, AS AMENDED, AND CHAPTERS 19, 33 AND 34, LAWS OF UTAH 1943; CHAPTERS 8 AND 10, LAWS OF UTAH 1947; AND CHAPTER 76, LAWS OF UTAH 1949, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

H. B. No. 31 was read the first time and referred to the Sifting Committee.

February 20, 1951

Mr. President:

I am directed 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. 21*, by Messrs. Brockbank, Fowles, Elggren, Marthakis, Jenkins and Watson, entitled:

AN ACT AMENDING SECTION 42-4-2, UTAH CODE ANNOTATED, 1943; SECTION 42-4-4 UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 69, LAWS OF UTAH, 1945, AS AMENDED BY CHAPTER 61, LAWS OF UTAH, 1947; SECTION 42-4-7, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 70 LAWS OF UTAH, 1945, AND SECTION 42-4-8 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 71, LAWS OF UTAH, 1945, RELATING TO THE SOURCE OF MONIES OF THE UTAH FIREMEN'S PENSION FUND; THE GRANTING OF SERVICE AND DISABILITY PENSIONS TO PAID AND VOLUNTEER FIREMEN, THE AMOUNTS AND PAYMENTS THEREOF, THE PROCEDURE IN APPLYING FOR AND GRANTING SAID PENSIONS; PAYMENT FROM THE FIREMEN'S PENSION FUND OF DEATH BENEFITS TO THE WIDOW AND DEPENDENT MINOR CHILDREN OF PAID AND RETIRED FIREMEN; AND THE PAYMENT FROM THE

FIREMEN'S PENSION FUND OF DEATH BENEFITS TO THE WIDOW AND DEPENDENT CHILDREN OF FIREMEN WHERE DEATH RESULTS FROM ACCIDENT OR EXPOSURE IN THE PERFORMANCE OF DUTY, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

S. B. No. 21 was transmitted to the Governor.

February 20, 1951

Mr. President:

I am directed 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. 96*, by Messrs. Day, Marthakis and Elggren, entitled:

AN ACT CREATING AND ESTABLISHING A STATE DEPARTMENT OF VETERANS' AFFAIRS FOR THE PURPOSE OF AIDING, ASSISTING, COUNSELING AND ADVISING PERSONS KNOWN AS VETERANS; DEFINING THE POWERS AND DUTIES OF SUCH A STATE DEPARTMENT OF VETERANS' AFFAIRS; PROVIDING FOR A VETERANS' COUNCIL AND THE ADMINISTRATION RELATING THERETO AND FOR THE APPOINTMENT OF A DIRECTOR; DEFINING POWERS AND DUTIES, AND FIXING SALARY; PROVIDING FOR OPERATING AND ADMINISTRATIVE ASSISTANTS, TRAVELING EXPENSES, AND OPERATING EXPENSES IN CONNECTION THEREWITH; PROVIDING FOR AN ADVISORY COUNCIL TO SUCH A DEPARTMENT; REQUIRING THE STATE ATTORNEY GENERAL TO RENDER LEGAL ASSISTANCE TO SUCH A DEPARTMENT AND PROVIDING FOR A TRANSFER OF RECORDS NOW HELD FOR THE STATE VETERANS' SERVICE TO THE STATE DEPARTMENT OF VETERANS' AFFAIRS, AND MAKING AN APPROPRIATION THEREFOR, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

S. B. No. 96 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

February 19, 1951

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

February 19, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 219*, by Messrs. Reese and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 219 was ordered printed and referred to the Committee on Highways.

February 19, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 225*, by Messrs. Fowles, Jenkins and Burns, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 100-11-14, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 95, LAWS OF UTAH 1949, RELATING TO WATER CONSERVANCY DISTRICTS AND THE ORGANIZATION OF SUBDISTRICTS, AND PROVIDING THE METHOD FOR ORGANIZING SUCH SUBDISTRICTS, FOR THE APPOINTMENT OF THE BOARD OF DIRECTORS AND THE POWERS AND DUTIES OF SUCH BOARD, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 225 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 19, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 228*, by Messrs. Muir and Milliman, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 228 was ordered printed and referred to the Committee on Education.

February 19, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 229*, by Messrs. Marthakis, Elggren and Watson, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 43-32-10 OF CHAPTER 63, LAWS OF UTAH 1947 RELATING TO COOPERATIVE INSURANCE ASSOCIATIONS, MEMBERSHIP THEREIN AND STOCK PAYMENTS AND PROVIDING THAT VOTES MAY BE CAST BY THE MEMBERS BY PROXY, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 229 was ordered printed and referred to the Committee on Banking and Commerce.

February 19, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 230*, by Messrs. Tippetts and Muir, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 75-6-1, UTAH CODE ANNOTATED 1943, RELATING TO SNOW COLLEGE AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 75-6-1.10 AND 75-6-1.11, MAKING SAID SCHOOL A BRANCH OF THE UTAH STATE AG-

RICULTURAL COLLEGE AND TRANSFERRING THE MANAGEMENT AND CONTROL THEREOF TO THE BOARD OF TRUSTEES OF THE UTAH STATE AGRICULTURAL COLLEGE, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 230 was ordered printed and referred to the Committee on Education.

February 19, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 231*, by Messrs. Marthakis, Milliman, Burns, Watson and Elggren, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 231 was ordered printed and referred to the Committee on Mining and Smelting.

February 20, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 15*, by Messrs. Cannon and Ashton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. J. R. No. 15 was ordered printed and referred to the Committee on Judiciary.

February 20, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 16*, by Messrs. Larsen and Muir, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. J. R. No. 16 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 20, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 17*, by Messrs. Jenkins, Milliman and Mrs. Jensen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. J. R. No. 17 was ordered printed and referred to the Committee on Education.

February 20, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 207*, by Mr. Day, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT AMENDING SECTION 79-1-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 41 LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 32 LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 77, LAWS OF UTAH 1949, RELATING TO THE DEPARTMENT OF REGISTRATION; DIRECTING ITS SUPERVISION, CONTROL AND OPERATION WITH COMMITTEES FROM VARIOUS PROFESSIONS, TRADES AND OCCUPATIONS AND PROVIDING FOR A COMMITTEE FOR MECHANICAL REFRIGERATION AND AIR CONDITIONING INSTALLERS; AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 79-15-1, 79-15-2, 79-15-3, 79-15-4, 79-15-5, 79-15-6, 79-15-7, 79-15-8, 79-15-9, 79-15-10, 79-15-11, 79-15-12, 79-15-13, 79-15-14, 79-15-15, AND 79-15-16, UTAH CODE ANNOTATED 1943 RELATING TO THE PRACTICE OF REFRIGERATION SERVICE ENGINEERS AND PROVIDING FOR THE EXAMINATION AND LICENSING OF SUCH ENGINEERS; PROVIDING FOR THE QUALIFICATIONS, TYPES OF LICENSES, FOR SUSPENSION OF LICENSES, BONDS, PERMITS, HEARINGS, APPEALS AND PENALTIES, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 207 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 20, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 214*, by Messrs. Ashton, Watson, Elggren and Jenkins, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTIONS 46-0-45 AND 46-0-118, UTAH CODE ANNOTATED 1943, AND 46-0-137, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 71, LAWS OF UTAH 1945, AND 46-0-140, UTAH CODE ANNOTATED 1943, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 46-0-137.1, 46-0-137.2 AND SECTIONS 46-0-140.1, 46-0-140.2, 46-0-140.3, 46-0-140.4, 46-0-140.5, 46-0-140.6 AND 46-0-140.7 UTAH CODE ANNOTATED 1943, RELATING TO AN EXCISE TAX ON BEER AND PROVIDING FOR THE PAYMENT OF THE TAX BY THE BREWER OR WHOLESALER OR DISTRIBUTOR IMPORTING THE BEER INTO THE STATE OF UTAH, AND REPEALING SECTIONS 46-0-138, 46-0-139, 46-0-144, 46-0-145, 46-0-146, 46-0-147, 46-0-148, 46-0-149, 46-0-150, 46-0-151, 46-0-152, UTAH CODE ANNOTATED 1943, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 214 was ordered printed and referred to the Committee on Revenue and Taxation.

February 20, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 232*, by Messrs. Thorn, Day and Larsen, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT RELATING TO PRIMARY ELECTIONS AND NOMINATIONS OF CANDIDATES FOR PUBLIC OFFICE; PROVIDING FOR NOMINATIONS BY A SYSTEM OF DIRECT PRIMARIES; PROVIDING THAT ALL CANDIDATES FOR THE SAME OFFICE WILL BE LISTED UNDER THE SAME HEADING; OUTLINING PROCEDURE FOR NOMINATING OFFICERS, OUTLINING PROCEDURE FOR CONDUCT OF PRIMARY ELECTIONS, PROCEDURE IN CASE OF A TIE VOTE; DEFINING RIGHTS OF CANDIDATES; PROVIDING FOR FILING FEES, AND PROVIDING THE DISTRIBUTION THEREOF; PROVIDING FOR DEFRAYING COSTS OF PRIMARIES; DESCRIBING BALLOTS, SELECTING OF OFFICERS OF ELECTION; OUTLINING PROCEDURE FOR VOTING, COUNTING, AND RECORDING BALLOTS; PROVIDING FOR COUNTY AND STATE ORGANIZATION OF POLITICAL PARTIES FOR PARTY CONVENTIONS, FOR THE ELECTION OF DELEGATES TO

PARTY, COUNTY, AND STATE CONVENTIONS; PROVIDING FOR FILLING OF VACANCIES; CORRECTING OF ERRORS ON BALLOTS; OUTLINING PROCEDURE FOR SETTLING CONTESTS; PROVIDING FOR THE NOMINATION OF INDEPENDENT CANDIDATES; PROVIDING FOR THE SELECTION OF PRESIDENTIAL ELECTORS; PROVIDING FOR PENALTIES IN VIOLATION OF THE ACT, AND REPEALING SECTIONS 25-3-7, 25-3-9, 25-3-13, 25-3-16, 25-3-24, 25-3-25, 25-3-26, 25-3-29, 25-3-30, 25-3-31, 25-3-34, 25-3-35, 25-3-36, 25-3-37, 25-3-39, 25-3-40, 25-3-42, 25-3-45, 25-3-46, 25-3-47, 25-3-48, 25-3-49, 25-3-50, 25-3-51, 25-3-52, 25-3-53, 25-3-54, AND 25-3-55, UTAH CODE ANNOTATED 1943; SECTION 25-3-33, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944, FIRST SPECIAL SESSION; SECTIONS 25-3-8 AND 25-3-41, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944, FIRST SPECIAL SESSION, AS AMENDED BY CHAPTER 35, LAWS OF UTAH 1947; SECTIONS 25-3-10, 25-3-14, 25-3-15, 25-3-17, 25-3-27, 25-3-28, 25-3-32, AND 25-3-41, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 35, LAWS OF UTAH 1947; SECTION 25-3-38, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 34, LAWS OF UTAH 1949; CHAPTERS 35 AND 38, LAWS OF UTAH 1947; AND CHAPTER 34, LAWS OF UTAH 1949, RELATING TO PRIMARY ELECTIONS, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 232 was ordered printed and referred to the Committee on Judiciary.

February 20, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 233*, by Messrs. Watson and Elggren, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 76-1-4, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS OF INDIVIDUAL MEMBERS OF THE PUBLIC SERVICE COMMISSION AND PROVIDING FOR EXAMINERS TO BE APPOINTED BY SAID COMMISSION

TO CONDUCT HEARINGS AND INVESTIGATIONS AND TO MAKE RECOMMENDED FINDINGS AND ORDERS ON SUCH HEARINGS, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 233 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 20, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 234*, by Mr. Cannon and Mrs. Jensen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 234 was ordered printed and referred to the Committee on Judiciary.

February 20, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 235*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 235 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 20, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 238*, by Mr. Beal, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 238 was ordered printed and referred to the Committee on Education.

February 20, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 239*, by Messrs. Larsen and Milliman, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 6, CHAPTER 141, LAWS OF UTAH 1947 RELATING TO THE USE AND DISPOSITION OF WATER, WATER CHARGES, AND THE DISPOSITION OF FUNDS AND PROVIDING FOR AN INTEREST RATE OF TWO PERCENT PER ANNUM ON THE ACTUAL COSTS OF PROJECTS TO THE STATE OR ON THE UNPAID PORTION THEREOF, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 239 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 20, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 243*, by Messrs. Marthakis and Clegg, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 57-10-1 UTAH CODE ANNOTATED 1943, RELATING TO MINORS DRIVING A MOTOR VEHICLE AND INCREASING THE MINIMUM AGE TO EIGHTEEN YEARS, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 243 was ordered printed and referred to the Committee on Highways.

February 20, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 245*, by Messrs. Elggren, Burns, Watson, Milliman, Day and Mrs. Jensen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 245 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 19, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 184*, by Messrs. Bonacci, Larson, Taylor and Davis, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

H. B. No. 184 was referred to the Sifting Committee.

February 19, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 224*, by Messrs. Clegg and Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 224 was referred to the Sifting Committee.

February 19, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 180*, by Messrs. Marthakis, Milliman and Brockbank, has carefully considered said bill and reports the same out favorably with the following amendments:

On page 4, line 28, delete the word "enumerated" and insert in lieu thereof the word "specified".

Page 5, line 5, after the word "except" insert the following:

"those articles specified in section 79-12-16.6 and".

Page 6, line 20, delete the word "vaseline" and insert in lieu thereof the words "petroleum jelly".

Section 79-12-16.6 on page 7, line 26, after the word "chemicals" insert the following:

"including all packaged drugs, medicines, medical supplies, bottled or non-bulk chemicals, and dietary foods when identified by and sold under a trade mark, trade name, or other trade symbol privately owned or registered in the United States patent office, or as provided by the

laws of the state of Utah, and labeled with directions for use and with the name and address of the manufacturer or distributor, provided such articles meet with the requirements of the Federal Food, Drug and Cosmetic Act and the food and drug laws of the state of Utah."

Page 8, line 29, delete the word "physical" and insert in lieu thereof the word "physician".

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

S. B. No. 180 was referred to the Sifting Committee.

February 20, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 208*, by Messrs. Day and Elggren, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

S. B. No. 208 was referred to the Sifting Committee.

February 20, 1951

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 215*, by Mrs. Jensen, Messrs. Elggren, Watson, Burns, Tippetts, Brockbank, Milliman, Marthakis, Jenkins, Ashton and Adams, has carefully considered said bill and reports the same out favorably.

Respectfully,

JAMES E. BURNS,
Chairman

Report filed.

S. B. No. 215 was referred to the Sifting Committee.

February 20, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 216*, by Messrs. Larsen and Muir, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 216 was referred to the Sifting Committee.

February 20, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. J. R. No. 12*, by Messrs. Thorn, Day and Clegg, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 12 was referred to the Sifting Committee.

February 19, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 59*, by Messrs. Larson and Openshaw, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

H. B. No. 59 was referred to the Sifting Committee.

February 20, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 156*, by Messrs. Day and Burns, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

S. B. No. 156 was referred to the Sifting Committee.

February 20, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 157*, by Mr. Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

S. B. No. 157 was referred to the Sifting Committee.

February 20, 1951

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 171*, by Messrs. Day, Clegg, Muir and Gibson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

P. S. MARTHAKIS,
Chairman

Report filed.

S. B. No. 171 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 20, 1951

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 105, 144, 83, 84, 111, 117.

Your Sifting Committee recommends that bills as reported out daily by the Sifting Committee, when not acted upon while on 2nd Reading Calendar, be referred back to the Sifting Committee at the close of the Senate session of that day.

Respectfully,

MARL D. GIBSON,
Chairman

Committee report read and adopted.

S. B. Nos. 105, 144, 83, 84, 111, and 117 were placed on the Second Reading Calendar.

A resolution from the Utah Federation of Business and Professional Women's Clubs with reference to the Utah State Hospital, Provo, Utah, was read and referred to the Committee on State and Municipal Affairs.

A letter from the Women's State Legislative Council of Utah with reference to the State Superintendent of Public Instruction and the State Board of Education, was read and referred to the Committee on Education.

A resolution from the Salt Lake City Council of Women with reference to the American Fork Training School and the Utah State Hospital, Provo, Utah, was read and referred to the Committee on State and Municipal Affairs.

SPECIAL ORDER

S. B. No. 50, being a special order of business, was before the Senate.

On motion of Senator Hopkin, *S. B. No. 50* was made a special order of business for Wednesday, February 21, 1951 at 4:00 P.M.

H. B. No. 37, being a special order of business, was before the Senate.

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

Page 1, line 12, strike the comma after the word "physician" and insert the word "and" and insert a period after the word "surgeon" and strike the words "or dentist."

Page 5, line 29, after the word "physician" in the previous amendment insert "and surgeon" and strike the words "medical doctor" and insert in lieu thereof "physician and surgeon".

Page 2, strike all of lines 10 through 13, both inclusive.

Page 2, line 14, strike the figure "6" and insert in lieu thereof the figure "5".

Page 2, line 30, strike the figure "7" and insert in lieu thereof the figure "6".

Page 3, line 2, strike the figure "8" and insert in lieu thereof the figure "7".

Page 3, line 7, strike the figure "9" and insert in lieu thereof the figure "8".

Page 3, line 31, strike the figure "10" and insert in lieu thereof the figure "9".

Page 4, line 12, strike the figure "11" and insert in lieu thereof the figure "10".

Page 4, line 19, strike the figure "12" and insert in lieu thereof the figure "11".

Page 4, line 27, strike the figure "13" and insert in lieu thereof the figure "12".

Page 5, line 3, strike the figure "14" and insert in lieu thereof the figure "13".

Page 6, line 1, strike the figure "15" and insert in lieu thereof the figure "14".

Page 6, line 13, strike the figure "16" and insert in lieu thereof the figure "15".

H. B. No. 37 then failed of passage on the following roll call:

Ayes, 5; Nos, 16; Absent, 2.

Those voting in the affirmative were: Senators Beal, Burns, Jensen, Milliman and Tippetts.

Those voting in the negative were: Senators Adams, Ashton, Brockbank, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Larsen, Marthakis, Muir, Paxton, Reese, Thorn and Watson.

Absent and not voting: Senators Fowles and Jenkins.

H. B. No. 37 was returned 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 Fowles the Senate resolved itself into a Committee of the Whole to hear Ronald W. Purcell, Chief of Farm Ownership Operations, United States Department of Agriculture.

The Committee of the Whole was dissolved.

UNFINISHED BUSINESS

S. B. No. 139 was before the Senate for its consideration.

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

Page 2, line 27, strike the word "may" and insert in lieu thereof the word "shall".

S. B. No. 139 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 Adams, Ashton, Beal, Brockbank, Burns, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Watson.

Absent and not voting: Senators Cannon, Fowles and Jenkins.

COMMUNICATIONS FROM THE HOUSE

February 20, 1951

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. 18*, by Messrs. Muir, Day and Marthakis, entitled:

A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF WILLIAM H. GRIFFIN, JR. -- IN MEMORIAM, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

S. J. R. No. 18 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 187 was before the Senate for consideration.

COMMUNICATIONS FROM THE HOUSE

February 20, 1951

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. 75*, by Messrs. Jenkins, Jensen, Milliman, Clegg, Tippetts, Muir, Elggren, Burns, Day, Marthakis and Watson, entitled:

AN ACT AMENDING SECTIONS 75-12-5 AND 75-12-8 UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 80 LAWS OF UTAH 1947 TO FIX THE COST OF THE UNIFORM MINIMUM SCHOOL PROGRAM FOR ELEMENTARY SCHOOLS, INCLUDING KINDERGARTEN, AND HIGH SCHOOLS AT $3600 FOR EACH CLASSROOM UNIT, PLUS AN ADDITIONAL AMOUNT FOR TRANSPORTATION OF PUPILS IN THE SUM OF $1,000,000, AND AN ADDITIONAL AMOUNT EQUAL TO ONE-HALF THE BUDGET OF THE STATE BOARD OF EDUCATION AS PROVIDED FOR THE BIENNIUM BY THE LEGISLATURE AND ALTERING THE STATUTORY LIMITS ON THE AMOUNT OF TAXES ON TANGIBLE PROPERTY FOR SCHOOL PROGRAMS ABOVE THE UNIFORM MINIMUM LOCAL LEVY AUTHORIZED BY LAW, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

In accordance with the report of the Sifting Committee, adopted on the forty-fourth day, *S. B. No. 105, 144, 83, 84, 111 and 117* were referred back to the Sifting Committee.

On motion of Senator Hopkin the Senate adjourned until Wednesday, February 21, 1951 at 11:00 A.M.

FORTY-FIFTH DAY

MORNING SESSION

February 21, 1951

The Senate was called to order at 11:00 A.M. President Fowles in the chair.

Roll Call All Senators present except Senator Brockbank, excused.

Prayer by the Chaplain.

February 21, 1951

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the forty-fourth day and find it correct with minor corrections noted on the final copy.

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 20, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 96*, by Messrs. Day, Marthakis and Elggren, entitled:

AN ACT CREATING AND ESTABLISHING A STATE DEPARTMENT OF VETERANS' AFFAIRS FOR THE PURPOSE OF AIDING, ASSISTING, COUNSELING, AND ADVISING PERSONS KNOWN AS VETERANS; DEFINING THE POWERS AND DUTIES OF SUCH A STATE DEPARTMENT OF VETERANS' AFFAIRS; PROVIDING FOR A VETERANS' COUNCIL AND THE ADMINISTRATION RELATING THERETO AND FOR THE APPOINTMENT OF A DIRECTOR; DEFINING POWERS AND DUTIES, AND FIXING SALARY; PROVIDING FOR OPERATING AND ADMINISTRATIVE ASSISTANTS, TRAVELING EXPENSES, AND OPERATING EXPENSES IN CONNECTION THEREWITH; PROVIDING FOR AN ADVISORY

COUNCIL TO SUCH A DEPARTMENT; REQUIRING THE STATE ATTORNEY GENERAL TO RENDER LEGAL ASSISTANCE TO SUCH A DEPARTMENT AND PROVIDING FOR A TRANSFER OF RECORDS NOW HELD FOR THE STATE VETERANS' SERVICE TO THE STATE DEPARTMENT OF VETERANS' AFFAIRS, AND MAKING AN APPROPRIATION THEREFOR.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 20, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this concurred in Senate amendments to *H. B. No. 47*, by Messrs. Davis, Luke, Woolley, Jones and Gammell, entitled:

AN ACT AMENDING SECTION 18-2-17, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 26, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 30, LAWS OF UTAH 1945, RELATING TO CORPORATE DIVIDENDS AND DISTRIBUTIONS OF ASSETS AND ADDING A NEW SECTION TO BE KNOWN AS 18-2-17.2 AUTHORIZING THE PURCHASE OR REDEMPTION OF CORPORATE SHARES IN CERTAIN INSTANCES.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

February 20, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 61*, by Messrs. Lundell, Dalebout, Wood, Frost, V. Peterson, Bushnell and Beezley, entitled:

AN ACT AMENDING SECTIONS 82-2-5, 82-2-6, 82-2-9, 82-2-11, 82-2-12, AND 82-2-17, UTAH CODE ANNOTATED, 1943, RELATING TO THE DUTIES OF THE SECURITIES COMMISSION IN CONNECTION WITH REAL ESTATE BROKERS AND SALESMEN; ESTABLISHING A BOARD OF REAL ESTATE EXAMINERS AND A REAL ESTATE ADMINISTRATOR AND PROVIDING FOR LICENSING, SUPERVISION, AUDITING, AND CONTROLLING REAL ESTATE SALESMEN AND BROKERS IN THE PUBLIC INTEREST;

PROVIDING FOR APPLICATION FEES; FOR REVOCATION OF LICENSES AND HEARINGS ON APPLICATIONS AND REVOCATIONS; REQUIRING THE KEEPING OF RECORDS BY REAL ESTATE BROKERS; ENACTING NEW SECTIONS 82-2-18, 82-2-19, 82-2-20, 82-2-21.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

February 20, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 46*, by Messrs. Chas. C. Gardner, Dalebout, Davis, Sheffield, Sagers and Rowberry, entitled:

AN ACT APPROPRIATING TO THE STATE BOARD FOR VOCATIONAL EDUCATION THE SUM OF $37,550.00, FROM THE GENERAL FUND OF THE STATE TREASURY, FOR THE PURPOSE OF COSTS OF OPERATION OF THE SALT LAKE AREA VOCATIONAL SCHOOL DURING THE REMAINDER OF THE PRESENT BIENNIUM, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 46 was read the first time and referred to the Sifting Committee.

February 20, 1951

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. 12*, by Messrs. Larsen, Frost, Gammell and Hinton, entitled:

A JOINT RESOLUTION OF THE LEGISLATURE OF THE STATE OF UTAH, MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROVIDE FOR RESERVE OFFICERS' TRAINING CORPS UNITS IN THE JUNIOR COLLEGES, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 12 was read the first time and referred to the Sifting Committee.

February 20, 1951

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. 15*, by Messrs. Woolley and Hopkins, entitled:

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, RELATING TO THE TERMS OF OFFICE OF THE PRESIDENT, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 15 was read the first time and referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 20, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 18*, by Messrs. Muir, Day and Marthakis, entitled:

A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF WILLIAM H. GRIFFIN, JR. — IN MEMORIAM, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. J. R. 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.

REPORTS OF SPECIAL COMMITTEES

February 21, 1951

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 31, 2, 59, 184, 88, 164.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

H. B. Nos. 31, 2, 59, 184, 88 and 164 were placed on the Second Reading Calendar.

UNFINISHED BUSINESS

S. B. No. 75 was before the Senate for consideration.

On motion of Senator Milliman, the Senate concurred in the House amendments to *S. B. No. 75*.

S. B. No. 75 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Brockbank.

S. B. No. 75 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

CONSIDERATION OF BILLS ON THIRD READING

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, 22; Nos, 0; Absent, 1.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Brockbank.

S. B. No. 139 was transmitted to the House.

UNFINISHED BUSINESS

S. B. No. 187 being unfinished business, was before the Senate.

S. B. No. 187 was read the second time.

Committee report read and adopted.

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

Page 1, line 15, strike "$65" and insert in lieu thereof "$60" and strike "$115" and insert in lieu thereof "$110".

Page 1, line 16, strike "$125" and insert in lieu thereof "$130" and strike "$19" and insert in lieu thereof "$17".

Page 1, line 17, strike "$175" and insert in lieu thereof "$200".

Page 2, after line 26 insert a new section to read "Section 2. There is hereby appropriated from the emergency relief fund the sum of $1,600,000.00 to carry out the increased grants herein provided."

Page 2, line 27, strike the figure "2" and insert in lieu thereof the figure "3".

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

Line 4, change the period to a comma and insert "AND MAKING AN APPROPRIATION THEREFOR."

On motion of Senator Gibson the rules were suspended and *S. B. No. 187* was read the third time and placed on its final passage.

On motion of Senator Day, it was agreed that when the Senate adjourns on Friday, February 23, 1951, it stand adjourned until Saturday, February 24, 1951 at 9:00 A.M.

On motion of Senator Milliman, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Fowles in the chair.

Roll Call All Senators present.

COMMUNICATIONS FROM THE HOUSE

February 20, 1951

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. 42*, by Messrs. Bagnall, Young, Munk, Postma, V. Peterson, White, Bunderson, Tietjen, Russell, J. Johnson, Sevy, Dunn, Thurston, Brotherson, A. Gardner, Hurst and Jarman, entitled:

AN ACT PROVIDING FOR REFUND OF 85 PERCENT OF THE TOTAL 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 OTHER NON-TRANSPORTATION PURPOSES; AND PROVIDING FOR METHODS OF ADMINISTRATION AND FOR PENALTIES AND COLLECTION OF PENALTIES FOR MAKING A FALSE CLAIM OR VIOLATING ANY PROVISIONS OF THIS ACT, and requests the Senate to recede from its amendments.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Marthakis, the Senate refused to recede from its amendments to *H. B. No. 42*, and the President appointed Senators Tippetts, Reese and Cannon, as a Conference Committee to confer with a like committee from the House with reference to said amendments.

February 21, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 147*, by Messrs. Larsen, Tietjen, L. B. Johnson, Woolley, J. Johnson, Hurst, Hinton, Luke, Albrecht, C. C. Gardner and Crofts, for the Utah Legislative Council, entitled:

AN ACT AUTHORIZING THE BOARDS OF EDUCATION OF ALL SCHOOL DISTRICTS WITHIN THE STATE OF UTAH TO CREATE A BUILDING RESERVE FUND FOR CAPITAL OUTLAY PURPOSES; ESTABLISH A POLICY AND DECLARE THE PURPOSES; PRESCRIBE THE MANNER IN WHICH THE RESERVE SHALL BE ACCUMULATED; PROVIDE FOR INVESTMENT OF THE FUND; THE REPORTING AND ACCOUNTING THEREOF; AND REGULATING EXPENDITURES THEREFROM, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 147 was read the first time and referred to the Committee on Education.

February 21, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 146*, by Messrs. Larsen, Tietjen, L. B. Johnson, Woolley, J. Johnson, Hurst, Brotherson, Hinton, Luke, Albrecht, L. C. Gardner, Russell and Crofts, for the Utah Legislative Council, entitled:

AN ACT TO PROVIDE FOR ESTABLISHMENT OF A SCHOOL BUILDING SURVEY COMMISSION TO DETERMINE THE EXTENT OF THE SCHOOL BUILDING NEEDS OF SCHOOL DISTRICTS; DEFINING ITS DUTIES; PROVIDING THE STANDARDS OF ELIGIBILITY WHEREBY SCHOOL DISTRICTS MAY OBTAIN STATE FUNDS TO MEET THEIR EMERGENCY SUPPLEMENTAL NET BUILDING NEEDS; DIRECTING THE STATE BOARD OF EDUCATION TO PRESCRIBE MINIMUM SCHOOL PLANT STANDARDS AND TO APPROVE CONSTRUCTION PLANS; PROVIDING FOR THE DISTRIBUTION OF STATE AID AND THE CONDITIONS PRECEDENT THERETO; APPROPRIATING THE SUM OF TWO MILLION DOLLARS ($2,000,000.00) FOR EMERGENCY SUPPLEMENTAL STATE AID; AND PROVIDING FOR A REPORT OF THE RESULTS OF THE SURVEY, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 146 was read the first time and referred to the Committee on Education.

February 21, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, *H. B. No. 148*, by Messrs. Larsen, L. B. Johnson, Tietjen, Woolley, J. Johnson, Hurst, Hinton, Luke, Albrecht, C. C. Gardner and Crofts, for The Utah Legislative Council, entitled:

AN ACT AMENDING SECTION 75-13-12, UTAH CODE ANNOTATED 1943, RELATING TO THE LIMITATION OF BONDING AUTHORITY OF SCHOOL DISTRICTS FOR SCHOOL BUILDING PURPOSES, PROVIDING FOR THE CANVASS OF BOND ELECTIONS AND THE REPORTING OF SUCH ELECTIONS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 148 was read the first time and referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

February 21, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 75*, by Messrs. Jenkins, Jensen, Milliman, Clegg, Tippetts, Muir, Elggren, Burns, Day, Marthakis and Watson, entitled:

AN ACT AMENDING SECTION 75-12-5 AND 75-12-8 UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 80 LAWS OF UTAH 1947 TO FIX THE COST OF THE UNIFORM MINIMUM SCHOOL PROGRAM FOR ELEMENTARY SCHOOLS, INCLUDING KINDERGARTEN, AND HIGH SCHOOLS AT $3600 FOR EACH CLASSROOM UNIT, PLUS AN ADDITIONAL AMOUNT FOR TRANSPORTATION OF PUPILS IN THE SUM OF $1,000,000, AND AN ADDITIONAL AMOUNT EQUAL TO ONE-HALF THE BUDGET OF THE STATE BOARD OF EDUCATION AS PROVIDED FOR THE BIENNIUM BY THE LEGISLATURE AND ALTERING THE STATUTORY LIMITS ON THE AMOUNT OF TAXES ON TANGIBLE PROPERTY FOR SCHOOL PROGRAMS ABOVE THE UNIFORM MINIMUM LOCAL LEVY AUTHORIZED BY LAW, 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,

EDWIN B. CANNON,
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.

February 21, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 236*, by Messrs. Reese and Day, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 30-0-22 UTAH CODE ANNOTATED 1943, RELATING TO THE RIGHT OF CERTAIN MINORS TO FISH WITHOUT A LICENSE AND PROVIDING THAT CERTAIN AMERICAN INDIANS MAY FISH, HUNT AND KILL BIRDS AND GAME AND FUR-BEARING ANIMALS DURING OPEN SEASON WITHOUT A LICENSE, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 236 was ordered printed and referred to the Committee on Fish and Game.

February 21, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 237*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 237 was ordered printed and referred to the Committee on Judiciary.

February 21, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 241*, by Mrs. Jensen and Messrs. Adams and Brockbank, with a few minor changes assented to by the authors, and recommends the bill be printed, by title only.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 241 was ordered printed by title only and referred to the Committee on State and Municipal Affairs.

February 21, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 242*, by Messrs. Burns and Day, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 40-3-1.10 AND 40-3-1.20, UTAH CODE ANNOTATED 1943, RELATING TO ACTIONS FOR DIVORCE AND PROVIDING FOR THE FILING OF AN APPLICATION WITH THE OFFICE OF THE COUNTY CLERK FOR INVESTIGATION BY THE DEPARTMENT OF PUBLIC WELFARE AND ALLOWING INDIVIDUALS OR AGENCIES TO ASSIST IN REHABILITATING COUPLES CONTEMPLATING DIVORCE AND AMENDING SECTIONS 40-3-6 AND 40-3-7, UTAH CODE ANNOTATED 1943, RELATING TO THE DECREE OF DIVORCE AND PROVIDING THAT THE TIME IN WHICH SUCH DECREE SHALL BECOME FINAL SHALL BE

SHORTENED FROM SIX MONTHS TO TEN DAYS, AND PROVIDING TIME IN WHICH AN APPEAL MAY BE TAKEN FROM A DECREE OF DIVORCE, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 242 was ordered printed and referred to the Committee on Judiciary.

February 21, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 244*, by Messrs. Marthakis and Clegg, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 57-4-7, UTAH CODE ANNOTATED 1943, RELATING TO PERSONS TO WHOM LICENSE SHALL NOT BE ISSUED FOR THE OPERATION OF MOTOR VEHICLES, AND INCREASING THE MINIMUM AGE FOR OPERATORS, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 244 was ordered printed and referred to the Committee on Highways.

February 21, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 246*, by Messrs. Paxton, Day and Beal, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 246 was ordered printed and referred to the Committee on Appropriations and Claims.

February 21, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 248*, by Messrs. Marthakis and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 248 was ordered printed and referred to the Committee on Judiciary.

February 21, 1951

Mr. President:

Your Committee on Education, to which was referred *S. J. R. No. 17*, by Messrs. Jenkins, Milliman, and Mrs. Jensen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. J. R. No. 17 was referred to the Sifting Committee.

February 21, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 218*, by Messrs. Muir, Hopkin and Larsen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 218 was referred to the Sifting Committee.

February 21, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 221*, by Messrs. Larsen, Muir and Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 221 was referred to the Sifting Committee.

February 21, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 222*, by Messrs. Larsen, Muir and Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 222 was referred to the Sifting Committee.

February 21, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 228*, by Messrs. Muir and Milliman, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 228 was referred to the Sifting Committee.

February 21, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 238*, by Mr. Beal, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 238 was referred to the Sifting Committee.

February 21, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 214*, by Messrs. Ashton, Watson, Elggren and Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLARENCE L. ASHTON,
Chairman

Report filed.

S. B. No. 214 was referred to the Sifting Committee.

UNFINISHED BUSINESS

S. B. No. 187, being unfinished business, was before the Senate.

On motion of Senator Elggren *S. B. No. 187* was made a special order of business for today at 3:30 P.M.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 31 was read the second time.

H. B. No. 31 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 Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Muir, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Hopkin, Milliman, Paxton and Thorn.

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

Committee report read and adopted.

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

Page 4, after line 22 insert the following:

"Notwithstanding the other provisions of this act, an officer or employee may elect to accept, in lieu of the regular benefits, a reduced monthly retirement benefit plus one of the following: a death benefit, or a survivorship annuity, or a reduced amount of periodic payments after death for a fixed period, or any combination thereof; provided, that pursuant to such election benefits shall be computed so as to have the same actuarial value at retirement as his regular retirement benefits."

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

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Larsen and Marthakis.

H. B. No. 2 was returned to the House.

H. B. No. 59 was read the second time.

Committee report read and adopted.

On motion of Senator Gibson the rules were suspended and *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, 21; Nos, 0; Absent, 2.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Larsen and Watson.

H. B. No. 59 was returned to the House.

H. B. No. 184 was read the second time.

Committee report read and adopted.

On motion of Senator Marthakis 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, 21; Nos, 0; Absent, 2.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Hopkin and Jenkins.

H. B. No. 184 was returned to the House.

H. B. No. 88 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *H. B. No. 88* was read the third time and placed on its final passage.

H. B. No. 88 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Gibson, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Watson.

Absent and not voting: Senators Elggren, Fowles, Hopkin and Jenkins.

H. B. No. 88 was returned to the House.

H. B. No. 164 was read the second time.

Committee report read and adopted.

On motion of Senator Paxton the rules were suspended and *H. B. No. 164* was read the third time and placed on its final passage.

H. B. No. 164 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Watson.

Absent and not voting: Senators Elggren and Fowles.

H. B. No. 164 was returned to the House.

On motion of Senator Gibson the Senate recessed for fifteen minutes. The Senate re-assembled.

SPECIAL ORDER

S. B. No. 50, being a special order of business, was before the Senate.

On motion of Senator Hopkin, *S. B. No. 50* was made a special order of business for Saturday, February 24, 1951 at 9:30 A.M.

S. B. No. 187, being a special order of business, was before the Senate.

Senator Elggren moved that the title be amended as follows:

Line 1, strike the word "SECTION" and insert the word "SECTIONS" and after the figure "10" strike the comma and insert "AND 19".

Senator Elggren moved that the bill be amended as follows:

Page 2, after line 26 insert a new section designated "Section 2" providing as follows:

"Section 2. Sec. 19, chapter 89, Laws of Utah 1947, as amended by chapter 9, Laws of Utah 1948, first special session, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

Page 2, renumber "Section 2" which was previously renumbered "Section 3" to "Section 4" and renumber "Section 2" which was inserted by a previous amendment to "Section 3".

Senator Elggren, with the aid of five Senators, requested a roll call on the proposed amendments.

The amendments then failed of passage on the following roll call:

Ayes, 9; Nos, 12; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Burns, Clegg, Day, Elggren, Jensen, Marthakis, Paxton and Watson.

Those voting in the negative were: Senators Adams, Beal, Cannon, Gibson, Hopkin, Jenkins, Larsen, Milliman, Reese, Tippetts (explained vote), Thorn and Mr. President.

Absent and not voting: Senators Brockbank and Muir.

On motion of Senator Elggren, the Senate resolved itself into a Committee of the Whole to hear J. Parley White, Public Welfare Commissioner, and James G. Kerr, Department Head in the Department of Public Welfare with reference to *S. B. No. 187*.

The Committee of the Whole was dissolved.

On motion of Senator Elggren, *S. B. No. 187* was made a special order of business for Friday, February 23, 1951 at 9:30 A.M.

COMMUNICATIONS FROM THE GOVERNOR

February 20, 1951

Dear Mr. President and
Members of the Senate:

In compliance with State laws, I am submitting the following appointments to your Honorable Body for advice and consent:

MEMBER, ADVISORY COUNCIL, DEPARTMENT OF ENGINEERING:

L. L. Taylor, Moab; for six-year term, expiring on March 1, 1957.

COMMISSIONERS, FISH AND GAME COMMISSION:

J. A. Browne, Price (District No. 2);

K. E. Bullock, Provo (District No. 3);

Both are for six-year terms, expiring on March 1, 1957.

MEMBER, ADVISORY COUNCIL, DEPARTMENT OF FINANCE:

Darrell W. Crockett, Logan; for six-year term, expiring March 1, 1957.

MEMBER, STATE BOARD OF HEALTH:

Dr. L. Weston Oaks, Provo; for seven-year term, expiring on March 1, 1958.

COMMISSIONER, STATE HIGHWAY PATROL CIVIL SERVICE COMMISSION:

F. P. Champ, Logan; four-year term, expiring January 1, 1955.

MEMBER, HISTORICAL SOCIETY, BOARD OF CONTROL:

Dr. Russell Swenson, Provo; to fill unexpired term of Noble Warrum, Jr., Salt Lake City, resigned; term ending April 1, 1953.

COMMISSIONER, STATE INDUSTRIAL COMMISSION:

A. N. Smith, Price; for six-year term, expiring March 1, 1957.

MEMBERS, UNIFORMITY OF LEGISLATION:

Harold N. Wilkinson, Salt Lake City
George W. Worthen, Provo
John D. Rice, Salt Lake City

All for two-year terms, expiring July 1, 1953.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication referred to the Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

February 21, 1951

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. 43*, by Messrs. Postma, Young, Jarman, Tietjen, Hurst, Brotherson and Patterson, 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 RECEIPT THEREFROM, ALLOCATION OF THE AERONAUTIC FUND AND HOW IT IS USED, REPORTS OF DISTRIBUTORS AND DEALERS, DISPOSITION OF THE BALANCE, BY APPROPRIATING 95% TO THE STATE HIGHWAY CONSTRUCTION FUND, CREATING A MOTOR FUEL RESERVE FUND AND APPROPRIATING 5% 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 requests the Senate to recede from its amendments.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

On motion of Senator Thorn, the Senate refused to recede from its amendments to *H. B. No. 43*, and the President appointed Senators Tippetts, Reese and Cannon, as a Conference Committee to confer with a like committee from the House with reference to said amendments.

February 21, 1951

Mr. President:

I am directed 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. 75*, by Messrs. Jenkins, Jensen, Milliman, Clegg, Tippetts, Muir, Elggren, Burns, Day, Marthakis and Watson, entitled:

AN ACT AMENDING SECTIONS 75-12-5 AND 75-12-8 UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 80 LAWS OF UTAH 1947 TO FIX THE COST OF THE UNIFORM MINIMUM SCHOOL PROGRAM FOR ELEMENTARY SCHOOLS, INCLUDING KINDERGARTEN, AND HIGH SCHOOLS AT $3600 FOR EACH CLASSROOM UNIT, PLUS AN ADDITIONAL AMOUNT FOR TRANSPORTATION OF PUPILS IN THE SUM OF $1,000,000, AND AN ADDITIONAL AMOUNT EQUAL TO ONE-HALF THE BUDGET OF THE STATE BOARD OF EDUCATION AS PROVIDED FOR THE BIENNIUM BY THE LEGISLATURE AND ALTERING THE STATUTORY LIMITS ON THE AMOUNT OF TAXES ON TANGIBLE PROPERTY FOR SCHOOL PROGRAMS ABOVE THE UNIFORM MINIMUM LOCAL LEVY AUTHORIZED BY LAW, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

S. B. No. 75 was transmitted to the Governor.

February 21, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 1*, by Messrs. Larsen, Tietjen and Woolley, entitled:

AN ACT REPEALING CHAPTER 79 OF THE LAWS OF UTAH 1947 AND CREATING A NEW ACT PROVIDING FOR THE APPROPRIATION TO AND EQUITABLE DISTRIBUTION AMONG THE VARIOUS JUNIOR COLLEGES, THE UNIVERSITY OF UTAH (NOT INCLUDING THE MEDICAL SCHOOL), THE UTAH STATE AGRICULTURAL COLLEGE (NOT INCLUDING THE EXPERIMENT STATION AND EXTENSION SERVICE) AND THE BRANCH AGRICULTURAL COLLEGE OF THE MONIES FOR THE COMMON COSTS OF SUCH STATE SUPPORTED INSTITUTIONS OF HIGHER EDUCATION FOR INSTRUCTION, MAINTENANCE AND REPAIR OF PHYSICAL PLANTS AND GROUNDS AND ADMINISTRATION, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

H. B. No. 1 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 21, 1951

Mr. President:

I am directed 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. Davis, Sheffield, Openshaw, Larsen and Jarman, entitled:

AN ACT RELATING TO SANITARIANS, QUALIFICATIONS OF APPLICANTS FOR LICENSE TO PRACTICE AS REGISTERED SANITARIANS, DEFINITIONS, QUALIFICATIONS, LICENSE FEES, EMPLOYMENT AND OFFICIAL DESIGNATION OF SANITARIANS, AND AMENDING SECTION 79-1-5, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 41, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 32, LAWS OF UTAH, 1947 AS AMENDED BY CHAPTER 77, LAWS OF UTAH 1949, RELATING TO THE DEPARTMENT OF REGISTRATION, THE VARIOUS PROFESSIONS, TRADES AND OCCUPATIONS, AND TO PROVIDE FOR A COMMITTEE OF SANITARIANS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.
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 21, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 16*, by Messrs. Openshaw, Walker, Rowberry and Munk, entitled:

AN ACT PROVIDING FOR STANDARDIZATION OF FIRE HOSE AND HYDRANT COUPLING THREADS, PROHIBITING SALE OF NON-STANDARD THREAD EQUIPMENT AND PROVIDING FOR PUNISHMENT OF VIOLATORS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

H. B. No. 16 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 21, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 45*, by Messrs. Elswood, Cope, Davis, Sheffield, Bushnell, Sagers and Howe, entitled:

AN ACT AMENDING SECTION 20-5a-15, UTAH CODE ANNOTATED 1943, FIXING FEES TO BE CHARGED IN THE SMALL CLAIMS COURTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

H. B. No. 45 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 21, 1951

Mr. President:

I am directed 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. 14*, by Messrs. Walker and Davis, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF G. B. HEAL, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

H. J. R. 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 Secretary of State.

February 21, 1951

Mr. President:

I am directed 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. 13*, by Messrs. C. C. Gardner, Cope and Sheffield, entitled:

A RESOLUTION OF CONDOLENCE TO FAMILY OF QUAYLE CANNON — IN MEMORIAM, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

H. J. R. No. 13 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

February 21, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. C. R. No. 1*, by Messrs. Rowberry and Reese, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO RESCIND THE REQUIREMENTS OF REGULATION X, OF THE DEFENSE PRODUCTION ACT OF 1950, AND EXECUTIVE ORDER NO. 10161 RELATIVE TO DEFENSE AREAS IN UTAH, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

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

Senator Day moved that the rules be suspended and that the Senate do now consider *H. B. No. 31*.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 31 was read the third time and placed on its final passage.

H. B. No. 31 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Cannon, Gibson and Tippetts.

H. B. No. 31 was returned to the House.

The Senate voted to accept an invitation to attend a luncheon sponsored by the Utah Water Users Association, the Colorado River Development Committee and the Utah State Chamber of Commerce Executives at the Hotel Utah, Friday, February 23, 1951.

The President recognized former State Senate President, Ira A. Huggins.

On motion of Senator Marthakis, the Senate adjourned until Friday, February 23, 1951 at 9:00 A.M.

FORTY-SEVENTH DAY

MORNING SESSION

February 23, 1951

The Senate was called to order at 9:00 A.M. President Fowles in the chair.

Roll Call All Senators present except Senators Beal, Cannon and Paxton, excused.

Prayer by Senator Burns.

February 23, 1951

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 corrections noted on the final copy.

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 21, 1951

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 Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 57-4-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1943, SECTION 57-4-17, UTAH CODE ANNOTATED, 1943, AND SECTION 57-4-19, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1943, RELATING TO APPLICATION FOR OPERATOR'S OR CHAUFFEUR'S LICENSE, EXAMINATION OF APPLICANTS, EXPIRATION OF LICENSE, RENEWAL, LICENSE FEES, DISPOSITION OF REVENUE, AND EXTENDING THE TERMINATION DATE OF LICENSES HELD BY MEN IN THE ARMED FORCES, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 11 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 21, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 19*, by Messrs. Clegg, Cannon, Jenkins, Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-3-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 26, LAWS OF UTAH 1949,

RELATING TO THE NUMBER OF JUDGES IN EACH JUDICIAL DISTRICT OF THE STATE OF UTAH AND PROVIDING FOR THE APPOINTMENT OF ADDITIONAL JUDGES, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 19 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 23, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 26*, by Mr. Milliman, entitled:

AN ACT AMENDING SECTION 57-7-113 UTAH CODE ANNOTATED 1943 RELATING TO AND FIXING SPEED RESTRICTIONS OF VEHICLES ON HIGHWAYS, AND AUTHORIZING THE GOVERNOR TO CHANGE SUCH RESTRICTIONS IN TIME OF WAR OR NATIONAL EMERGENCY, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 26 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 21, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 74*, by Messrs. Muir, Paxton, Jenkins and Tippetts, entitled:

AN ACT AMENDING SECTION 57-3a-43, UTAH CODE ANNOTATED, 1943, RELATING TO REGISTRATION PLATES AND AUTHORITY OF THE STATE TAX COMMISSION TO ISSUE, ADOPT AND REQUIRE THE USE OF SUCH INDICIA OF REGISTRATION AS IT MAY DEEM ADVISABLE IN LIEU OF OR IN CONJUNCTION WITH REGISTRATION PLATES, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 74 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 23, 1951

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. 226*, by Messrs. Gibson, Hopkin, Fowles and Marthakis, entitled:

AN ACT PROVIDING FOR THE APPOINTMENT OF A COUNCIL WITH REFERENCE TO WORKMEN'S COMPENSATION AND OCCUPATIONAL DISEASE DISABILITY MATTERS, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 226 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 21, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 227*, by Messrs. Gibson, Hopkin, Fowles and Marthakis, entitled:

AN ACT PROVIDING FOR THE APPOINTMENT OF A MEDICAL PANEL WITH REFERENCE TO TOTAL PERMANENT DISABILITY AND DEATH CASES ARISING FROM OCCUPATIONAL DISEASE, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 227 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 23, 1951

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. Larsen, Tietjen, and Woolley, for the Utah Legislative Council, entitled:

AN ACT AMENDING SECTIONS 2, 3, 4, 5, 6, 9, 10, 11 AND 14, CHAPTER 131, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 90, LAWS OF UTAH 1949, AND AMENDING SECTIONS 15.1, 15.2, 15.3 AND 19, CHAPTER 90, LAWS OF UTAH 1949, RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF UTAH AND POLITICAL SUBDIVISIONS THEREOF;

ESTABLISHING ELIGIBILITY FOR MEMBERSHIP AND PARTICIPATION IN THE RETIREMENT SYSTEM; PROVIDING FOR CONTRIBUTIONS BY EMPLOYEES AND APPROPRIATIONS TO MAINTAIN A RETIREMENT FUND AND ESTABLISHING A BOARD OF ADMINISTRATION.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

February 23, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 112*, by Messrs. Jones, Bunderson, Bushnell, Dalebout, Beezley, Lundell and Walker, entitled:

AN ACT AUTHORIZING THE SALE OF THE PRESENT EXISTING ARMORY, LOCATED AT 4TH EAST AND 2ND SOUTH STREETS, SALT LAKE CITY, UTAH, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 112 was read the first time and referred to the Sifting Committee.

February 23, 1951

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. 126*, by Mr. Sheffield, entitled:

AN ACT AMENDING SECTION 79-10a-44 UTAH CODE ANNOTATED 1943, PROVIDING A PENALTY FOR VIOLATION OF NARCOTIC DRUGS ACT, AND MAKING THE VIOLATION THEREOF A FELONY, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 126 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

February 21, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 97*, by Messrs. Young, White, Munk, Tietjen, Brotherson, Mrs. Gerald Cazier, Albrecht, L. Johnson, Thurston, Luke, Bagnall, Hopkins, Hurst, Patterson, Hinton, J. Johnson, A. Gardner, Dunn, Postma, Crofts, Bunderson, Russell, Sevy, Taylor and Barton, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

H. B. No. 97 was referred to the Sifting Committee.

February 21, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 243*, by Messrs. Marthakis and Clegg, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 243 was referred to the Sifting Committee.

February 21, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 219*, by Messrs. Reese and Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 219 was referred to the Sifting Committee.

February 23, 1951

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 229*, by Messrs. Marthakis, Elggren and Watson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

MRS. A. C. JENSEN,
Chairman

Report filed.

S. B. No. 229 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 23, 1951

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 105, 144, 83, 84, 111, 117.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. Nos. 105, 144, 83, 84, 111, and 117 were placed on the Second Reading Calendar.

Senator Hopkin moved that the Secretary be instructed to request the House to return *S. B. No. 25* to the Senate.

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

The motion then passed on the following roll call:

Ayes, 11; Nos, 7; Absent, 5.

Those voting in the affirmative were: Senators Adams, Ashton, Clegg, Day, Gibson, Hopkin, Larsen, Muir, Reese, Thorn and Mr. President.

Those voting in the negative were: Senators Burns, Elggren, Jenkins, Jensen, Marthakis, Tippetts and Watson.

Absent and not voting: Senators Beal, Brockbank, Cannon, Milliman and Paxton.

SPECIAL ORDER

S. B. No. 187, being a special order of business was before the Senate.

Senator Elggren moved that the communication and opinion from the Attorney General in regard to *S. B. No. 187* be printed in the Journal.

Motion carried.

Hon. Marl D. Gibson
Hon. L. E. Elggren
State Senate
Building.

Dear Senators Gibson and Elggren:

You have asked us to give you our interpretation of the following language in Section 10, Chapter 89, Laws of Utah 1947, as amended:

> "* * * provided, that budgetary needs for or in behalf of any one case in any one month shall be subject to the following maximums: One-person case, $45; two-person case, $90; three-person case, $114; for each additional person in a case, $15, but the aggregate shall not exceed $175 in any case; provided further, that a recipient of old age assistance may, in addition to the amount recieved under the budgetary needs as above provided, receive additional income from other sources up to the amount of his personal budget as determined by the Department of Public welfare. * * *"

As we understand it, your question relates particularly to the second proviso in the above quotation. We have conferred with representatives of the Department of Public Welfare and have been advised that the second proviso has been interpreted by them as giving discretionary authority to the Department. Under this interpretation the Department since 1949 has deducted the additional income received by a recipient from the maximum budget, rather than from the personal budget of the recipient .

After exploring this matter with officials of the Department we have come to an agreement that the language of the second proviso should be interpreted as a legislative declaration permitting the recipient to receive income to the extent that his personal budget exceeds the budgetary maximum without any deduction. If, however, such additional income, when added to the budgetary maximum, exceeds the personal budget such excess should be deducted.

Respectfully,

CLINTON D. VERNON,
Attorney General

S. B. No. 187 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Clegg, Day (explained vote), Elggren (explained vote), Gibson, Hopkin (explained vote), Jenkins, Jensen (explained vote), Larsen, Marthakis (explained vote), Milliman, Muir, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Beal, Brockbank, Cannon, Paxton and Thorn.

S. B. No. 187 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 105 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 105* was read the third time and placed on its final passage.

S. B. No. 105 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Brockbank, Cannon, Clegg, Hopkin and Paxton.

S. B. No. 105 was transmitted to the House.

S. B. No. 144 was read the second time.

Committee report read and adopted.

On motion of Senator Muir the rules were suspended and *S. B. No. 144* was read the third time and placed on its final passage.

S. B. No. 144 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Clegg, Day, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Brockbank, Cannon, Elggren, Hopkin and Paxton.

S. B. No. 144 was transmitted to the House.

S. B. No. 83 was read the second time.

Committee report read and adopted.

On motion of Senator Marthakis the rules were suspended and *S. B. No. 83* was read the third time and placed on its final passage.

S. B. No. 83 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Clegg, Day, Gibson, Jenkins, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Brockbank, Cannon, Elggren, Hopkin, Jensen and Paxton.

S. B. No. 84 was read the second time.

Committee report read and adopted.

On motion of Senator Fowles, *S. B. No. 84* was made a special order of business for today at 11:10 A.M.

S. B. No. 111 was read the second time.

Committee report read and adopted.

On motion of Senator Gibson the Senate recessed for five minutes.

The Senate re-assembled.

SPECIAL ORDER

S. B. No. 84, being a special order of business, was before the Senate.

On motion of Senator Fowles the Senate resolved itself into a Committee of the Whole to hear Gus P. Backman and Karl S. Little of the Civilian Defense Council with reference to *S. B. No. 84*.

The Committee of the Whole was dissolved.

A resolution from the Women's Democratic Club of Salt Lake Ctiy in regard to the Utah State Hospital at Provo, Utah, was read for the consideration of the members of the Senate.

The President recognized the students from the West Jordan Junior High School.

On motion of Senator Day, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Fowles in the chair.

Roll Call—All Senators present except Senators Beal, Brockbank and Paxton, excused.

COMMUNICATIONS FROM THE HOUSE

February 23, 1951

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. 42*, by Messrs. Larsen, Watson, Adams, Clegg, Marthakis, Elggren, Burns, Fowles and Gibson, entitled:

AN ACT AMENDING SECTION 42-1a-13, 42-1a-14, 42-1a-34, UTAH CODE ANNOTATED 1943; AND AMENDING SECTIONS 42-1a-15, 42-1a-58, UTAH CODE ANNOTATED 1943, AS ENACTED BY CHAPTER 51, LAWS OF UTAH 1949, RELATING TO OCCUPATIONAL DISEASES AND DISABILITY COMPENSATION; EXTENDING TIME IN WHICH COMPENSATION MAY BE CLAIMED OR REVIEWED; INCREASING THE BENEFITS; AND ENLARGING REHABILITATION PAYMENTS, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Elggren, the Senate concurred in the House amendments to *S. B. No. 42*.

S. B. No. 42 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Burns, Clegg, Day, Elggren, Jensen, Larsen, Marthakis, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Adams, Beal, Brockbank, Cannon, Gibson, Hopkin, Jenkins, Milliman and Paxton.

S. B. No. 42 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 23, 1951

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. 43*, by Messrs. Larsen, Watson, Adams, Clegg, Marthakis, Elggren, Burns, Fowles and Gibson, entitled:

AN ACT AMENDING SECTIONS 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, AS AMENDED BY CHAPTER 52, LAWS OF UTAH 1949, RELATING TO WORKMEN'S COMPENSATION, PROVIDING FOR INCREASED BENEFITS TO INJURED WORKMEN; INCREASED BENEFITS IN DEATH CASES; THE REPLACEMENT OF ARTIFICIAL APPLIANCES, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Marthakis, the Senate concurred in the House amendments to *S. B. No. 43*.

S. B. No. 43 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Beal, Brockbank, Cannon, Hopkin, Paxton, Reese and Watson.

S. B. No. 43 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

February 23, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 192*, by Messrs. Day, Larsen and Ashton, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman

Report filed.

S. B. No. 192 was referred to the Sifting Committee.

February 23, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 211*, by Mr. Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 211 was referred to the Sifting Committee.

February 23, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 220*, by Messrs. Reese and Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. No. 220 was referred to the Sifting Committee.

February 23, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. J. R. No. 13*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman

Report filed.

S. J. R. No. 13 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 23, 1951

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 78, 81, 92, 112, 114, 101, 168, 123, 124, 67, 131, 127, 107, 205.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. Nos. 78, 81, 92, 112, 114, 101, 168, 123, 124, 67, 131, 127, 107 and 205, were placed on the Second Reading Calendar.

With unanimous consent, the following resolution and bill were introduced:

PRESENTATION OF RESOLUTIONS

S. J. R. No. 19 By Messrs. Day and Marthakis

A JOINT RESOLUTION REMINDING BOTH LABOR AND INDUSTRY THAT SETTLEMENT OF THEIR DIFFERENCES MUST COMPLY WITH ESTABLISHED AND ORDERLY PROCEDURE AS PRESCRIBED BY LAW, AND THAT ANY OVERT ACTS DURING A DISPUTE WILL NOT BE TOLERATED, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 252 By Committee on Appropriations and Claims

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1951, AND ENDING JUNE 30, 1953, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

February 23, 1951

Mr. President:

I am directed to inform your Honorable Body that the House refuses your request to return *S. B. No. 25*, by Messrs. Marthakis, Tippetts, Milliman, Watson, Cannon and Mrs. Jensen, entitled:

AN ACT AMENDING CHAPTER 124, LAWS OF UTAH 1947, RELATING TO DESIGNATION OF THE OLD UTAH PRISON SITE AS A STATE PARK.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

February 23, 1951

Mr. President:

I am directed 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. 18*, by Messrs. Muir, Day and Marthakis, entitled:

A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF WILLIAM H. GRIFFIN, JR. — IN MEMORIAM, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. J. R. No. 18 was transmitted to the Secretary of State.

February 23, 1951

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. 192*, by Messrs. C. E. Peterson, Sheffield, Openshaw, A. Gardner, V. Peterson, Elizabeth Vance and Lundell, entitled:

AN ACT AMENDING SECTIONS 85-7-7, 85-7-10, 85-7-35, 85-7-42, 85-7-43, 85-7-44, 85-7-47, AND 85-7-50, UTAH CODE ANNOTATED 1943, AND SECTIONS 85-7-11, 85-7-27, AND 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; AND REPEALING SECTIONS 85-7-15, 85-7-18, 85-7-16a, 85-7-16b, 85-7-19, 85-7-20, 85-7-21, 85-7-22, 85-7-23, 85-7-24, 85-7-25, 85-7-26, 85-7-28, 85-7-29, 85-7-30, 85-7-33, 85-7-36, 85-7-37, 85-7-38, 85-7-40, 85-7-41, 85-7-52, AND 85-7-53, UTAH CODE ANNOTATED 1943, AND SECTIONS 85-7-17, 85-7-32, AND 85-7-34, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 121, LAWS OF UTAH 1945; RELATING TO THE UTAH STATE HOSPITAL, PROVIDING FOR THE ADMISSION, CUSTODY, CARE AND RELEASE OF PATIENTS IN THE UTAH STATE HOSPITAL, FOR THE CARE OF THE MENTALLY ILL WITHIN THIS STATE, AND FOR THE PAYMENT FOR THE CARE OF VOLUNTARY AND INVOLUNTARY PATIENTS IN THE UTAH STATE HOSPITAL, AND ENACTING NEW SECTIONS TO BE KNOWN AS 85-7-55, 85-7-56, 85-7-57, 85-7-58, 85-7-59, 85-7-60, 85-7-61, 85-7-62, 85-7-63, 85-7-64, 85-7-65, 85-7-66, 85-7-67, 85-7-68, 85-7-69, 85-7-70, 85-7-71, 85-7-72, 85-7-73, 85-7-74, 85-7-75, 85-7-76, 85-7-77, 85-7-78, AND 85-7-79 RELATING TO THE PUBLIC WELFARE COMMITTEE, ITS DUTIES, AND POWERS, HOSPITAL GROUNDS, REPAIRS, ESTIMATE AND ASSESSMENT OF CARE OF INMATES, DEFINITIONS, DUTIES AND POWERS OF SUPERINTENDENT, POWERS OF PEACE OFFICERS, JUDICIAL HEAR-

INGS, NOTICES, COMMITTMENTS, CARE OF PATIENTS BY FEDERAL AGENCY, NOTICE TO NEXT OF KIN, TRANSFER OF PATIENTS, CONDITIONAL RELEASE OF PATIENTS, CONFIDENTIAL NATURE OF REPORTS AND RECORDS, AND ADOPTION OF RULES AND REGULATIONS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 192 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

February 23, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 19*, by Messrs. Clegg, Cannon, Jenkins, Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-3-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 26, LAWS OF UTAH 1949, RELATING TO THE NUMBER OF JUDGES IN EACH JUDICIAL DISTRICT OF THE STATE OF UTAH AND PROVIDING FOR THE APPOINTMENT OF ADDITIONAL JUDGES, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 19 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 23, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 226*, by Messrs. Gibson, Hopkin, Fowles and Marthakis, entitled:

AN ACT PROVIDING FOR THE APPOINTMENT OF A COUNCIL WITH REFERENCE TO WORKMEN'S COMPENSATION AND

OCCUPATIONAL DISEASE DISABILITY MATTERS, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 226 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 23, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 227*, by Messrs. Gibson, Hopkin, Fowles and Marthakis, entitled:

AN ACT PROVIDING FOR THE APPOINTMENT OF A MEDICAL PANEL WITH REFERENCE TO TOTAL PERMANENT DISABILITY AND DEATH CASES ARISING FROM OCCUPATIONAL DISEASE, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 227 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 23, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 11*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 57-4-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1943, SECTION 57-4-17, UTAH CODE ANNOTATED 1943, AND SECTION 57-4-19, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1943, RELATING TO APPLICATION FOR OPERATOR'S OR CHAUFFEUR'S LICENSE, EXAMINATION OF APPLICANTS, EXPIRATION OF LICENSE, RENEWAL, LICENSE FEES, DISPOSITION OF REVENUE, AND EXTENDING

THE THE TERMINATION DATE OF LICENSES HELD BY MEN IN THE ARMED FORCES, 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,

EDWIN B. CANNON,
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 23, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 26*, by Mr. Milliman, entitled:

AN ACT AMENDING SECTION 57-7-113 UTAH CODE ANNOTATED 1943 RELATING TO AND FIXING SPEED RESTRICTIONS OF VEHICLES ON HIGHWAYS, AND AUTHORIZING THE GOVERNOR TO CHANGE SUCH RESTRICTIONS IN TIME OF WAR OR NATIONAL EMERGENCY, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 26 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 23, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 74*, by Messrs. Muir, Paxton, Jenkins and Tippets, entitled:

AN ACT AMENDING SECTION 57-3a-43, UTAH CODE ANNOTATED, 1943, RELATING TO REGISTRATION PLATES AND AUTHORITY OF THE STATE TAX COMMISSION TO ISSUE, ADOPT AND REQUIRE THE USE OF SUCH INDICIA OF REGISTRATION AS IT MAY DEEM ADVISABLE IN LIEU OF OR IN

CONJUNCTION WITH REGISTRATION PLATES, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 74 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 23, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 251*, by Mr. Watson, with a few minor changes assented to by the author, including the following revision of the title:

AN ACT APPROPRIATING TO ORSON LEWIS, DOING BUSINESS AS LEWIS BROS. STAGES, THE SUM OF $2875.00 TO REIMBURSE SAID ORSON LEWIS FOR SALES TAXES PAID BUT NOT COLLECTED IN OPERATION OF MOTOR BUSSES BETWEEN SALT LAKE CITY AND KEARNS, UTAH, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 251 was ordered printed and referred to the Committee on Revenue and Taxation.

February 23, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 249*, by Messrs. Elggren, Marthakis and Watson, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AUTHORIZING CITIES OF THE FIRST AND SECOND CLASS TO RAISE REVENUE BY LEVYING AND COLLECTING AN OCCUPATION TAX, NOT TO EXCEED 1% OF GROSS INCOME, IN ADDITION TO POWERS HERETOFORE GRANTED TO SUCH CITIES TO LEVY AND COLLECT TAXES FOR LOCAL PURPOSES, PROVIDING FOR REPEAL OF CITY ORDINANCES PERTAINING

TO SO-CALLED NUISANCE TAXES, AND AMENDING SECTION 15-8-87, UTAH CODE ANNOTATED 1943, RELATING TO MAXIMUM MILL LEVIES IN CITIES, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 249 was ordered printed and referred to the Committee on Revenue and Taxation.

February 23, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 240*, by Messrs. Elggren, Tippetts, Burns, Watson, Brockbank and Mrs. Jensen, with a few minor changes assented to by the authors, including the following revision of the title:

AN ACT AMENDING SECTION 1 CHAPTER 67, LAWS OF UTAH 1917, RELATING TO THE LEGISLATIVE COUNCIL AND THE SELECTION OF ALL MEMBERS THEREOF AND PROVIDING THAT THE SENATE AND HOUSE OF REPRESENTATIVES SHALL ELECT FROM THEIR RESPECTIVE BODIES THE MEMBERS OF SAID COUNCIL OTHER THAN THE PRESIDENT AND SPEAKER AND THAT EACH HOUSE SHALL APPROVE THE APPOINTMENTS MADE BY THEIR SPEAKER AND PRESIDENT RESPECTIVELY, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Committee report read and adopted.

S. B. No. 240 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 23, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 247*, by Messrs. Clegg, Beal, Watson and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 247 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 23, 1951

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 244*, by Messrs. Marthakis and Clegg, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

J. HAROLD REESE,
Chairman

Report filed.

S. B. No. 244 was referred to the Sifting Committee.

On motion of Senator Day, the Senate resolved itself into a Committee of the Whole to hear Mr. Preston D. Richards regarding *S. B. No. 111*.

The Committee of the Whole was dissolved.

UNFINISHED BUSINESS

S. B. No. 111, being unfinished business, was before the Senate.

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

Page 6, line 5, strike "$1,000,000.00" and insert in lieu thereof "$250,000.00".

S. B. No. 111 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 Adams, Ashton, Burns, Cannon, Clegg, Day, Gibson, Jenkins, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn and Watson.

Those voting in the negative were: Senators Elggren and Mr. President.

Absent and not voting: Senators Beal, Brockbank, Hopkin, Jensen and Paxton.

S. B. No. 84, being unfinished business, was before the Senate.

On motion of Senator Day, *S. B. No. 84* was made a special order of business for Saturday, February 24, 1951 at 10:30 A.M.

Senator Gibson moved that the Senate reconsider its action on *S. B. No. 83*.

Motion carried.

On motion of Senator Gibson, *S. B. No. 83* was made a special order of business for Saturday, February 24, 1951 at 11:00 A.M.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 117 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 117* was read the third time and placed on its final passage.

On motion of Senator Marthakis, the Senate recessed for fifteen minutes.

The Senate re-assembled.

S. B. No. 117 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Cannon, Clegg, Day, Elggren, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative: Senator Gibson.

Absent and not voting: Senators Beal, Brockbank, Hopkin and Paxton.

S. B. No. 117 was transmitted to the House.

S. B. No. 78 was read the second time.

Committee report read and adopted.

On motion of Senator Thorn the rules were suspended and *S. B. No. 78* was read the third time and placed on its final passage.

S. B. No. 78 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Brockbank, Hopkin and Paxton.

S. B. No. 78 was transmitted to the House.

S. B. No. 81 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 81* was read the third time and placed on its final passage.

S. B. No. 81 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Burns, Cannon, Clegg, Day, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative: Senator Adams.

Absent and not voting: Senators Beal, Brockbank, Elggren, Hopkin, Paxton and Reese.

S. B. No. 81 was transmitted to the House.

S. B. No. 92 was before the Senate for consideration.

On motion of Senator Gibson, *S. B. No. 92* was referred back to the Sifting Committee.

On motion of Senator Day, *S. B. No. 112* was referred back to the Sifting Committee.

S. B. No. 114 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 114* was read the third time and placed on its final passage.

S. B. No. 114 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Cannon, Clegg, Day, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Beal, Brockbank, Elggren, Jenkins Paxton and Thorn.

S. B. No. 114 was transmitted to the House.

S. B. No. 101 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the names of Senators Adams, Tippetts, Jenkins, Watson and Elggren were added as co-authors to *S. B. No. 101*.

S. B. No. 101 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 Adams, Ashton, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Brockbank, Jenkins, Muir and Paxton.

S. B. No. 168 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 168* was read the third time and placed on its final passage.

S. B. No. 168 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Brockbank, Jenkins, Muir and Paxton.

S. B. No. 168 was transmitted to the House.

The President recognized a delegation representing the Women's Legislative Council of Utah County.

Senator Elggren served notice of intention to move for reconsideration of *S. B. No. 187*, within the time prescribed by Senate Rule No. 39.

On motion of Senator Thorn, the Secretary was directed to send a letter of appreciation to the students of the Central Utah Vocational School for the key rings made for the Senators.

On motion of Senator Marthakis, the Secretary was instructed to send a letter of appreciation to the officers of Geneva Steel Co. for the luncheon served and the educational tour through its plant.

The President recognized Honorable Fred W. Keller, judge of the Seventh District Court.

In accordance with the report of the Sifting Committee, adopted on the forty-fourth legislative day, S. B. Nos. 123, 124, 67, 131, 127, 107 and 205 were referred back to the Sifting Committee.

On motion of Senator Milliman it was agreed that when the Senate adjourns on Saturday, February 24, 1951, that it adjourn at 1:00 P.M.

On motion of Senator Gibson the Senate adjourned until Saturday, February 24, 1951, at 9:00 A.M.

FORTY-EIGHTH DAY

February 24, 1951

The Senate was called to order at 9:00 A.M. President Fowles in the chair.

Roll Call—All Senators present except Senators Beal and Paxton, excused.

Prayer by the Chaplain.

February 24, 1951

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 corrections noted on the final copy.

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 24, 1951

Mr. President:

I am directed 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. 19*, by Messrs. Clegg, Cannon, Jenkins, Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-3-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 26, LAWS OF UTAH 1949, RELATING TO THE NUMBER OF JUDGES IN EACH JUDICIAL DISTRICT OF THE STATE OF UTAH AND PROVIDING FOR THE APPOINTMENT OF ADDITIONAL JUDGES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 19 was transmitted to the Governor.

February 23, 1951

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. 185*, by Mr. Munk, entitled:

AN ACT AMENDING SECTION 30-0-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 12, LAWS OF UTAH 1947, AND 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 1942, RELATING TO LICENSES FOR FISHING AND HUNTING LICENSES FOR TRAPPING FUR BEARERS; 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; SECTION 30-0-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, RELATING TO LICENSE AGENTS, PRESCRIBING THEIR DUTIES AND FIXING THEIR COMPENSATION; AND REPEALING SECTION 30-0-22, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 30-0-14, 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; SECTION 30-0-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947; AND SECTION 30-0-16, 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, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Day the rules were suspended and *H. B. No. 185* was placed on the Second Reading Calendar.

February 23, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 173*, by Elizabeth Vance, Mrs. Gerald Cazier, Messrs. S. C. Anderson, Barton, Larson, White, Bushnell, Jarman, Bagnall, J. Johnson, Luke, Cope, V. H. Peterson, Patterson, Munk, Hinton, Russell, Thurston, Rees, Crofts, Hurst, Rowberry, Miller, Henderson, Bonacci, C. C. Gardner, Lundell, Walker, Romney, Howe, Beezley, Wood, Hopkins, Sheffield, Openshaw, Sagers, Tietjen and R. C. Anderson, entitled:

AN ACT PROVIDING FOR EXAMINATION FOR MENTAL ILLNESS BEFORE SENTENCING PERSONS CONVICTED OF CERTAIN SEX OFFENSES, FOR THE MANNER OF PROVIDING FOR SUCH EXAMINATION, AND COMPENSATION THEREFOR, FOR THE IMPOSING OF SENTENCE AFTER SUCH EXAMINATION, AND INCARCERATION AND FOR PAROLE OF SUCH PERSONS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,

Communication filed. Chief Clerk

H. B. No. 173 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

February 24, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 250*, by Mr. Tippetts, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 250 was ordered printed and referred to the Sifting Committee.

February 24, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 252*, by Committee on Appropriations and Claims, with a few minor changes assented to by the authors.

Respectfully,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 252 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 24, 1951

Mr. President:

Your Sifting Committee reports out the following bills and resolution:

H. B. No. 185, S. B. Nos. 112, 123, 124, 67, 131, 127, 107, 205 and S. J. R. No. 6.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

H. B. No. 185, S. B. Nos, 112, 123, 124, 67, 131, 127, 107, 205 and S. J. R. No. 6 were placed on the Second Reading Calendar.

February 24, 1951

Mr. President:

Your Conference Committee, to which was referred *H. B. No. 42*, by Messrs. Bagnall, Young, Munk, Postma, V. Peterson, White, Bunderson, Tietjen, Russell, J. Johnson, Sevy, Dunn, Thurston, Brotherson, A. Gardner, Hurst and Jarman, has carefully considered the amendments made by the Senate and has come to an agreement on the same as follows:

We agreed to delete the amendments on Page 1, line 4 and Page 4, line 22, of the body of the bill. All other amendments we allowed to stand.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

On motion of Senator Day, the report of the Conference Committee was adopted, and *H. B. No. 42* was amended accordingly.

H. B. No. 42 then passed on the following roll call:

Ayes, 16, Nos, 5; Absent, 2.

Those voting in the affirmative were: Senators Adams, Ashton, Brockbank, Burns, Clegg, Elggren, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Muir, Reese, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Cannon, Day, Gibson, Milliman and Thorn.

Absent and voting: Senators Beal and Paxton.

H. B. No. 42 was returned to the House.

February 24, 1951

Mr. President:

Your Conference Committee, to which was referred *H. B. No. 43*, by Messrs. Postma, Young, Jarman, Tietjen, Hurst, Brotherson and Patterson, has carefully considered the amendments made by the Senate and has come to an agreement on the same as follows:

Line 8 of the title was changed back to 93% and line 10 of the title was changed back to 7%. The same changes were also made in lines 29 and 31, page 2 of the body of the bill.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

On motion of Senator Tippetts, the report of the Conference Committee was adopted, and *H. B. No. 43* was amended accordingly.

H. B. No. 43 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson (explained vote), Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Muir and Paxton.

H. B. No. 43 was returned to the House.

Senator Day moved that the rules be suspended and that the Senate do now consider *S. B. No. 123*.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 123 was read the second time.

Committee report read and adopted.

On motion of Senator Larsen 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, 14; Nos, 3; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Adams, Milliman and Reese.

Absent and not voting: Senators Beal, Brockbank, Jenkins, Muir, Paxton and Thorn.

S. B. No. 123 was transmitted to the House.

SPECIAL ORDER

S. B. No. 50, being a special order of business, was before the Senate.

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

Strike all the material in the title as amended and insert in lieu thereof "AN ACT PROVIDING FOR THE ADMINISTRATION, CONTROL AND MAINTENANCE OF HISTORICAL MONUMENTS AND STATE PARKS, PLACING SUPERVISION AND CONTROL OF OLD STATE HOUSE AT FILLMORE AND CAMP FLOYD UNDER THE STATE HISTORICAL SOCIETY AND PLACING ALL OTHER HISTORICAL MONUMENTS AND STATE PARKS UNDER SUPERVISION AND CONTROL OF THE DEPARTMENT OF ENGINEERING, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS OF THE HISTORICAL SOCIETY AND THE DEPARTMENT OF ENGINEERING RESPECTIVELY, WITH RELATION THERETO AND REPEALING SECTIONS 68-0-10, 68-0-11, 68-0-12, 68-0-13, 68-0-14, 68-0-15 AND 68-0-16, UTAH CODE ANNOTATED 1943."

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

Strike all the material in the bill as amended and insert in lieu thereof:

"Section 1. The state historical society shall have the power and it shall be its duty to take administrative and supervisory control over the following historical monuments: namely, Camp Floyd and Old State House at Fillmore. The society may make expenditures for such maintenance and administration from funds made available by appropriation or from other funds which are available to the society. The society may turn the direct custody of any of the aforementioned buildings and monuments over to any suitable non-profit organization or society. Such custody shall be resumed or changed by the historical society whenever it appears to be in the best interests of the building or monument. The society shall require such periodical reports from the custodian as may be deemed advisable to keep the society properly informed of custodial activity.

Section 2. The department of engineering shall have the power and it shall be the duty of such department to take administrative and supervisory control over "This is the Place" monument, when said monument has been transferred to the department of engineering by the "This is

the Place" monument commission, and all other historical monuments within the state, except Camp Floyd and Old State House at Fillmore.

Section 3. The department of engineering shall have the power and it shall be its duty to take administrative and supervisory control over any and all lands that the state shall have acquired or may acquire for state parks, except as herein otherwise provided; and shall make such rules and regulations as may be necessary to manage and control the same.

Section 4. The department of engineering through the engineering commission shall have the power to cooperate with any federal agency or other organization having for its purposes the investigation of state park possibilities within the state of Utah and to assist such investigation; and shall keep a record of its findings with respect thereto. If such findings disclose any areas of sufficient natural, historical or scenic quality to justify such action, the commission shall, with the approval of the governor, designate such areas as state parks or state monuments as the importance of such designation may demand.

Section 5. Upon the designation of any area or spot as provided for in the preceding section of this act, said commission may with the approval of the Governor acquire for and in the name of the state of Utah any land within or comprising such designation, and the commission may make exchange of lands within existing state parks for other lands to be used for state park purposes, upon a fair appraisal basis; provided that said commission shall have the power to accept gifts from any county, municipality, individual or the federal government of money or land which may be used for the purpose of carrying out any of the provisions of this act.

Section 6. The naming of parks and monuments designated in accordance with the provisions of this act shall be the duty of said engineering commission; provided, that persons making gifts of areas so designated may name such park or monument with the approval of the commission.

Section 7. The historical society or the engineering commission as the case may be may make such leases for concessions on such monuments or parks respectively, and expenditures for maintenance and administration from receipts from said leases and from funds made available therefor by appropriation or otherwise as may seem desirable for the same.

Section 8. The engineering commission is hereby granted the power to condemn for state park purposes any and all lands in the vicinity of the "This is the Place" monument as shall be deemed necessary to preserve the historical significance of said monument and the natural beauty of the area surrounding the same and including all or any part of the following described tract:

Commencing 2 rods north from the center Section 11, Township 1 south range 1 east, Salt Lake Meridian, and running thence west 2,205 feet; thence north 0°54' east 300 feet; thence north 89°6' west 427.7 feet; thence north 202.02 feet more or less to the Wasatch Bonneville

Boulevard; thence northerly along said boulevard to the U. S. Military Reservation; thence north 86 rods; thence east 228 rods; thence south 524 feet; thence east 416 feet; thence south 361 feet; thence south 52° west 528 feet; thence northwesterly to a point 1,497 feet north of the point of beginning; thence south 1,497 feet to the place of beginning, less a tract sold to the American Telephone and Telegraph Company containing approximately .1147 acres, and less a tract sold to Salt Lake City Corporation containing approximately 7.63 acres.

Section 9. Sections 68-0-10, 68-0-11, 68-0-12, 68-0-13, 68-0-14, 68-0-15 and 68-0-16, Utah Code Annotated 1943 are hereby repealed.

Section 10. This act shall take effect upon approval."

Senator Elggren moved that the bill be amended as follows:

Section 1, line 4, after the word "Fillmore" change the period to a comma and insert "also the State Park at Sugarhouse."

Senator Elggren with the aid of five Senators, requested a roll call.

The motion failed of passage on the following roll call:

Ayes, 5; Nos, 15; Absent, 3.

Those voting in the affirmative were: Senators Cannon, Elggren, Marthakis, Watson and Mr. President.

Those voting in the negative were: Senators Adams, Ashton, Burns, Clegg, Day, Gibson, Hopkin, Jenkins, Jensen, Larsen, Milliman, Muir, Reese, Tippetts (explained vote) and Thorn.

Absent and not voting: Senators Beal, Brockbank and Paxton.

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

Section 5, line 3, strike the word "Governor" and insert in lieu thereof "Board of Examiners".

Section 4, line 8, strike the word "Governor" and insert in lieu thereof "Board of Examiners".

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

Section 2, line 1, strike the words "department of" and after the word "engineering" insert the word "commission".

Section 5, line 8, after the word "municipality," insert the word corporation,"; after the word "individual" insert ", association, charitable or other association or organization of any kind".

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

Line 7, strike the words "DEPARTMENT OF" and after the word "ENGINEERING" insert the word "COMMISSION".

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

Section 2, line 2, strike the word "department" and insert in lieu thereof the word "commission".

Section 2, line 4, strike the words "department of " and after the word "engineering" insert the word "commission".

Section 3, line 1, strike the words "department of" and after the word "engineering" insert the word "commission".

Section 4, line 1, strike the words "department of" and "through the engineering".

Section 5, line 4, after the last word "may" insert "with the approval of the Board of Examiners".

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

The Senate re-assembled.

On motion of Senator Cannon, *S. B. No. 50* was made a special order of business for Tuesday, February 27, 1951 at 3:00 P.M.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 111 was read the third time and placed on its final passage.

On motion of Senator Day, *S. B. Nos. 111, 84 and 83* were made a special order of business for Tuesday, February 27, 1951 at 11:00 A.M.

On motion of Senator Marthakis, it was agreed that when the Senate adjourns today, it stand adjourned until Monday February 26, 1951, at 10:00 A.M.

REPORTS OF STANDING COMMITTEES

February 24, 1951

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 19* by Messrs. Day and Marthakis, with a few minor changes assented to by the authors.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

Senator Day moved that the rules be suspended and that the Senate do now consider *S. J. R. No. 19*.

Motion carried.

On motion of Senator Day the rules were suspended and *S. J. R. No. 19* was read the second and third times and placed on its final passage.

S. J. R. No. 19 then passed on the following roll call:

Ayes, 20; Nos, 1; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

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

Absent and not voting: Senators Beal and Paxton.

S. J. R. No. 19 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

February 24, 1951

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. 279*, by the Appropriations Committee, entitled, "AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1951, AND ENDING JUNE 30, 1953, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES," and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 279 was read the first time.

Senator Hopkin moved that the rules be suspended and that the Senate do now consider *H. B. No. 279*.

Motion carried.

H. B. No. 279 was read the second time.

On motion of Senator Milliman the rules were suspended and *H. B. No. 279* was read the third time and placed on its final passage.

H. B. No. 279 then passed on the following roll call:

Ayes, 20; Nos, 1; Absent, 2.

Those voting in the affirmative were: Senators Adams, Ashton, Brockbank, Burns, Clegg, Day (explained vote), Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative: Senator Cannon.

Absent and not voting: Senators Beal and Paxton.

H. B. No. 279 was returned to the House.

February 24, 1951

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. 117*, by Messrs. Muir, Larsen, Clegg, Mrs. Jensen, Beal, Thorn, Reese, Day, Fowles, Paxton, Cannon, Watson and Jenkins, entitled:

AN ACT AMENDING SECTION 75-5-24, UTAH CODE ANNOTATED 1943, RELATING TO THE GENERAL ENUMERATION OF SUBJECTS PERMITTED TO BE TAUGHT AT UTAH STATE AGRICULTURAL COLLEGE BY ADDING TO THE PERMITTED SUBJECTS ENGINEERING, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 117 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 24, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 133*, by Messrs. Hinton, L. B. Johnson, Luke, Davis, Sevy, J. Johnson and Young, entitled:

AN ACT AMENDING SECTION 100-11-16, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 95, LAWS OF UTAH 1949, RELATING TO WATER CONSERVANCY DISTRICTS AND PROVIDING FOR THE LIMITING OF TAX LEVIES, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 133 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

February 24, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 42*, by Messrs. Larsen, Watson, Adams, Clegg, Marthakis, Elggren, Burns, Fowles and Gibson, entitled:

AN ACT AMENDING SECTIONS 42-1a-13, 42-1a-14, 42-1a-34, UTAH CODE ANNOTATED 1943; AND AMENDING SECTIONS 42-1a-15, 42-1a-58, UTAH CODE ANNOTATED 1943, AS ENACTED BY CHAPTER 51, LAWS OF UTAH 1949, RELATING TO OCCUPATIONAL DISEASES AND DISABILITY COMPENSATION; EXTENDING TIME IN WHICH COMPENSATION MAY BE CLAIMED OR REVIEWED; INCREASING THE BENEFITS; AND ENLARGING REHABILITATION PAYMENTS, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 42 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 24, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 43*, by Messrs. Larsen, Watson, Adams, Clegg, Marthakis, Elggren, Burns, Fowles and Gibson, entitled:

AN ACT AMENDING SECTIONS 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, AS AMENDED BY CHAPTER 52, LAWS OF UTAH 1949, RELATING TO WORKMEN'S COMPENSATION, PROVIDING FOR INCREASED BENEFITS TO INJURED WORKMEN; AND INCREASED BENEFITS IN DEATH CASES; AND THE REPLACEMENT OF ARTIFICIAL APPLIANCES, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 43 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 21, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 230*, by Messrs. Tippetts and Muir, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 230 was referred to the Sifting Committee.

In accordance with the report of the Sifting Committee, adopted on the forty-fourth legislative day, H. B. No. 185, S. B. Nos. 112, 124, 67, 131, 127, 107 and 205 and S. J. R. No. 6 were referred back to the Sifting Committee.

On motion of Senator Elggren the Senate adjourned.

FIFTIETH DAY

MORNING SESSION

February 26, 1951

The Senate was called to order at 10:00 A.M. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

February 26, 1951

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the forty-eighth day and find it correct with minor corrections noted on the final copy.

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

REPORTS OF SPECIAL COMMITTEES

February 26, 1951

Mr. President:

Your Sifting Committee reports out the following bills and resolution:

S. B. Nos. 230, 141, 127, S. J. R. No. 6, S. B. Nos. 197, 107, 131, 67, 124, 121, 184, 63.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. Nos. 230, 141, 127, S. J. R. No. 6, S. B. Nos. 197, 107, 131, 67, 124, 121, 184 and 63 were placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 101 was read the third time and placed on its final passage.

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

Page 1, line 16, change the period to a semi-colon and insert "provided, that in established place of business as herein used shall be construed to mean any place of business, either permanent or temporary, wherein any business is transacted or trade is practiced."

S. B. No. 101 then passed on the following roll call:

Ayes, 16; Nos, 5; Absent, 2.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Day (explained vote), Elggren, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Reese, Tippetts, Thorn and Watson.

Those voting in the negative were: Senators Cannon (explained vote), Gibson (explained vote), Larsen, Paxton and Mr. President.

Absent and not voting: Senators Brockbank and Muir.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 230 was read the second time.

Committee report read and adopted.

S. B. No. 230 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 Adams, Ashton, Brockbank, Burns, Cannon, Clegg, Day, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

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

S. B. No. 141 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 141* was read the third time and placed on its final passage.

S. B. No. 141 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Muir, Thorn and Watson.

Absent and not voting: Senators Adams, Fowles, Larsen, Milliman, Paxton, Reese and Tippetts.

S. B. No. 141 was transmitted to the House.

S. B. No. 127 was read the second time.

Committee report read and adopted.

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, 16; Nos, 0; Absent, 7.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Muir and Watson.

Absent and not voting: Senators Fowles, Larsen, Milliman, Paxton, Reese, Tippetts and Thorn.

S. B. No. 127 was transmitted to the House.

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

Committee report read and adopted.

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

Page 1, line 20, after the word "Senate" insert "and the House of Representatives".

On motion of Senator Day the rules were suspended and *S. J. R. No. 6* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Marthakis, Paxton, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Jenkins, Larsen, Milliman, Muir, Reese and Thorn.

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

Senator Adams served notice of his intention to move for reconsideration of *S. B. No. 101*, within the time prescribed by Senate Rule No. 39.

S. B. No. 197 was read the second time.

Committee report read and adopted.

On motion of Senator Gibson the rules were suspended and *S. B. No. 197* was read the third time and placed on its final passage.

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

Line, 1, after the word "ESCHEAT" strike the word "OF" and insert lieu thereof the word "TO".

S. B. No. 197 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Larsen, Marthakis, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Hopkin, Jensen and Milliman.

S. B. No. 197 was transmitted to the House.

S. B. No. 107 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 107* was read the third time and placed on its final passage.

S. B. No. 107 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen,

Larsen, Marthakis, Milliman, Muir, Paxton, Tippetts, Thorn, Watson (explained vote) and Mr. President.

Absent and not voting: Senators Cannon and Reese.

S. B. No. 107 was transmitted to the House.

S. B. No. 131 was read the second time.

Committee report read and adopted.

S. B. No. 131 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Day, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Cannon, Clegg, Elggren, Gibson (explained vote), Larsen and Thorn.

COMMUNICATIONS FROM THE HOUSE

February 24, 1951

Mr. President:

I am directed 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. 226*, by Messrs. Gibson, Hopkin, Fowles and Marthakis, entitled:

AN ACT PROVIDING FOR THE APPOINTMENT OF A COUNCIL WITH REFERENCE TO WORKMEN'S COMPENSATION AND OCCUPATIONAL DISEASE DISABILITY MATTERS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 226 was transmitted to the Governor.

February 24, 1951

Mr. President:

I am directed 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. 227*, by Messrs. Gibson, Hopkin, Fowles and Marthakis, entitled:

AN ACT PROVIDING FOR THE APPOINTMENT OF A MEDICAL PANEL WITH REFERENCE TO TOTAL PERMANENT DISABILITY AND DEATH CASES ARISING FROM OCCUPATIONAL DISEASE, and the same is forwarded herewith for transmssion to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 227 was transmitted to the Governor.

February 24, 1951

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. Larson, Sheffield, Frost and Cope, entitled:

AN ACT AMENDING SECTION 2 OF CHAPTER 88, LAWS OF UTAH 1945, RELATING TO PENSIONS FOR POLICEMEN OF CITIES OF THE FIRST AND SECOND CLASS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 80 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

February 26, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 117*, by Messrs. Muir, Larsen, Clegg, Mrs. Jensen, Beal, Thorn, Reese, Day, Fowles, Paxton, Cannon, Watson and Jenkins, entitled:

AN ACT AMENDING SECTION 75-5-24, UTAH CODE ANNOTATED 1943, RELATING TO THE GENERAL ENUMERATION OF SUBJECTS PERMITTED TO BE TAUGHT AT THE UTAH STATE AGRICULTURAL COLLEGE BY ADDING TO THE PERMITTED SUBJECTS ENGINEERING, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 117 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 26, 1951

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 236*, by Messrs. Reese and Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 236 was referred to the Sifting Committee.

February 26, 1951

Mr. President:

Your Committee on Mining and Smelting to which was referred *S. B. No. 231*, by Messrs. Marthakis, Milliman, Burns, Watson and Elggren, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

DONALD T. ADAMS,
Chairman

Report filed.

S. B. No. 231 was referred to the Sifting Committee.

On motion of Senator Day, the enacting clause on *S. B. No. 70* was struck.

A letter from the President of the Utah Congress of Parents and Teachers, Inc. requesting permission to appear before the Senate in regard to the education bill was read.

Communication filed.

On motion of Senator Day the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Fowles in the chair.

Roll Call—All Senators present.

COMMUNICATIONS FROM THE HOUSE

February 24, 1951

Mr. President:

I am directed 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. 26*, by Mr. Milliman, entitled:

AN ACT AMENDING SECTION 57-7-113 UTAH CODE ANNOTATED 1943 RELATING TO AND FIXING SPEED RESTRICTIONS OF VEHICLES ON HIGHWAYS, AND AUTHORIZING THE GOVERNOR TO CHANGE SUCH RESTRICTIONS IN TIME OF WAR OR NATIONAL EMERGENCY, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

February 24, 1951

Mr. President:

I am directed 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. 74*, by Messrs. Muir, Paxton, Jenkins and Tippetts, entitled:

AN ACT AMENDING SECTION 57-3a-43, UTAH CODE ANNOTATED, 1943, RELATING TO REGISTRATION PLATES AND AUTHORITY OF THE STATE TAX COMMISSION TO ISSUE, ADOPT AND REQUIRE THE USE OF SUCH INDICIA OF REGISTRATION AS IT MAY DEEM ADVISABLE IN LIEU OF OR IN CONJUNCTION WITH REGISTRATION PLATES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 74 was transmitted to the Governor.

February 26, 1951

Mr. President:

I am directed 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. 279*, by Appropriations Committee, entitled:

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1951, AND ENDING JUNE 30, 1953, AND SETTING

UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 279 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 24, 1951

Mr. President:

I am directed 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. 16*, by Messrs. T. M. Rees and Jarman, entitled:

A RESOLUTION OF CONDOLENCE TO REPRESENTATIVE LAWRENCE B. JOHNSON UPON THE DEATH OF HIS BROTHER, ELSWORTH MARION JOHNSON, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 16 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

February 24, 1951

Mr. President:

I am directed 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. 17*, by Messrs. Rees, Jarman and Luke, entitled:

A RESOLUTION OF CONDOLENCE TO REPRESENTATIVE JOHN P. BARTON UPON THE DEATH OF HIS BROTHER-IN-LAW, WILLIAM B. FENNEMORE, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 17 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

February 24, 1951

Mr. President:

I am directed 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. 40*, by Messrs. Young, Hurst, Hopkins, Munk, Jarman, Luke, C. Anderson and Bagnall, entitled:

AN ACT AMENDING SECTIONS 1, 2, 4, 5, 6, 7, 8, 9, 12, 15, 19 AND 20 OF CHAPTER 8, LAWS OF UTAH 1945, DEFINING TERMS USED, AUTHORIZING THE STATE BOARD OF AGRICULTURE TO PROMULGATE RULES AND REGULATIONS TO INSURE SANITATION OF MILK FIXING THE BOARD'S DUTY IN CONNECTION THEREWITH, PROHIBITION OF ADULTERATED PRODUCTS, PROVIDING FOR COLLECTION AND EXAMINATION OF SAMPLES OF MILK AND ITS PRODUCTS, PROVIDING FOR PERMITS — FEES — RULES AND REGULATIONS HEARINGS — VIOLATIONS, PROVIDING POWER TO CONDEMN AND SEIZE PRODUCTS NOT IN CONFORMANCE WITH THIS ACT, MAKING IT A MISDEMEANOR TO VIOLATE THE PROVISIONS OF THIS ACT, EXCLUDING CERTAIN PRODUCTS FROM OPERATION OF THIS ACT, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 40 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 24, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 49*, by Messrs. Openshaw, Woolley and Romney, entitled:

AN ACT RELATING TO THE TERMINATION OF CONTRACTS FOR PUBLIC WORK BECAUSE OF NATIONAL EMERGENCIES WHICH CAUSE A STOPPAGE OF CONSTRUCTION OR WORK THEREON, AND TO PRESCRIBE PROCEDURE, THE ADJUSTMENT AND PAYMENT OF COMPENSATION, AND TO PROVIDE A METHOD FOR SETTLEMENT OF DISPUTES IN CONNECTION THEREWITH, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 49 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 21, 1951

Mr. President:

I am directed 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. Tietjen, Bushnell, Sheffield, Albrecht, Jones and Woolley, entitled:

AN ACT PRESCRIBING A STANDARD OF CARE FOR INVESTMENTS OF FUNDS BY EXECUTORS, ADMINISTRATORS, GUARDIANS, TRUSTEES AND OTHER FIDUCIARIES, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 51 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 24, 1951

Mr. President:

I am directed 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 Messrs. Tietjen, Bushnell, Sheffield, Albrecht, Jones and Woolley, entitled:

AN ACT CONCERNING COMMON TRUST FUNDS AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, AMENDING CHAPTER 4a, TITLE 7, UTAH CODE ANNOTATED 1943, RELATING TO BANKS AND TRUST COMPANIES ACTING AS FIDUCIARIES, BY ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 7-4a-16, 7-4a-17, 7-4a-18, 7-4a-19, 7-4a-20, 7-4a-21 AND 7-4a-22, UTAH CODE ANNOTATED 1943, RELATING TO THE INVESTMENT OF TRUST FUNDS, AND ACCOUNTING FOR SUCH FUNDS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
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 24, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 53*, by Messrs. Tietjen, Bushnell, Sheffield, Albrecht, Jones and Woolley, entitled:

AN ACT AMENDING THE INDIVIDUAL INCOME TAX ACT, BEING CHAPTER 14 OF TITLE 80, UTAH CODE ANNOTATED 1943, BY ADDING THERETO NEW SECTIONS TO BE KNOWN AS SECTIONS 80-14-47a AND 80-14-47b UTAH CODE ANNOTATED 1943, RELATING TO COMMON TRUST FUNDS AND TRUSTS CREATED BY AN EMPLOYER AS PART OF A STOCK BONUS, PENSION OR PROFIT-SHARING PLAN AND THE TAXATION OF SUCH TRUSTS AND ACCUMULATIONS AND DISTRIBUTIONS THEREUNDER, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 53 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 26, 1951

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. 84*, by Messrs. Lundell, Jarman, Young and V. Peterson, entitled:

AN ACT AMENDING SECTIONS 6, 7, AND 12, OF CHAPTER 17, LAWS OF UTAH 1945 RELATING TO THE CREATION, ORGANIZATION AND MAINTENANCE OF CEMETERY DISTRICTS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 84 was read the first time and referred to the Sifting Committee.

February 26, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 90*, by Messrs. Woolley, Sheffield, and Davis, entitled:

AN ACT AMENDING SECTION 35-1-1.14, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 49, LAWS OF UTAH, 1945, RELATING TO THE STATE HEALTH COMMISSIONER; AUTHORIZING THE STATE BOARD OF HEALTH TO DETERMINE THE COMMISSIONER'S SALARY, AND AUTHORIZING THE BOARD TO APPOINT AN ACTING STATE HEALTH COMMISSIONER, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 90 was read the first time and referred to the Sifting Committee.

February 26, 1951

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. 142*, by Agricultural Committee, entitled:

AN ACT RELATING TO THE REGISTRATION, EXAMINATION, AND LABELING OF INSECTICIDES, FUNGICIDES, RODENTICIDES, AND OTHER ECONOMIC POISONS AND DEVICES; REGULATING TRAFFIC THEREIN; IMPOSING PENALTIES FOR THE DISTRIBUTION, SALE OR TRANSPORTATION OF ADULTERATED OR MISBRANDED MATERIAL THEREOF; AND REPEALING TITLE 3, CHAPTER 3, ARTICLE 2, UTAH CODE ANNOTATED 1943, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 142 was read the first time and referred to the Sifting Committee.

February 26, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 42*, by Messrs. Larsen, Watson, Adams, Clegg, Marthakis, Elggren, Burns, Fowles and Gibson, entitled:

AN ACT AMENDING SECTIONS 42-1a-13, 42-1a-14, 42-1a-34, UTAH CODE ANNOTATED 1943; AND AMENDING SECTIONS 42-1a-15, 42-1a-58, UTAH CODE ANNOTATED 1943, AS ENACTED BY CHAPTER 51, LAWS OF UTAH 1949, RELATING TO OCCUPATIONAL DISEASES AND DISABILITY COMPENSATION; EX-

TENDING TIME IN WHICH COMPENSATION MAY BE CLAIMED OR REVIEWED; INCREASING THE BENEFITS; AND ENLARGING REHABILITATION PAYMENTS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 42 was transmitted to the Governor.

February 26, 1951

Mr. President:

I am directed 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. 43*, by Messrs. Larsen, Watson, Adams, Clegg, Marthakis, Elggren, Burns, Fowles and Gibson, entitled:

AN ACT AMENDING SECTIONS 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, AS AMENDED BY CHAPTER 52, LAWS OF UTAH 1949, RELATING TO WORKMEN'S COMPENSATION, PROVIDING FOR INCREASED BENEFITS TO INJURED WORKMEN; AND INCREASED BENEFITS IN DEATH CASES; AND THE REPLACEMENT OF ARTIFICIAL APPLIANCES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 43 was transmitted to the Governor.

February 26, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 226*, by Messrs. Hopkins, Patterson, Hinton, Russell, Albrecht, A. O. Gardner, Hurst, Brotherson, Bunderson, Bagnall, R. C. Anderson, Woolley, Swenson, J. Johnson, Crofts, Young and Mrs. Gerald Cazier, entitled:

AN ACT AMENDING SECTION 86-1-49, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 129, LAWS OF UTAH 1945, RELATING TO THE ALLOCATION OF MONEYS RECEIVED

BY THE LAND BOARD AND CHANGING THE BASIS FOR DISTRIBUTION OF MONEYS RECEIVED BY VIRTUE OF THE LEASING ACT, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 226 was read the first time and referred to the Sifting Committee.

February 26, 1951

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. 145*, by Agricultural Committee, entitled:

AN ACT RELATED TO APPLICATION OF INSECTICIDES, FUNGICIDES, AND OTHER ECONOMIC POISONS; PROVIDING FOR THE LICENSING AND EXAMINATION OF OPERATORS, EMPOWERING THE BOARD OF AGRICULTURE TO REGULATE AND ENFORCE THE PROVISIONS OF THIS ACT, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 145 was read the first time and referred to the Sifting Committee.

February 26, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 26th day of February, 1951, approve and transmit to the Secretary of State, *H. B. No. 16*, by Messrs. Openshaw, Walker, Rowberry and Munk, entitled:

AN ACT PROVIDING FOR STANDARDIZATION OF FIRE HOSE AND HYDRANT COUPLING THREADS, PROHIBITING SALE OF NON-STANDARD THREAD EQUIPMENT AND PROVIDING FOR PUNISHMENT OF VIOLATORS.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

February 26, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 26th day of February, 1951, approve and transmit to the Secretary of State, *H. B. No. 45*, by Messrs. Elswood, Cope, Davis, Sheffield, Bushnell, Sagers and Howe, entitled:

AN ACT AMENDING SECTION 20-5a-15, UTAH CODE ANNOTATED 1943, FIXING FEES TO BE CHARGED IN THE SMALL CLAIMS COURTS.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

February 26, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 26th day of February, 1951, approve and transmit to the Secretary of State, *H. C. R. No. 1*, by Messrs. Rowberry and Rees, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO RESCIND THE REQUIREMENTS OF REGULATION X, OF THE DEFENSE PRODUCTION ACT OF 1950, AND EXECUTIVE ORDER NO. 10161 RELATIVE TO DEFENSE AREAS IN UTAH.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

February 26, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 41*, by Messrs. Larsen, Frost, Elswood and Elizabeth Vance, entitled:

AN ACT AMENDING SECTION 31, CHAPTER 9, LAWS OF UTAH 1948, FIRST SPECIAL SESSION, RELATING TO RESIDENCE REQUIREMENTS FOR PUBLIC ASSISTANCE, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 41 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

February 26, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 251*, by Mr. Watson, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

CLARENCE L. ASHTON,
Chairman

Report filed.

S. B. No. 251 was referred to the Sifting Committee.

February 26, 1951

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 249*, by Messrs. Elggren, Marthakis and Watson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. L. ASHTON,
Chairman

Report filed.

S. B. No. 249 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 26, 1951

Mr. President:

Your Sifting Committee reports out the following bills and resolution:

S. B. Nos. 178, 94, 58, 221, 170 and H. J. R. No. 15.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. Nos. 178, 94, 58, 221, 170 and H. J. R. No. 15 were placed on the Second Reading Calendar.

With unanimous consent, the following bills were introduced:

INTRODUCTION OF BILLS

S. B. No. 253 By Messrs. Marthakis, Watson and Clegg

AN ACT AUTHORIZING THE BOARD OF EXAMINERS TO TAKE OVER AND DISPOSE OF ALL MATTERS EXISTING BETWEEN THE STATE OF UTAH, ACTING BY AND THROUGH THE STATE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, AND COAL LOGS COMPANY, INCORPORATED, A UTAH CORPORATION, AND APPROPRIATING THE SUM OF $10,000 TO THE BOARD OF EXAMINERS FOR SUCH PURPOSES, was read the first time and under suspension of the rules was ordered printed and referred to the Sifting Committee.

S. B. No. 254 By Mr. Larsen

AN ACT AUTHORIZING AND DIRECTING THE STATE LAND BOARD TO QUIT CLAIM CERTAIN LAND TO KANAB CITY, UTAH, was read the first time and under suspension of the rules was ordered printed and referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 67 was read the second time.

Committee report read and adopted.

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

Line 5, change the word "OR" and insert in lieu thereof the word "FOR".

On motion of Senator Hopkin 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 failed of passage on the following roll call:

Ayes, 11; Nos, 6; Absent, 6.

Those voting in the affirmative were: Senators Ashton, Brockbank, Gibson, Hopkin, Jensen, Marthakis, Milliman, Reese, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Beal, Cannon, Clegg, Day, Larsen and Paxton.

Absent and not voting: Senators Adams, Burns, Elggren, Jenkins, Muir and Thorn.

S. B. No. 67 was filed.

S. B. No. 124 was read the second time.

Committee report read and adopted.

On motion of Senator Larsen the rules were suspended and *S. B. No. 124* was read the third time and placed on its final passage.

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

Page 4, line 32, strike the word "out" and insert in lieu thereof the word "ought".

S. B. No. 124 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Brockbank, Burns, Cannon, Clegg, Day, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Beal, Elggren, Jenkins and Reese.

S. B. No. 124 was transmitted to the House.

S. B. No. 121 was read the second time.

Committee report read and adopted.

On motion of Senator Hopkin the rules were suspended and *S. B. No. 121* was read the third time and placed on its final passage.

S. B. No. 121 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Marthakis, Muir, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Jenkins, Larsen, Milliman, Paxton and Thorn.

S. B. No. 121 was transmitted to the House.

S. B. No. 184 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 184* was read the third time and placed on its final passage.

S. B. No. 184 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jensen, Larsen, Marthakis, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Hopkin, Jenkins, Milliman and Paxton.

S. B. No. 184 was transmitted to the House.

On motion of Senator Gibson, *S. B. No. 63* was referred back to the Sifting Committee.

S. B. No. 178 was read the second time.

Committee report read and adopted.

On motion of Senator Marthakis, the rules were suspended and *S. B. No. 178* was read the third time and placed on its final passage.

S. B. No. 178 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative: Senator Day.

Absent and not voting: Senators Hopkin, Milliman and Paxton.

S. B. No. 178 was transmitted to the House.

S. B. No. 94 was read the second time.

Committee report read and adopted.

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

Page 1, line 1, after the word "annotated," insert "1943 as amended by Chapter 89, Laws of Utah 1945,".

On motion of Senator Day the rules were suspended and *S. B. No. 94* was read the third time and placed on its final passage.

S. B. No. 94 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Hopkin and Milliman.

S. B. No. 94 was transmitted to the House.

On motion of Senator Larsen, the Senate recessed for fifteen minutes.

The Senate re-assembled.

S. B. No. 58 was read the second time.

Committee report read and adopted.

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

Page 2, line 27, strike "seventy-five ($7,500)" and insert in lieu thereof "forty-five ($4,500)".

S. B. No. 58 was placed on the Third Reading Calendar on the following roll call:

Ayes, 16; Nos, 3; Absent, 4.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Cannon, Clegg, Day, Elggren (explained vote), Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Reese, Thorn and Watson.

Those voting in the negative were: Senators Burns, Larsen and Paxton.

Absent and not voting: Senators Brockbank, Muir, Tippetts and Mr. President.

Senator Hopkin moved that Senate Rule No. 37 be suspended and that the Senate reconsider its action by which it failed to pass *S. B. No. 67*.

Motion carried.

Senator Hopkin, with the aid of five Senators, requested a call of the Senate.

The Sergeant-at-Arms made his report.

On motion of Senator Hopkin, the call was lifted.

Roll call showed all Senators present except Senator Brockbank, excused.

S. B. No. 67 was before the Senate for reconsideration.

S. B. No. 67 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Reese, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Beal, Cannon, Clegg, Day, Larsen, Muir, Paxton and Thorn.

Absent and not voting: Senator Brockbank.

S. B. No. 67 was transmitted to the house.

Senator Day moved that the rules be suspended and that the Senate do now consider *H. J. R. No. 15*.

Motion carried.

H. J. R. No. 15 was read the second time.

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

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

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

Those voting in the affirmative were: Senators Adams (explained vote), Ashton, Beal, Cannon, Clegg, Day, Gibson, Hopkin, Jenkins, Larsen, Muir, Paxton, Reese and Thorn.

Those voting in the negative were: Senators Burns, Elggren, Jensen, Marthakis, Milliman, Tippetts, Watson and Mr. President.

Absent and not voting: Senator Brockbank.

H. J. R. No. 15 was returned to the House.

Senator Adams moved that the Senate reconsider its action by which it passed *S. B. No. 101*.

Motion carried.

S. B. No. 101 was before the Senate for reconsideration.

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

Page 1, line 16, strike the previous amendment.

Page 1, line 11, strike the comma after the word "Utah" in the previous amendment and insert in lieu thereof the word "or".

S. B. No. 101 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative: Senator Paxton.

Absent and not voting: Senator Brockbank.

S. B. No. 101 was transmitted to the House.

COMMUNICATIONS FROM THE GOVERNOR

February 26, 1951

Dear Mr. President and
Members of the Senate:

I am transmitting herewith and without my approval Senate Bill No. 21. This bill increases the contribution of paid firemen to the Firemen's Pension Fund by 50%, increases maximum benefits by 50%, and liberalizes the age and service requirements for retirement. The bill is defective in these particulars:

1. The firemen's pension plan is not based on an actuarial study, and from all indications is not sound or solvent. An audit made of the pension fund for the fiscal year ended June 30, 1949, included the comment: "It appears that a deficit exists within the fund, the extent of which cannot be determined at the present time from information available." (Lincoln G. Kelly & Company, CPA's, December 5, 1949.)

2. The contribution made by firemen represented only 16% of the fund's receipts for the fiscal year ended June 30, 1949. Increasing the contributions by 50% (from 2% to 3%), therefore, will not increase total receipts by the same proportion; rather, the increase will amount to only 8%. Thus, if a deficit existed in the fund under existing law, a 50% increase in benefits applied against an 8% increase in fund receipts will only create a greater deficit.

3. The precedent of increasing benefits, if extended to other State retirement systems, would add additional costs to State government at a time when taxpayers need the most relief. It is true that with the Firemen's Pension Fund, the only increase in contributions would be paid by the firemen themselves; but as pointed out in (2) above, this increase may be insufficient. Furthermore, the same situation will not hold with other retirement plans.

4. The theory of paying disability pensions to volunteer firemen who make no contributions to the fund should be abandoned in favor of requiring the municipalities concerned to carry public liability insurance on these men. If this change were made, the present Firemen's Pension Fund would be in better condition to meet its present and future obligations.

5. There are presently 350 paid firemen and 1650 volunteers who are covered by the pension fund. Only the paid firemen contribute to the fund. For a man to purchase a private life annuity at age 30 which would give him a monthly income of $100 at age 60, he would be required to pay approximately $454 a year or a total of $13,620. The annual cost for 350 firemen would be $158,900, and this would only be for $100.00 per month. This compares with the 1950 total income $128,722.13 for the Firemen's Pension Fund.

There are some commendable features in Senate Bill No. 21, but it would be manifestly unfair to the firemen and the State to approve the measure as now written. Persons contributing to a pension fund should know in advance whether or not the pension plan is sound. Otherwise, as in the case of the Salt Lake Teachers' Retirement Fund, it will eventually be necessary to reduce the amount of the pensions, or obtain deficit appropriations from the contributors.

While I am sympathetic with the objectives of this bill, I cannot approve it because of its defects. I am, therefore, returning it to your Honorable Body without my approval and for further consideration.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

On motion of Senator Gibson, *S. B. No. 21* was tabled.

On motion of Senator Marthakis it was agreed that when the Senate adjourns today, it stand adjourned until Tuesday, February 27, at 10:00 A.M.

A petition signed by a group of taxpayers in regard to tax reductions was read.

Petition filed.

A resolution adopted by the Women's State Legislative Council of Utah in regard to S. B. Nos. 123, 124, S. J. R. No. 3 and H. J. R. No. 9 was read.

Resolution filed.

In accordance with the report of the Sifting Committee, adopted on the forty-fourth legislative day, S. B. Nos. 221 and 170 were referred back to the Sifting Committee.

On motion of Senator Marthakis the Senate adjourned.

FIFTY-FIRST DAY

MORNING SESSION

February 27, 1951

The Senate was called to order at 10:00 A.M. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

February 27, 1951

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 corrections noted on the final copy.

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

The President appointed Senators Burns, Jenkins and Larsen to revise the Journal for the week beginning Tuesday, February 27, 1951.

REPORTS OF SPECIAL COMMITTEES

February 27, 1951

Mr. President:

Your Sifting Committee reports out the following bills and resolution:

H. B. No. 185, S. B. Nos. 92, 112, 221, 222, 169, S. J. R. No. 3, S. B. Nos. 170, 154, 205, 136, 102, 103, 104.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

H. B. No. 185, S. B. Nos. 92, 112, 221, 222, 169, S. J. R. No. 3, S. B. Nos. 170, 154, 205, 136, 102, 103 and 104 were placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 230 was read the third time and placed on its final passage.

On motion Senator Tippetts the bill was amended as follows:

Page 1, line 8, after the period after "75-6-1.10" insert "Beginning July 1, 1951", and strike the word "be" and insert in lieu thereof the word "become".

Page 1, line 12, after the word "school." insert "Snow College shall be maintained and operated as a two-year Junior College. The curriculum shall emphasize, in addition to the usual junior college program, and shall provide for terminal vocational courses in Agricultural, Home Economics, the Mechanic Arts and other terminal vocational courses."

S. B. No. 230 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burns, Day (explained vote), Gibson, Hopkin, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Ashton, Beal, Brockbank, Cannon, Clegg (explained vote), Elggren, Jenkins and Larsen.

S. B. No. 230 was transmitted to the House.

S. B. No. 131 was read the third time and placed on its final passage.

On motion of Senator Day, *S. B. No. 131* was made a special order of business for today at 2:30 P.M.

S. B. No. 58 was read the third time and placed on its final passage.

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

Page 2, line 26, after the words "set by the" strike the balance of line 26 and line 27 as amended except the last word "He" and insert in lieu thereof "state finance commission in an amount commensurate with salaries established for the state commission members."

S. B. No. 58 then passed on the following roll call:

Ayes, 18; Nos, 2; Absent, 3.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Reese, Watson and Mr. President.

Those voting in the negative were: Senators Muir and Paxton.

Absent and not voting: Senators Jenkins, Tippetts and Thorn.

S. B. No. 58 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 185 was read the second time.

On motion of Senator Day the rules were suspended and *H. B. No. 185* was read the third time and placed on its final passage.

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

Page 3, line 7, strike the House amendment.

Page 3, line 15, after the word "age" strike the House amendment.

Page 3, line 24, after the word "provided" strike the House amendment.

Page 3, line 29, change the period to a comma and insert "provided that any person who is over 14 and under 16 years of age must be accompanied while hunting by a person over the age of majority."

Page 3, after line 29, in line five of the House amendment, strike "$5.00" and insert in lieu thereof "$6.00".

A statement signed by representatives of the Utah Congress of Parents and Teachers, the Utah Education Association and the Local School Boards of Utah Association in regard to the education bill was read.

The Senate voted to accept an invitation to attend a social at the Blind Center to be given by the Democratic Central Committee on Thursday, March 1, 1951 at 8:00 P.M.

A letter from the Utah Committee for Education on Alcoholism inviting members of the Senate to attend a public meeting in the Southeast Tabernacle located at 2005 South 9th East on Wednesday, February 28, 1951 at 8:00 P.M. was read.

Communication filed.

On motion of Senator Marthakis, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Fowles in the chair.

Roll Call—All Senators present.

COMMUNICATIONS FROM THE GOVERNOR

February 27, 1951

Dear Repr. Frost:

I am advised that you are the chairman of a subcommittee which presently is considering a bill to grant pay increases to both elective and appointive officials (*H. B. No. 149*).

At one time the Constitution prohibited elective officials from receiving pay increases during their terms of office. Although this was repealed, I am in sympathy with its objective since I do not believe that elective officials should either seek or receive pay increases during their terms of office. These officials were aware of the salary limitations at the time they were elected to office, and presumably were more concerned with public service than monetary reward.

The bill now before you, as I understand it, would provide a general salary increase to all elective and appointive officials. I recognize the fact that some appointive officials should receive additional pay increases since it otherwise is most difficult to obtain competent individuals to fill certain key positions. I recommended such pay increases in my opening message to the Legislature.

However, I shall not approve a bill that would grant a general pay increase to both elective and appointive officials. When I have asked State Departments and Institutions to hold the line on salary increases, and other expenditures, I will not permit a general salary increase to State elective officials, particularly when it would include myself.

If it is the intention of the Legislature to press for a general pay increase to include both elective and appointive officials, I suggest that seperate bills be prepared for each. Otherwise, I shall be compelled to veto the entire bill.

Sincerely yours,

J. BRACKEN LEE,
Governor

c. c. Speaker of the House and President of the Senate.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 27, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 20*, by Mr. Bonacci, entitled:

AN ACT AMENDING SECTION 76-5-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 1, CHAPTER 8, LAWS OF UTAH, FIRST SPECIAL SESSION, 1948, PROVIDING FOR EXCEPTIONS TO PROVISION OF MOTOR VEHICLE TRANSPORTATION ACT, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 20 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 27, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 47*, by Messrs. Davis, Luke, Woolley, Jones and Gammell, entitled:

AN ACT AMENDING SECTION 18-2-17, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 26, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 30, LAWS OF UTAH 1945, RELATING TO CORPORATE DIVIDENDS AND DISTRIBUTIONS OF ASSETS AND ADDING A NEW SECTION TO BE KNOWN AS 18-2-17.2 AUTHORIZING THE PURCHASE OR REDEMPTION OF CORPORATE SHARES IN CERTAIN INSTANCES, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 47 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 27, 1951

Mr. President:

I am directed 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 Messrs. Larson and Openshaw, entitled:

AN ACT AMENDING SECTION 49-9-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 60, LAWS OF UTAH

1943, RELATING TO TIME EMPLOYERS MUST PAY EMPLOYEES IN PRIVATE EMPLOYMENT AND DEDUCTION STATEMENTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
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.

February 27, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 61*, by Messrs. Lundell, Dalebout, Wood, Frost, V. Peterson, Bushnell and Beezley, entitled:

AN ACT AMENDING SECTIONS 82-2-5, 82-2-6, 82-2-9, 82-2-11, 82-2-12, AND 82-2-17, UTAH CODE ANNOTATED, 1943, RELATING TO THE DUTIES OF THE SECURITIES COMMISSION IN CONNECTION WITH REAL ESTATE BROKERS AND SALESMEN; ESTABLISHING A BOARD OF REAL ESTATE EXAMINERS AND A REAL ESTATE ADMINISTRATOR AND PROVIDING FOR LICENSING, SUPERVISION, AUDITING AND CONTROLLING REAL ESTATE SALESMEN AND BROKERS IN THE PUBLIC INTEREST; PROVIDING FOR APPLICATION FEES; FOR REVOCATION OF LICENSES AND HEARINGS ON APPLICATIONS AND REVOCATIONS; REQUIRING THE KEEPING OF RECORDS BY REAL ESTATE BROKERS; ENACTING NEW SECTIONS 82-2-18, 82-2-19, 82-2-20, 82-2-21, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 61 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 27, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 164*, by Messrs. Woolley, Swenson, Larson and Rowberry, entitled:

AN ACT APPROPRIATING FROM THE STATE HIGHWAY FUND NOT OTHERWISE APPROPRIATED $300,000 TO PURCHASE ROAD EQUIPMENT FOR USE BY THE STATE ROAD COMMISSION, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 164 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 27, 1951

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 Mr. Larson, entitled:

AN ACT DESIGNATING CERTAIN LANDS AS A STATE PARK, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 155 was read the first time and referred to the Sifting Committee.

February 27, 1951

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. 199*, by Messrs. Gammell and Swenson, entitled:

AN ACT CREATING A QUALIFICATION AND LICENSE BILL FOR LIFE INSURANCE AGENTS OF THE STATE OF UTAH TO BE ADMINISTERED BY THE INSURANCE DEPARTMENT OF THE STATE OF UTAH PROVIDING FOR THE DEFINING OF LIFE INSURANCE AGENTS; PROHIBITING ACTING FOR UNAUTHORIZED COMPANIES, ACTING AS AGENT WITHOUT LICENSE, NOR PAYING COMMISSIONS TO UNLICENSED PERSONS; PROVIDING FOR APPLICATION FOR LICENSE, EXAMINATION OF APPLICANTS FOR LICENSE, ISSUANCE OR REFUSAL OF LICENSE, LICENSING OF NON-RESIDENT AGENTS, LICENSED AGENT TO REPRESENT ADDITIONAL INSURERS, EXPIRATION AND RENEWAL OF AGENTS LICENSE, TEMPORARY LICENSE; PRO-

VIDING THAT COMPANY MUST NOTIFY COMMISSIONER OF TERMINATION OF CONTRACT: COMMUNICATIONS PRIVILEGED; PROVIDING FOR REFUSAL, SUSPENSION, OR REVOCATION OF LICENSES, JUDICIAL REVIEW OF ACTS OF COMMISSIONER, NOTIFICATION TO COMMISSIONER OF CHANGE OF ADDRESS, PENALTY, RIGHT OF COMMISSIONER TO ESTABLISH RULES AND REGULATIONS, REPEALER AND EXCLUSIONS EFFECT OF PARTIAL INVALIDITY, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 199 was read the first time and referred to the Sifting Committee.

UNFINISHED BUSINESS

H. B. No. 185, being unfinished business, was before the Senate.

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

Page 4, line 11, strike the House amendment.

Page 4, line 13, after the word "number" insert "and container, provided that the license container shall be supplied to the fish and game commission upon competitive bidding".

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

Page 4, line 19, strike "$50.00" in the House amendment and insert in lieu thereof "$30.00".

H. B. No. 185 then passed on the following roll call:

Ayes, 15; Nos, 6; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jensen, Marthakis, Milliman, Muir, Paxton, Tippetts and Mr. President.

Those voting in the negative were: Senators Adams (explained vote), Hopkin, Jenkins, Larsen, Reese and Thorn.

Absent and not voting: Senators Beal and Watson.

H. B. No. 185 was returned to the House.

On motion of Senator Day, the enacting clause in *S. B. No. 92* was struck.

SPECIAL ORDER

S. B. No. 131, being a special order of business, was before the Senate.

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

Page 2, line 13, after "( )" strike the balance of line 13 and lines 14 to 17 inclusive.

On motion of Senator Gibson, *S. B. No. 131* was made a special order of business for Wednesday, February 28, 1951 at 3:00 P.M.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 112 was read the second time.

Committee report read and adopted.

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

Page 1, line 13, change the period to a semi-colon and insert "provided, however, that the Board of Big Game Control may shorten or dispense with the season in a particular area if there is a shortage of deer or may permit special hunts if there is an excess of deer; but said Board of Big Game Control must issue and publish a proclamation proclaiming at least 30 days in advance of the date of such shortening or dispensing of the season or of a special hunt."

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

Page 1, line 13, at the end of the amendment change the period to a comma and insert "provided that if the 20th falls on a Sunday, the hunt shall open on the 19th."

On motion of Senator Larsen the rules were suspended and *S. B. No. 112* was read the third time and placed on its final passage.

S. B. No. 112 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Muir, Paxton, Reese, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Milliman and Watson.

S. B. No. 112 was transmitted to the House.

SPECIAL ORDER

S. B. No. 50, being a special order of business, was before the Senate.

Senator Elggren moved that the resolutions adopted by the Board of County Commissioners of Salt Lake County and the Board of Commissioners of Salt Lake City, in regard to *S. B. No. 50* be printed in the Journal.

RESOLUTION

At a regular meeting of the Board of County Commissioners of Salt Lake County, State of Utah, held on the 26th day of February, A. D. 1951, at the hour of 10 o'clock A.M. in the Commission Chambers, City and County Building, Salt Lake City, Utah, there being present the following Commissioners: Ray P. Greenwood, George W. Morgan and Lawrence A. Jones; and

WHEREAS, the Utah State Legislature is considering the enactment of legislation covering the disposition of property, commonly known as the State Prison property, located in Salt Lake City; and

WHEREAS, it is understood that the Board of Education of Salt Lake City is interested in acquiring approximately 30 acres of land, comprising part of the said State Prison property, for use as a site for educational purposes; and

WHEREAS, it is the purpose and desire of the Board of County Commissioners of Salt Lake County that the remaining portion of said State Prison property, consisting of approximately 153 acres of land, be set aside for and devoted to the use and benefit of the public as a recreational area; and

WHEREAS, the Board of County Commissioners of Salt Lake County desires that it be given an apportunity to acquire said property for public recreational uses;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Salt Lake County as follows:

1. That the Utah State Legislature should enact appropriate legislation declaring that the aforesaid 153 acre tract of land shall be made available for public recreational purposes.

2. That such legislation grant an option to Salt Lake County to purchase said 153 acres at a price to be agreed upon between the County and the Governor and the Board of Examiners of the State of Utah.

3. That in the event such property is acquired by Salt Lake County, it shall be set aside and designated as a public area, consisting of playgrounds, parks and other recreational facilities.

4. That a signed copy of this Resolution be delivered to the President of the Utah State Senate and a signed copy be delivered to the Speaker of the Utah State House of Representatives.

5. That this Resolution shall become effective immediately.

DATED this 26th day of February, A. D. 1951.

BOARD OF COUNTY COMMISSIONERS
SALT LAKE COUNTY
Ray P. Greenwood
L. A. Jones
Geo. W. Morgan

(Attest) Alvin Keddington
County Clerk

By Jacob Weiler, Deputy Clerk

RESOLUTION

WHEREAS, it has come to our attention that the State of Utah is contemplating disposing of the property commonly referred to as the State Prison site; and

WHEREAS, Salt Lake City is desirous of acquiring said property;

NOW, THEREFORE, BE IT RESOLVED that Salt Lake City hereby asks the Utah State Legislature to give consideration to passing such legislation authorizing the State of Utah to sell the property to Salt Lake City and fixing a price and terms upon which it may be purchased by Salt Lake City.

(Signed) Earl J. Glade

Passed by the Board of Commissioners of Salt Lake City, Utah this 26th day of February, A. D. 1951.

(Signed) Earl J. Glade, *Mayor*
Ben E. Lingenfelter
D. A. Affleck
L. C. Romney
Joe E. Christensen

(Signed) Irma F. Bitner
City Recorder

On motion of Senator Hopkin, *S. B. No. 50* was made a special order of business for Wednesday, February 28, 1951 at 3:30 P.M.

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

The Senate re-assembled.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 221 was read the second time.

Committee report read and adopted.

Senator Gibson moved that the rules be suspended and that *S. B. No. 186* be lifted from the Sifting Committee and that the Senate do now consider *S. B. No. 186*.

Motion carried.

S. B. No. 186 was read the second time.

Committee report read and adopted.

Senator Gibson moved that the rules be suspended and that the Senate do now consider *S. B. No. 221*.

Motion carried.

S. B. No. 221 was before the Senate for consideration.

S. B. No. 221 was placed on the Third Reading Calendar on the following roll call:

Ayes, 15; Nos, 4; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Beal, Burns, Day, Gibson, Hopkin, Jenkins (explained vote), Jensen (explained vote), Larsen, Marthakis, Muir, Paxton, Reese, Tippetts and Thorn.

Those voting in the negative were: Senators Adams, Elggren, Milliman and Mr. President.

Absent and not voting: Senators Brockbank, Cannon, Clegg and Watson.

On motion of Senator Gibson, *S. B. No. 186* was retained on the Calendar as unfinished business.

S. B. No. 222 was read the second time.

Committee report read and adopted.

S. B. No. 222 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 Ashton, Beal, Burns, Cannon, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Thorn and Mr. President.

Voting in the negative: Senator Adams.

Absent and not voting: Senators Brockbank, Clegg, Tippetts and Watson.

S. B. No. 169 was read the second time.

Committee report read and adopted.

On motion of Senator Hopkin the rules were suspended and *S. B. No. 169* was read the third time and placed on its final passage.

S. B. No. 169 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Day, Elggren, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Mr. President.

Voting in the negative: Senator Larsen.

Absent and not voting: Senators Brockbank, Clegg, Gibson and Watson.

S. B. No. 169 was transmitted to the House.

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

Committee report read and adopted.

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

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Day, Elggren, Hopkin, Jenkins, Jensen, Larson, Marthakis, Milliman, Muir, Paxton, Reese, Thorn and Mr. President.

Absent and not voting: Senators Brockbank, Clegg, Gibson, Tippetts and Watson.

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 28, at 10:00 A.M.

The President recognized the first Lady of the State, Mrs. J. Bracken Lee.

On motion of Senator Cannon the enacting clause in *S. B. No. 32* was struck.

In accordance with the report of the Sifting Committee, adopted on the forty-fourth legislative day, S. B. Nos. 170, 154, 205, 136, 102, 103 and 104 were referred back to the Sifting Committee.

On motion of Senator Elggren the Senate adjourned.

FIFTY-SECOND DAY

MORNING SESSION

February 28, 1951

The Senate was called to order at 10:00 A.M. President Fowles in the chair.

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

Prayer by the Chaplain.

February 28, 1951

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 corrections noted on the final copy.

Respectfully,

JAMES E. BURNS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 27, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted *S. B. No. 26*, by Mr. Milliman, to the Secretary of State. This bill is entitled:

AN ACT AMENDING SECTION 57-7-113 UTAH CODE ANNOTATED 1943, RELATING TO AND FIXING SPEED RESTRICTIONS OF VEHICLES ON HIGHWAYS, AND AUTHORIZING THE GOVERNOR TO CHANGE SUCH RESTRICTIONS IN TIME OF WAR OR NATIONAL EMERGENCY.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

February 27, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and sent to the Secretary of State *S. B. No. 42*, by Messrs. Larsen, Watson, Adams, Clegg, Marthakis, Elggren, Burns, Fowles and Gibson, entitled:

AN ACT AMENDING SECTIONS 42-1a-13, 42-1a-14, 42-1a-34, UTAH CODE ANNOTATED 1943; AND AMENDING SECTIONS 42-1a-15, 42-1a-58, UTAH CODE ANNOTATED 1943, AS ENACTED BY CHAPTER 51, LAWS OF UTAH 1949, RELATING TO OCCUPATIONAL DISEASES AND DISABILITY COMPENSATION; EXTENDING TIME IN WHICH COMPENSATION MAY BE CLAIMED OR REVIEWED; INCREASING THE BENEFITS; AND ENLARGING REHABILITATION PAYMENTS.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

February 27, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 43*, by Messrs. Larsen, Watson, Adams, Clegg, Marthakis, Elggren, Burns, Fowles and Gibson, entitled:

AN ACT AMENDING SECTIONS 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, AS AMENDED BY CHAPTER 52, LAWS OF UTAH 1949, RELATING TO WORKMEN'S COMPENSATION, PROVIDING FOR INCREASED BENEFITS TO INJURED WORKMEN; AND INCREASED BENEFITS IN DEATH CASES; AND THE REPLACEMENT OF ARTIFICIAL APPLIANCES.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

February 27, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and sent to the Secretary of State *S. B. No. 74*, by Messrs. Muir, Paxton, Jenkins and Tippetts, entitled:

AN ACT AMENDING SECTION 57-3a-43, UTAH CODE ANNOTATED, 1943, RELATING TO REGISTRATION PLATES AND AUTHORITY OF THE STATE TAX COMMISSION TO ISSUE, ADOPT, AND REQUIRE THE USE OF SUCH INDICIA OF REGISTRATION AS IT MAY DEEM ADVISABLE IN LIEU OF OR IN CONJUNCTION WITH REGISTRATION PLATES.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

February 27, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and sent to the Secretary of State *S. B. No. 226*, by Messrs. Gibson, Hopkin, Fowles and Marthakis, entitled:

AN ACT PROVIDING FOR THE APPOINTMENT OF A COUNCIL WITH REFERENCE TO WORKMEN'S COMPENSATION AND OCCUPATIONAL DISEASE DISABILITY MATTERS.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

February 27, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and sent to the Secretary of State, *S. B. No. 227*, by Messrs. Gibson, Hopkin, Fowles and Marthakis, entitled:

AN ACT PROVIDING FOR THE APPOINTMENT OF A MEDICAL PANEL WITH REFERENCE TO TOTAL PERMANENT DISABILITY AND DEATH CASES ARISING FROM OCCUPATIONAL DISEASE.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 27, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day requested the return of *H. B. No. 41*, by Messrs. Larsen, Frost, Elswood and Elizabeth Vance, entitled:

AN ACT AMENDING SECTION 31, CHAPTER 9, LAWS OF UTAH 1948, FIRST SPECIAL SESSION, RELATING TO RESIDENCE REQUIREMENTS FOR PUBLIC ASSISTANCE.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Day, *H. B. No. 41* was lifted from the Sifting Committee and returned to the House.

REPORTS OF STANDING COMMITTEES

February 28, 1951

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 146*, by Messrs. Larsen, Tietjen, L. B. Johnson, Woolley, J. Johnson, Hurst, Brotherson, Hinton, Luke, Albrecht, L. C. Gardner, Russell and Crofts for the Utah Legislative Council, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

H. B. No. 146 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on Education to which was referred *H. B. No. 147*, by Messrs. Larsen, Tietjen, L. B. Johnson, Woolley, J. Johnson, Hurst, Hinton, Luke, Albrecht, C. C. Gardner and Crofts for the Utah Legislative Council, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

H. B. No. 147 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 148*, by Messrs. Larsen, L. B. Johnson, Tietjen, Woolley, J. Johnson, Hurst, Hinton, Luke, Albrecht, C. C. Gardner and Crofts for the Utah Legislative Council, has carefully considered said bill and reports the same out favorably.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

H. B. No. 148 was referred to the Sifting Committee

REPORTS OF SPECIAL COMMITTEES

February 28, 1951

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 48, 93, 94, 46, 142, 145, 112, 173, 192, 68, 69, 70, 58, 146, 147 and 148.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

H. B. Nos. 48, 93, 94, 46, 142, 145, 112, 173, 192, 68, 69, 70, 58, 146, 147 and 148 were placed on the Second Reading Calendar.

UNFINISHED BUSINESS

S. B. No. 186, being unfinished business, was before the Senate.

Senator Jenkins moved that the rules be suspended and that the Senate do now consider *S. B. No. 221*.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 221 was read the third time and placed on its final passage.

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

Page 2, line 3, strike the word "four" and insert in lieu thereof the word "six".

Page 2, line 4, strike the words "each of the".

Page 2, line 5, strike the words "regional school districts and" and insert in lieu thereof "regional school district number three. On the first Wednesday of March, 1954, and every six years thereafter the Secretary of State shall call regional conventions in regional school districts numbers four, six, and one. On the first Wednesday of March, 1956, and every six years thereafter the Secretary of State shall call regional conventions in regional school districts numbers five, two and seven. He".

Page 2, line 5, after the words "place of" insert "each of".

Page 2, line 6, add "s" to the word "tion".

Page 2, line 13, after the word "entitled" strike the word "to".

Page 2, after line 13, insert "In making such nominations the convention shall give consideration only to the merits and fitness of nominees, and such nominations shall be made irrespective of occupation, party affiliation, religion or sex."

Page 2, line 27, after the word "All" insert the word "present", and strike the word "whose".

Page 2, line 28, strike the words "present terms of office extend beyond January 1, 1953,".

Page 2, line 29, strike "the first Monday of January, 1953, following the general".

Page 2, line 30, strike "election in November, 1952" and insert in lieu thereof "their successors are elected and qualified".

Page 2, line 31, strike the word "four" and insert in lieu thereof the word "six".

Page 2, line 32, strike the word "four" and insert in lieu thereof the word "six".

S. B. No. 221 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Cannon, Clegg, Day, Elggren (explained vote), Gibson, Hopkin, Jenkins, Jensen, Larsen, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Burns and Marthakis.

S. B. No. 221 was transmitted to the House.

On motion of Senator Jenkins, the enacting clause in *S. B. No. 186* was struck.

S. B. No. 222 was read the third time and placed on its final passage.

S. B. No. 222 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Milliman, Muir, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senators Burns, Marthakis and Tippetts.

S. B. No. 222 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 48 was read the second time.

Committee report read and adopted.

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

Page 3, line 29, strike "10" and insert in lieu thereof "9".

Page 3, line 33, strike "11" and insert in lieu thereof "10".

Page 4, line 4, strike "12" and insert in lieu thereof "11".

Page 4, line 9, strike "13" and insert in lieu thereof "12".

Page 4, line 16, strike "14" and insert in lieu therof "13".

Page 4, line 22, strike "15" and insert in lieu thereof "14".

On motion of Senator Day the rules were suspended and *H. B. No. 48* was read the third time and placed on its final passage.

H. B. No. 48 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Burns.

H. B. No. 48 was returned to the House.

H. B. No. 93 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *H. B. No. 93* was read the third time and placed on its final passage.

H. B. No. 93 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Burns and Thorn.

H. B. No. 93 was returned to the House.

H. B. No. 94 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *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, 21; Nos, 0; Absent, 2.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Burns and Thorn.

H. B. No. 94 was returned to the House.

H. B. No. 46 was read the second time.

On motion of Senator Marthakis the rules were suspended and *H. B. No. 46* was read the third time and placed on its final passage.

H. B. No. 46 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Burns and Paxton.

H. B. No. 46 was returned to the House.

H. B. No. 142 was read the second time.

On motion of Senator Day the rules were suspended and *H. B. No. 142* was read the third time and placed on its final passage.

H. B. No. 142 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir (explained vote), Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Burns and Tippetts.

H. B. No. 142 was returned to the House.

H. B. No. 145 was read the second time.

On motion of Senator Day the rules were suspended and *H. B. No. 145* was read the third time and placed on its final passage.

H. B. No. 145 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Cannon, Clegg, Day, Jenkins, Jensen, Milliman, Muir, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Burns, Elggren, Gibson, Hopkin, Larsen, Marthakis and Tippetts.

H. B. No. 145 was returned to the House.

The Senate voted to accept an invitation to attend a conference and snack luncheon at the State Capital to be sponsored by the Utah Committee on Liquor Advertising on Wednesday, February 28, 1951 at 12:15 P.M.

On motion of Senator Ashton, and with unanimous consent, *S. B. No. 204*, which had been withdrawn, was reinstated retaining its number, ordered printed and referred to the Sifting Committee.

The President recognized Mr. Sheldon R. Brewster, a former Speaker of the House.

On motion of Senator Fowles, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Fowles in the chair.

Roll Call—All Senators present except Senators Thorn and Burns, excused.

COMMUNICATIONS FROM THE HOUSE

February 27, 1951

Mr. President:

I am directed 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. 117*, by Messrs. Muir, Larsen, Clegg, Mrs. Jensen, Beal, Thorn, Reese, Day, Fowles, Paxton, Cannon, Watson and Jenkins, entitled:

AN ACT AMENDING SECTION 75-5-24, UTAH CODE ANNOTATED 1943, RELATING TO THE GENERAL ENUMERATION OF SUBJECTS PERMITTED TO BE TAUGHT AT THE UTAH STATE AGRICULTURAL COLLEGE BY ADDING TO THE PERMITTED SUBJECTS ENGINEERING, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 117 was transmitted to the Governor.

February 28, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 49*, by Mr. Larsen, entitled:

AN ACT TRANSFERRING PROTECTION OF RELICS AND SCENIC FEATURES AND CONTROL OF EXCAVATION AND EXPLORATION FROM THE STATE BOARD OF PARK COMMISSIONERS TO THE STATE LAND BOARD AND REPEALING SECTIONS 68-0-8 AND 68-0-9, UTAH CODE ANNOTATED 1943, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 49 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 28, 1951

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. 62*, by Mr. Watson, entitled:

AN ACT AMENDING SECTIONS 100-9-7, AND 100-9-11, UTAH CODE ANNOTATED 1943, RELATING TO IRRIGATION DISTRICTS, AND MORE PARTICULARLY TO OFFICE LOCATION; PRE-ELECTION PROCEEDINGS; PROVIDING FOR CONTINUANCE IN OFFICE OF DIRECTOR WHEN NO CANDIDATE FILES FOR OFFICE;

ORGANIZATION OF BOARD OF DIRECTORS; ITS POWERS AND DUTIES; WATER ALLOTMENTS AND CHANGE THEREOF; CONTRACTING WITH THE UNITED STATES; REMOVAL OF LANDS FROM ASSESSMENT ROLLS; CONTRACTING FOR SUPPLY OF WATER TO MUNICIPALITIES, CORPORATIONS, ASSOCIATIONS OR INDIVIDUALS FOR BENEFICIAL USE; PUBLIC MEETINGS; FIXING TAX LEVIES, DETERMINATION OF AMOUNTS THEREOF; AND ESTABLISHING TAXES AS BEING SPECIAL TAXES, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 62 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 28, 1951

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. 139*, by Mr. Watson, for Committee on Agriculture and Irrigation, entitled:

AN ACT PROVIDING FOR RETURN OF AND FUTURE ADMINISTRATION OF THE ASSETS OF THE UTAH RURAL REHABILITATION CORPORATION, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 139 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 27, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 144*, by Messrs. Marthakis, Muir, Beal, Tippetts, Ashton, Elggren, Jenkins, Milliman and Mrs. Jensen, entitled:

AN ACT AMENDING SECTION 2 OF CHAPTER 126, LAWS OF UTAH 1947, RELATING TO THE CONSTRUCTION, EQUIPPING AND FURNISHING OF BUILDINGS ON THE CAMPUSES OF THE UNIVERSITY OF UTAH AND THE UTAH STATE AGRICULTURAL

COLLEGE AND PROVIDING FOR THE FINANCING THEREOF THROUGH THE ISSUANCE OF REVENUE BONDS, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 144 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 27, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 119*, by Messrs. Sheffield, Beezley, Jones and Howe, entitled:

AN ACT PROVIDING FOR THE PROCEDURE IN CHARGING AND TRYING A PERSON CHARGED WITH BEING AN HABITUAL CRIMINAL, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 119 was read the first time and referred to the Sifting Committee.

February 27, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 120*, by Messrs. Sheffield, Beezley, Jones and Howe, entitled:

AN ACT AMENDING SECTION 103-1-18, UTAH CODE ANNOTATED 1943, DEFINING HABITUAL CRIMINAL AND PROVIDING PUNISHMENT THEREFOR, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 120 was read the first time and referred to the Sifting Committee.

February 27, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 121*, by Messrs. Sheffield, Beezley, Jones and Howe, entitled:

AN ACT AMENDING SECTION 14-2-7, UTAH CODE ANNOTATED 1943, PROVIDING FOR JUDGMENT AGAINST FATHER OF BASTARD AND BOND FOR PAYMENT, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 121 was read the first time and referred to the Sifting Committee.

February 27, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, *H. B. No. 134*, by Messrs. Sheffield, Beezley and Jones, entitled:

AN ACT AMENDING SECTION 105-21-31 UTAH CODE ANNOTATED 1943, RELATING TO CHARGING MORE THAN ONE OFFENSE IN THE INDICTMENT, INFORMATION OR COMPLAINT AND PROVIDING FOR THE CHARGING OF TWO OR MORE OFFENSES IN DIFFERENT COUNTS IN THE SAME INFORMATION, INDICTMENT OR COMPLAINT, AND PROCEDURE RELATING THERETO, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 134 was read the first time and referred to the Sifting Committee.

February 27, 1951

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. 181*, by Messrs. White, Patterson, Sevy, Bunderson, Bagnall and Young, entitled:

AN ACT AMENDING SECTIONS 3-5-114, 3-5-129, 3-5-130, 3-5-131, 3-5-144, 3-5-147, 3-5-150, 3-5-151, 3-5-152, 3-5-153, 3-5-154, 3-5-158, 3-5-166, 3-5-170, AND 3-5-175, UTAH CODE ANNOTATED 1943, RELATING TO THE DEFINITION OF LIVESTOCK, LIVESTOCK AUCTION SALES RING, AND CARCASSES; ELIMINATING CERTAIN REQUIREMENTS INCIDENT TO BILLS OF SALE; REQUIRING POSSESSION OF A BILL OF SALE FOR CARCASSES; DIRECTING THE DISPOSITION OF ESTRAYS; REQUIRING LIVESTOCK AUC-

TION SALES RINGS, IN LIEU OF LIVESTOCK SALES RINGS, TO BE LICENSED; REQUIRING CATTLE AND HORSES TO BE BRAND INSPECTED BEFORE OFFERED FOR SALE IN SALE RINGS; SUBSTITUTING THE WORD "LIVESTOCK" FOR THE WORD "CATTLE"; PROVIDING FOR SLAUGHTERHOUSES AND THAT ALL MEAT FOR RESALE SHALL BE PROCESSED BY SLAUGHTER HOUSES; PROVIDING FOR 4½ MILL LEVY UPON THE ASSESSED VALUATION OF HORSES, MULES, AND CATTLE AND A ONE-HALF MILL LEVY UPON SHEEP AND GOATS; AND PROVIDING AUTHORITY TO STATE BRAND INSPECTORS TO INSPECT AND SEARCH VEHICLES TRANSPORTING LIVESTOCK AND LIVESTOCK PRODUCTS, AND PROVIDING FOR LICENSED AND BONDED WEIGHTMASTERS AT AUCTION RINGS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 181 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

February 28, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 34*, by Messrs. Elggren, Burns, Milliman and Marthakis, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

S. B. No. 34 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 41*, by Mrs. Jensen, and Messrs. Day, Burns, Thorn Marthakis and Elggren, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

S. B. No. 41 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 167*, by Mr. Beal, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

S. B. No. 167 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 188*, by Messrs. Milliman, Marthakis, Clegg, Burns and Mrs. Jensen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

S. B. No. 188 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 246*, by Messrs. Paxton, Day and Beal, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

S. B. No. 246 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 207*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 207 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 225*, by Messrs. Fowles, Jenkins and Burns, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 225 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 233*, by Messrs. Watson and Elggren, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 233 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 235*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 235 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 239*, by Messrs. Larsen and Milliman, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 239 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 240*, by Messrs. Elggren, Tippetts, Burns, Watson, Brockbank and Mrs. Jensen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 240 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 247*, by Messrs. Clegg, Beal, Watson, Day and Larsen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWARD H. WATSON,
Chairman

Report filed.

S. B. No. 247 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. J. R. No. 16*, by Messrs. Larsen and Muir, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 16 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 245*, by Messrs. Elggren, Burns, Watson, Milliman, Day and Mrs. Jensen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 245 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 209*, by Messrs. Fowles and Burns, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 209 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 241*, by Mrs. Jensen, and Messrs. Adams and Brockbank, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 241 was referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 108*, by Mr. Day has carefully considered said bill and reports the same out without recommendation.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 108 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 112 was read the second time.

On motion of Senator Day the rules were suspended and *H. B. No. 112* was read the third time and placed an its final passage.

H. B. No. 112 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Marthakis, Muir, Paxton, Reese, Watson and Mr. President.

Absent and not voting: Senators Burns, Hopkin, Larsen, Milliman, Tippetts and Thorn.

H. B. No. 112 was returned to the House.

On motion of Senator Marthakis, the enacting clause in *S. B. No. 118* was struck.

H. B. No. 173 was read the second time.

On motion of Senator Day the rules were suspended and *H. B. No. 173* was read the third time and placed on its final passage.

H. B. No. 173 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Watson and Mr. President.

Absent and not voting: Senators Burns, Larsen, Tippetts and Thorn.

H. B. No. 173 was returned to the House.

H. B. No. 192 was read the second time.

On motion of Senator Marthakis, the rules were suspended and *H. B. No. 192* was read the third time and placed on its final passage.

H. B. No. 192 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Beal, Brockbank, Cannon, Clegg, Day, Elggren, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Ashton, Burns, Gibson, Hopkin, Jenkins and Thorn.

H. B. No. 192 was returned to the House.

On motion of Senator Day, the enacting clause in *S. B. No. 142* was struck.

SPECIAL ORDER

S. B. No. 131, being a special order of business was before the Senate.

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

Page 2, line 2, strike "$8,000,000" and insert in lieu thereof "$7,000,000".

Page 2, line 8, strike "$8,000,000" and insert in lieu thereof "$7,000,000".

Page 2, line 13, strike "( )".

Page 2, line 19, strike "$50,000,000" and insert in lieu thereof "$20,000,000".

S. B. No. 131 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Milliman, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Voting in the negative: Senator Larsen.

Absent and not voting: Senators Burns, Hopkin, Marthakis and Thorn.

S. B. No. 131 was transmitted to the House.

H. B. No. 68 was read the second time.

Committee report read and adopted.

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

Line 4, strike the word "second" and insert in lieu thereof the word "first".

Line 5, strike the word "September" and insert in lieu thereof the word "August".

H. B. No. 68 was placed on the Third Reading Calendar on the following roll call:

Ayes, 15; Nos, 5; Absent, 3.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Cannon, Clegg, Day, Gibson, Hopkin, Jenkins, Larsen, Muir, Paxton, Reese, Tippetts and Mr. President.

Those voting in the negative were: Senators Elggren (explained vote), Jensen, Marthakis, Milliman and Watson.

Absent and not voting: Senators Brockbank, Burns and Thorn.

H. B. No. 69 was read the second time.

Committee report read and adopted.

H. B. No. 69 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 Adams, Ashton, Beal, Brockbank, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Burns, Gibson, Larsen and Thorn.

H. B. No. 70 was read the second time.

Committee report read and adopted.

On motion of Senator Day 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, 1; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Beal, Brockbank, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Voting in the negative: Senator Adams.

Absent and not voting: Senators Burns, Gibson, Larsen and Thorn.

H. B. No. 70 was returned to the House.

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

On motion of Senator Milliman, the Senate resolved itself into Regular Session.

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

FOR COMMISSIONER, DEPARTMENT OF AGRICULTURE:

Alden K. Barton, Manti; for six-year term, expiring March 1, 1957.

FOR MEMBER, BOARD OF CORRECTIONS:

Dr. Leslie D. Burbidge, Salt Lake City; for six-year term, expiring April 1, 1957.

FOR COMMISSIONER, DEPARTMENT OF FINANCE:

Truman S. Curtis, Logan; for six-year term, expiring March 1, 1957.

FOR COMMISSIONER, UTAH STATE LIQUOR CONTROL COMMISSION:

J. W. Pace, Delta; for six-year term, expiring July 1, 1957.

FOR COMMISSIONER, PUBLIC WELFARE COMMISSION:

William A. Dawson, Salt Lake City; for six-year term, expiring March 1, 1957.

FOR MEMBERS, HISTORICAL SOCIETY, BOARD OF CONTROL:

Levi Edgar Young, Salt Lake City

C. Henry Anderson, Ogden

Charles R. Mabey, Salt Lake City

W. R. Palmer, Cedar City

A. B. Gibson, Nephi

All for four-year terms, expiring April 1, 1955.

FOR MEMBER, ADVISORY COUNCIL, DEPARTMENT OF ENGINEERING:

L. L. Taylor, Moab; for six-year term, expiring March 1, 1957.

FOR MEMBER, ADVISORY COUNCIL, DEPARTMENT OF FINANCE:

Darrell W. Crockett, Logan; for six-year term, expiring March 1, 1957.

FOR MEMBER, STATE BOARD OF HEALTH:

Dr. L. Weston Oaks, Provo; for seven-year term, expiring March 1, 1958.

FOR COMMISSIONER, STATE HIGHWAY PATROL CIVIL SERVICE COMMISSION:

F. P. Champ, Logan; four-year term, expiring January 1, 1955.

FOR MEMBER, HISTORICAL SOCIETY, BOARD OF CONTROL:

Dr. Russell Swenson, Provo; to fill unexpired term of Noble Warrum, Jr., Salt Lake City, resigned; term ending April 1, 1953.

FOR MEMBERS, UNIFORMITY OF LEGISLATION:

Harold N. Wilkinson, Salt Lake City

George W. Worthen, Provo

John D. Rice, Salt Lake City

All for two-year terms, expiring July 1, 1953.

Motion carried.

The President recognized students from the North Summit High School, Coalville, Utah.

In accordance with the report of the Sifting Committee, adopted on the forty-fourth legislative day, H. B. Nos. 58, 146, 147 and 148 were referred back to the Sifting Committee.

On motion of Senator Marthakis the Senate adjourned until Thursday, March 1, 1951 at 10:00 A.M.

FIFTY-THIRD DAY

MORNING SESSION

March 1, 1951

The Senate was called to order at 10:00 A.M. President Fowles in the Chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

March 1, 1951

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 corrections noted on the final copy.

Respectfully,

JAMES E. BURNS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 28, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 27th day of February, 1951, approve and transmit to the Secretary of State, *H. B. No. 12*, by Messrs. Davis, Sheffield, Openshaw, Larsen and Jarman, entitled:

AN ACT RELATING TO SANITARIANS, QUALIFICATIONS OF APPLICANTS FOR LICENSE TO PRACTICE AS REGISTERED SANITARIANS, DEFINITIONS, QUALIFICATIONS, LICENSE FEES, EMPLOYMENT AND OFFICIAL DESIGNATION OF SANITARIANS, AND AMENDING SECTION 79-1-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 41, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 32, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 77, LAWS OF UTAH 1949, RELATING TO THE DEPARTMENT OF REGISTRATION, THE VARIOUS PROFESSIONS, TRADES, AND OCCUPATIONS, AND TO PROVIDE FOR A COMMITTEE OF SANITARIANS.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

February 24, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 11*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 57-4-10, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1943, SECTION 57-4-17, UTAH CODE ANNOTATED, 1943, AND SECTION 57-4-19, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1943, RELATING TO APPLICATION FOR OPERATOR'S OR CHAUFFEUR'S LICENSE, EXAMINATION OF APPLICANTS, EXPIRATION OF LICENSE, RENEWAL, LICENSE FEES, DISPOSITION OF REVENUE, AND EXTENDING THE TERMINATION DATE OF LICENSES HELD BY MEN IN THE ARMED FORCES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

February 28, 1951

Mr. President:

I am directed 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* for the Utah Legislative Council, by Messrs. Larsen, Tietjen and Woolley, entitled:

AN ACT AMENDING SECTIONS 2, 3, 4, 5, 6, 9, 10, 11, AND 14, CHAPTER 131, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 90, LAWS OF UTAH, 1949, AND AMENDING SECTION 15.1, 15.2, 15.3 AND 19, CHAPTER 90, LAWS OF UTAH 1949, RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF UTAH AND POLITICAL SUBDIVISIONS THEREOF; ESTABLISHING ELIGIBILITY FOR MEMBERSHIP AND PARTICIPATION IN THE RETIREMENT SYSTEM; PROVIDING FOR CONTRIBUTIONS BY EMPLOYEES AND APPROPRIATIONS TO MAINTAIN A RETIREMENT FUND AND ESTABLISHING A BOARD OF ADMINISTRATION, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
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 28, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 88*, by Messrs. Sheffield, Davis, Thoresen, Dalebout, Frost, Larson, Bunderson, Postma, Luke, Bonacci, J. Johnson, S. Anderson and Jones, entitled:

AN ACT AMENDING SECTION 57-7-91, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 65, LAWS OF UTAH 1949, PERMITTING TRAFFIC LIGHTS TO DENOTE "STOP," "GO" AND "CAUTION," AND PERMITTING RIGHT TURNS AGAINST THE RED LIGHT, UNLESS PROHIBITED BY THE SIGN, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 88 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 1, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 48*, by Messrs. Young, Bagnall, Patterson, Bunderson, Albrecht, Luke, Munk, and Jarman, entitled:

AN ACT RELATING TO THE CONTROL AND ERADICATION OF BRUCELLOSIS (BANG'S DISEASE); AUTHORIZING THE STATE BOARD OF AGRICULTURE 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.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

February 28, 1951

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. 185*, by Mr. Munk, entitled:

AN ACT AMENDING SECTION 30-0-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, AND 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 1942, RELATING TO LICENSES FOR FISHING AND HUNTING LICENSES FOR TRAPPING FUR BEARERS; 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; SECTION 30-0-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, RELATING TO LICENSE AGENTS, PRESCRIBING THEIR DUTIES AND FIXING THEIR COMPENSATION; AND REPEALING SECTION 30-0-22, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 30-0-14, 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; SECTION 30-0-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF

UTAH 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947; AND SECTION 30-0-16, 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, and requests the Senate to recede from its amendments.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Marthakis, the Senate refused to recede from its amendments to *H. B. No. 185* and the President appointed Senators Gibson, Adams and Day as a Conference Committee to confer with a like committee from the House with reference to said amendments.

February 28, 1951

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. 51*, by Mr. Larsen, entitled:

AN ACT AMENDING SECTIONS 85-4-1, 85-4-2, 85-4-3, 85-4-4, 85-4-5, 85-4-8, 85-4-9, 85-4-10, UTAH CODE ANNOTATED 1943, RELATING TO THE ORGANIZATION AND PRESCRIBING THE POWERS AND DUTIES OF THE UTAH STATE FAIR ASSOCIATION, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Larsen, the Senate concurred in the House amendments to *S. B. No. 51*.

S. B. No. 51 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. Presi dent.

Absent and not voting: Senators Gibson, Hopkin, Jenkins and Paxton.

S. B. No. 51 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

March 1, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 62* by Mr. Watson, entitled:

AN ACT AMENDING SECTIONS 100-9-7 AND 100-9-11 UTAH CODE ANNOTATED 1943, RELATING TO IRRIGATION DISTRICTS, AND MORE PARTICULARLY TO OFFICE LOCATION; PRE-ELECTION PROCEEDINGS; PROVIDING FOR CONTINUANCE IN OFFICE OF DIRECTOR WHEN NO CANDIDATE FILES FOR OFFICE; ORGANIZATION OF BOARD OF DIRECTORS; ITS POWERS AND DUTIES; WATER ALLOTMENTS AND CHANGE THEREOF; CONTRACTING WITH THE UNITED STATES; REMOVAL OF LANDS FROM ASSESSMENT ROLLS; CONTRACTING FOR SUPPLY OF WATER TO MUNICIPALITIES, CORPORATIONS, ASSOCIATIONS OR INDIVIDUALS FOR BENEFICIAL USE; PUBLIC MEETINGS; FIXING TAX LEVIES, DETERMINATION OF AMOUNTS THEREOF; AND ESTABLISHING TAXES AS BEING SPECIAL TAXES, 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,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 62 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, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 49*, by Mr. Larsen, entitled:

AN ACT TRANSFERRING PROTECTION OF RELICS AND SCENIC FEATURES AND CONTROL OF EXCAVATION AND EXPLORATION FROM THE STATE BOARD OF PARK COMMISSIONERS TO THE STATE LAND BOARD AND REPEALING SECTIONS 68-0-8 AND 68-0-9, 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,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 49 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 1, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 139*, by Mr. Watson, for Committee on Agriculture and Irrigation, entitled:

AN ACT PROVIDING FOR RETURN OF AND FUTURE ADMINISTRATION OF THE ASSETS OF THE UTAH RURAL REHABILITATION CORPORATION, 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,

EDWIN B. CANNON,
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.

REPORTS OF SPECIAL COMMITTEES

March 1, 1951

Mr. President:

Your Sifting Committee reports out the following bills and resolution:

H. B. Nos. 146, 147, 148, H. J. R. No. 12, H. B. No. 58, S. B. No. 46, H. B. Nos. 55 and 126.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

H. B. Nos. 146, 147, 148, H. J. R. No. 12, H. B. No. 58, S. B. No. 46, H. B. Nos. 55 and 126 were placed on the Second Reading Calendar.

Senator Marthakis, with the aid of five Senators, requested a call of the Senate.

The Sergeant-at-Arms made his report.

Roll call showed all Senators present except Senator Paxton.

On motion of Senator Hopkin, the call was lifted.

Senator Gibson moved that *S. B. No. 21* be lifted from the table and that the Senate do now reconsider *S. B. No. 21*, returned by the Governor without his approval on February 26, 1951.

Motion carried.

S. B. No. 21 was before the Senate on reconsideration.

The Senate failed to over-ride the Governor's veto on *S. B. No. 21* by the following roll call:

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

Those voting in the affirmative were: Senators Adams, Brockbank, Burns, Elggren, Jenkins, Jensen, Marthakis, Milliman, Reese, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Ashton, Beal, Cannon, Clegg, Day, Gibson, Hopkin, Larsen, Muir and Thorn.

Absent and not voting: Senator Paxton.

S. B. No. 21 was filed.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 68 was read the third time and placed on its final passage.

On motion of Senator Day, *H. B. Nos. 68 and 69* were made a special order of business for Friday, March 2, 1951 at 2:30 P.M.

Senator Watson moved that the Senate reconsider its action by which it passed *H. B. No. 70* and request the House to return *H. B. No. 70* to the Senate.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 146 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *H. B. No 146* was read the third time and placed on its final passage.

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

Page 6, line 32, strike the word "general" and insert in lieu thereof "emergency relief".

H. B. No. 146 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Muir.

H. B. No. 146 was returned to the House.

H. B. No. 147 was read the second time.

Committee report read and adopted.

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

Page 1, line 13, under the dotted line insert "(name of school district)".

On motion of Senator Day the rules were suspended and *H. B. No. 147* was read the third time and placed on its final passage.

H. B. No. 147 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Muir.

H. B. No. 148 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *H. B. No. 148* was read the third time and placed on its final passage.

H. B. No. 148 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Watson and Mr. President.

Absent and not voting: Senators Tippetts and Thorn.

H. B. No. 148 was returned to the House.

SPECIAL ORDER

S. B. No. 50, being a special order of business, was before the Senate.

The President recognized the first Lady of the State, Mrs. J. Bracken Lee, wives of members of the Senate and members of the Women's Legislative Council of Utah.

The President recognized former State Senator Orrice C. McShane.

The President recognized former State Senator Grant Vest.

On motion of Senator Marthakis, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Fowles in the chair.

Roll Call--All Senators present.

COMMUNICATIONS FROM THE GOVERNOR

February 28, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State *S. B. No. 11*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 57-4-10, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1943, SECTION 57-4-17, UTAH CODE ANNOTATED, 1943, AND SECTION 57-4-19, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 66, LAWS OF UTAH, 1943, RELATING TO APPLICATION FOR OPERATOR'S OR CHAUFFEUR'S LICENSE, EXAMINATION OF APPLICANTS, EXPIRATION OF LICENSE, RENEWAL, LICENSE FEES, DISPOSITION OF REVENUE, AND EXTENDING THE TERMINATION DATE OF LICENSES HELD BY MEN IN THE ARMED FORCES.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 28, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 81*, by Messrs. Day and Muir, entitled:

AN ACT ASSENTING TO THE PROVISIONS OF THE ACT OF CONGRESS ENTITLED "AN ACT TO PROVIDE THAT THE UNITED STATES SHALL AID THE STATES IN FISH RESTORATION AND MANAGEMENT PROJECTS, AND FOR OTHER PURPOSES." APPROVED AUGUST 9, 1950, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 81 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 28, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 105* by Mrs. Jensen and Mr. Reese, entitled:

AN ACT AMENDING SECTION 1 OF CHAPTER 4 LAWS OF UTAH 1944, FIRST SPECIAL SESSION, AUTHORIZING THE STATE TREASURER OR THE TREASURER OF ANY COUNTY, SCHOOL DISTRICT, CITY, TOWN, OR ANY OTHER POLITICAL SUBDIVISION IN THE STATE TO INVEST FUNDS IN BONDS OR OTHER OBLIGATIONS OF THE UNITED STATES, MATURING NOT LATER THAN FIVE YEARS FROM THE DATE OF PURCHASE, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 105 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 28, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 114*, by Messrs. Day, Reese, Beal, Hopkin, Fowles and Gibson, entitled:

AN ACT PROVIDING FOR A LIQUOR PERMIT IDENTIFICATION CARD SHOWING EVIDENCE OF AGE, WHICH STATE LIQUOR STORE MANAGERS AND EMPLOYEES, PACKAGE AGENCY PROPRIETORS AND THEIR EMPLOYEES, AND LICENSEES HOLDING RETAIL LICENSES TO SELL BEER AS PROVIDED IN SECTION 46-0-131, UTAH CODE ANNOTATED 1943, AND EMPLOYEES OF SUCH LICENSEES, MAY ACCEPT AS EVIDENCE OF LEGAL AGE FOR THE SALE OF LIQUOR OR BEER ISSUED TO THE PERSON PRESENTING SAME; PRESCRIBING A FORM FOR

IDENTIFICATION CARD; AUTHORIZING THE STATE LIQUOR CONTROL COMMISSION AND AUTHORITIES OF CITIES, TOWNS AND COUNTIES, AS PROVIDED IN SECTION 46-0-131, UTAH CODE ANNOTATED 1943, TO PRESCRIBE REGULATIONS FOR ISSUANCE OF SUCH IDENTIFICATION CARD AND USE THEREOF; PRESCRIBING DEFINITIONS AND FIXING PENALTY FOR VIOLATIONS OF THIS ACT, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 114 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 28, 1951

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. 121*, by Messrs. Watson and Hopkin, entitled:

AN ACT AMENDING SECTION 86-1-18, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 84, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 129, LAWS OF UTAH 1947, RELATING TO MINING LEASES, RENTALS AND ROYALTIES ON LANDS IN THE STATE OF UTAH AND TO THE ACREAGE LIMITATION WITH RESPECT THERETO AND PROVIDING AN EXCEPTION AS TO LANDS WITHIN OIL AND GAS COOPERATIVE OR UNIT PLANS, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 121 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 28, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 168*, by Messrs. Gibson, Hopkin and Fowles, entitled:

AN ACT AMENDING SECTION 3-12-23, UTAH CODE ANNOTATED 1943, RELATING TO FIRE ESCAPES REQUIRED ON HOTELS

AND PROVIDING FOR CERTAIN TYPE FIRE ESCAPES AND OTHER FIRE PREVENTATIVE MEASURES FOR HOTELS, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 168 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 28, 1951

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. 90*, by Messrs. Jenkins, Reese and Muir, 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 85-5-2A, 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 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 SER-

VICES 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 transmitted herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Marthakis, the Senate concurred in the House amendments.

S. B. No. 90 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Tippetts.

S. B. No. 90 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

February 28, 1951

Mr. President:

Your Committee on Public Institutions to which was referred *S. B. No. 193*, by Messrs. Day, Larsen and Ashton, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,
Chairman

Report filed.

S. B. No. 193 was referred to the Sifting Committee.

UNFINISHED BUSINESS

S. B. No. 50, being unfinished business, was before the Senate.

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

Strike all the material in the title as amended and insert in lieu thereof:

"AN ACT PROVIDING FOR THE ADMINISTRATION, CONTROL AND MAINTENANCE OF HISTORICAL MONUMENTS AND STATE PARKS, PLACING SUPERVISION AND CONTROL OF OLD STATE HOUSE AT FILLMORE AND CAMP FLOYD UNDER THE STATE HISTORICAL SOCIETY, AND PROVIDING FOR THE SALE OF THE OLD STATE PRISON SITE NOW DESIGNATED AS A STATE PARK, AND PLACING ALL OTHER HISTORICAL MONUMENTS AND STATE PARKS UNDER SUPERVISION AND CONTROL OF THE ENGINEERING COMMISSION, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS OF THE HISTORICAL SOCIETY AND THE ENGINEERING COMMISSION, RESPECTIVELY, WITH RELATION THERETO, MAKING AN APPROPRIATION FOR CONDEMNATION PURPOSES AND REPEALING SECTIONS 68-0-10, 68-0-11, 68-0-12, 68-0-13, 68-0-14, 68-0-15 AND 68-0-16, UTAH CODE ANNOTATED 1943."

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

Strike all the material in the bill as amended and insert in lieu thereof:

"Section 1. The state historical society shall have the power and it shall be its duty to take administrative and supervisory control over the following historical monuments: namely, Camp Floyd and Old State House at Fillmore. The society may make expenditures for such maintenance and administration from funds made available by appropriation or from other funds which are available to the society. The society may turn the direct custody of any of the aforementioned buildings and monuments over to any suitable non-profit organization or society. Such custody shall be resumed or changed by the historical society whenever it appears to be in the best interests of the building or monuments. The society shall require such periodical reports from the custodian as may be deemed advisable to keep the society properly informed of custodial activity.

Section 2. The engineering commission shall have the power and it shall be the duty of such engineering commission to take administrative and supervisory control over "This is the Place" monument when said monument has been transferred to the engineering commission by the "This is the Place" monument commission, and all other historical monuments within the state, except Camp Floyd and Old State House at Fillmore.

Section 3. The engineering commission shall have the power and it shall be its duty to take administrative and supervisory control over any and all lands that the state shall have acquired or may acquire for state parks, except as herein otherwise provided; and shall make such rules and regulations as may be necessary to manage and control the same.

Section 4. The engineering commission shall have the power to cooperate with any federal agency or other organization having for its purposes the investigation of state or national park or monument possibilities within the state of Utah and to assist such investigation; and shall keep a record of its findings with respect thereto. If such findings

disclose any areas of sufficient natural, historical or scenic quality to justify such action, the commission shall, with the approval of the governor, designate such areas as state parks or state monuments as the importance of such designation may demand.

Section 5. Upon the designation of any area or spot as provided for in the preceding section of this act, said commission may with the approval of the Board of Examiners acquire for and in the name of the State of Utah any land within or comprising such designation; provided that the said commission shall have the power to accept gifts from any county, municipality, individual or the federal government of money or land which may be used for the purpose of carrying out any of the provisions of this act.

Section 6. The naming of parks and monuments designated in accordance with the provisions of this act shall be the duty of said engineering commission; provided, that persons making gifts of areas so designated may name such park or monument with the approval of the commission.

Section 7. The historical society or the engineering commission as the case may be may make such leases for concessions on such monuments or parks respectively, and expenditures for maintenance and administration from receipts from said leases and from funds made available therefor by appropriation or otherwise as may seem desirable for the same.

Section 8. The engineering commission is hereby granted the power to condem for state park purposes any and all lands in the vicinity of the "This is the Place" monument as shall be deemed necessary to preserve the historical significance of said monument and the natural beauty of the area surrounding the same and including all the following described tract:

Commencing 2 rods north from the center of Section 11, Township 1 south range 1 east, Salt Lake Meridian, and running thence west 2.205 feet; thence north 0°54′ east 300 feet; thence north 89°6′ west 437.7 feet; thence north 202.02 feet more or less to the Wasatch Bonneville Boulevard; thence northerly along said boulevard to the U. S. Military Reservation; thence north 86 rods; thence east 228 rods; thence south 524 feet; thence east 416 feet; thence south 361 feet; thence south 52° West 528 feet; thence northwesterly to a point 1,497 feet north of the point of beginning; thence south 1,497 feet to the place of beginning, less a tract sold to the American Telephone and Telegraph Company containing approximately .1147 acres, and less a tract sold to Salt Lake City Corporation containing approximately 7.63 acres.

Section 9. Salt Lake City Municipal Corporation and Salt Lake County are jointly and separately hereby granted the right to purchase the old state prison site, including all water rights, but there shall be reserved to the state for highway purposes such areas as shall be determined by the engineering commission and provided the property sold is used perpetually for public purposes. The option to purchase shall continue for a period of one year from the time of approval of this act.

The consideration to be paid to the State of Utah for said property shall be determined by the State Board of Examiners. At least twenty per cent shall be paid as the down payment, and the balance of the purchase price paid on the basis of twenty per cent each year thereafter. Upon payment of the full purchase price, the engineering commission is authorized to execute and deliver a conveyance of said property to the purchaser or purchasers in the name of the State of Utah.

In the event of default on the part of the purchaser or purchasers in making the annual payments herein provided for, or in the event said property shall be used for other than public uses, and such default or use shall continue for sixty days, then the old state prison site shall revert to the State of Utah as in its first and former estate.

In the event the options given under this section are not exercised within the period specified, then the engineering commission, with the approval of the State Board of Examiners shall have the power to sell said property at public sale to the highest bidder.

All proceeds realized from the sale of the old state prison site as herein provided shall be covered into the state treasury and credited to the reserve building fund to reimburse said fund for monies allocated out of said fund by the board of examiners for construction of the new prison at the point of the mountain.

Section 10. Sections 68-0-10, 68-0-11, 68-0-12, 68-0-13, 68-0-14, 68-0-15 and 68-0-16, Utah Code Annotated 1943 are hereby repealed.

Section 11. There is hereby appropriated out of the general fund and the emergency relief fund, out of any monies not otherwise appropriated from said funds, a sum sufficient to accomplish the purposes of condemnation of the property described in section 8 hereof.

Section 12. This act shall take effect upon approval."

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

Section 9, line 3, after the word "site," insert:

"excluding the following described tract of land which parcel the Governor and Board of Examiners are hereby authorized to sell and convey to the Salt Lake City Board of Education, to wit: Beginning 184.41 feet South 0°63'37" West from the north corner of Section 21, T. 1S., R. 1 E., S.L.B. & M.; thence South 89°52'00" East 409.89 feet, to a point on the east fence line of the prison property and 37.5 feet South 0°08'00" West from the city monument line on 21st South Street; thence South 0°17'36" West 1316.5 feet, along said east fence line; thence North 89° 42'24" West 1178.4 feet; thence North 0°17'36" East 660.0 feet; thence South 89°42'24" East 378.4 feet; thence North 0°17'36" East 704.67 feet; thence South 74°52'00" East 194.80 feet; thence South 89°52'00" East 201.81 feet, to the point of beginning, containing 30.00 acres, more or less, in the Northeasterly area of the old State Prison property for use as a site for a high school and civic center."

Section 9, line 3, strike the word "including" and insert "This power of sale includes".

Section 9, line 4, after the word "purposes" insert "from the entire old prison site".

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

Section 9, line 17, after the word "chasers" insert "above mentioned".

Section 9, line 28, strike the words "as herein provided".

S. B. No. 50 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

S. B. No. 50 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. J. R. No. 12 was read the second time.

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

H. J. R. No. 12 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Larsen.

H. J. R. No. 12 was returned to the House.

H. B. No. 58 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *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, 22; Nos, 0; Absent, 1.

Those voting in the affirmative were: Senators Adams, Ashton, Beal,

Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Larsen.

H. B. No. 58 was returned to the House.

On motion of Senator Day the enacting clause in *S. B. No. 46* was struck.

H. B. No. 55 was read the second time.

Committee report read and adopted.

H. B. No. 55 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 Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Jenkins, Jensen, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Watson.

Those voting in the negative were: Senators Adams, Gibson, Hopkin, Larsen, Marthakis and Mr. President.

Absent and not voting: Senator Brockbank.

H. B. No. 126 was read the second time.

H. B. No. 126 was placed on the Third Reading Calendar on the following roll call:

Ayes, 16; Nos, 3; Absent, 4.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Elggren, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Paxton, Reese, Thorn and Watson.

Those voting in the negative were: Senators Day (explained vote), Gibson and Mr. President.

Absent and not voting: Senators Brockbank, Larsen, Muir and Tippetts.

On motion of Senator Marthakis, the senate recessed for fifteen minutes.

The Senate re-assembled.

COMMUNICATIONS FROM THE GOVERNOR

March 1, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State *S. B. No. 117*, by Messrs. Muir, Larsen, Clegg, Mrs. Jensen, Beal, Thorn, Reese, Day, Fowles, Paxton, Cannon, Watson and Jenkins entitled:

AN ACT AMENDING SECTION 75-5-24, UTAH CODE ANNOTATED 1943, RELATING TO THE GENERAL ENUMERATION OF SUBJECTS PERMITTED TO BE TAUGHT AT THE UTAH STATE AGRICULTURAL COLLEGE BY ADDING TO THE PERMITTED SUBJECTS ENGINEERING.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 1, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 19*, by Messrs. Clegg, Cannon, Jenkins, Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-3-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 26, LAWS OF UTAH 1949, RELATING TO THE NUMBER OF JUDGES IN EACH JUDICIAL DISTRICT OF THE STATE OF UTAH AND PROVIDING FOR THE APPOINTMENT OF ADDITIONAL JUDGES.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

February 28, 1951

Dear Mr. President and
Members of the Senate:

I am transmitting herewith and without my approval Senate Bill No. 75. This bill increases the amount of the uniform school program classroom unit from $3300 to $3600, increases the local leeway from 30% to 35%, and increases the transportation allowance from $675,000 to $1,000,000. Its total effect will be to increase the school program some $3,725,000 above the present maximums. To finance it, an equivalent tax increase must be made.

My objections to this bill are based on the following facts:

(1) The uniform school program is based on the report of a Tax Study Committee created by the 1945 Legislature. The report states on page 5: "In attempting to solve the school finance problem, the Committee has endeavored to devise a simplified permanent finance program, largely through tax equalization, without a special biennial appropriation from the State General Fund . . ."

On page 6, it states: "It is also contemplated that the tax program, if adopted, will be sufficiently permanent to care for the needs of the schools and the State Government for a considerable period of time. In other words, if all of the Committee's recommendations are adopted, the taxpayers of Utah should have a right to expect a reasonable period of respite from recurrent demands for increased taxation . . ."

On page 36, it states: "Working on the two principles of equalization of educational opportunity and equalization of tax support, the Tax Study Committee proposed constitutional amendments which it was hoped would greatly improve state aid to schools by:

* * *

"3. Increasing the proportion of school finances supplied by the state to the point where each district may operate on at least the basic financial program of $3,000 per classroom unit plus transportation, and

"4. Providing the necessary elasticity in the school financing program so that it could fluctuate with the general economy of the state and nation." Emphasis added.

The uniform school program was presented to the people principally on the aforementioned grounds and was duly approved. It will be noted that the program was to be more or less permanent, based on $3000 per classroom unit, and constituted so as to fluctuate with the general economy. What is more, the Committee stated that with the adoption of its recommendations, "the tax payers of Utah should have a right to expect a reasonable period of respite from recurrent demands for increased taxation . . ."

While the recommendation of this Committee in 1947 was $3000 per school room unit the 1947 legislature gave them $3300, or $300 more than recommended.

(2) The taxpayers of Utah very shortly will have to meet tremendous increases in Federal taxes which will be imposed because of the national emergency and the rearmament program. This increase is all that should be asked of our people at this time.

(3) The State of Utah is relatively poor, compared with other States, but its support of public education is exceedingly high. The following ratings from a comprehensive survey of the 48 state school systems made

by the Council of State Governments in 1949 give an appraisal of Utah's ability and effort to support public schools in relation to the other states of the Union. For the 1947-48 school year the state of Utah was:

37th in income per pupil in average daily attendance ($5831)

34th in income per school age child ($4801)

4th in effort to support education—ration of public school revenues to total personal income (3.10%)

26th in value of school property per pupil in average daily attendance ($384.99)

21st in current expense per pupil in average daily attendance ($180.27)

13th in average salary for school personnel ($2916)

11th in ratio of school age population to total population (25.2%)

Some of these figures and rankings vary somewhat from a report prepared by The Office of Education, Federal Security Agency, entitled "Public School Finance Programs of the Forty-eight States." This report shows the state of Utah was:

35th in income per school age child ($4911) in 1948.

2nd in effort to support education—ratio of public school revenues to total personal income (3.98%) for the school year 1949-50.

(4) Since 1940, expenditures for all State government functions have increased by 153%. Expenditures for education alone, however, have increased 250%, whereas expenditures for the remaining functions of government have increased only 118%.

(5) Since 1939-40, state-aid to school districts in Utah has increased by 224.8%. The increase, when coupled with increased enrollment and expressed in total aid per student in average daily attendance, amounts to 182.7%. Since the adoption of the uniform school program, state aid to the district schools has increased 30.4%, and total aid per student in average daily attendance by 21.5%.

(6) The average annual salaries for school personnel have increased from $1313 in 1937-38 to $1431 in 1941-42; $2012 in 1945-46; $2916 in 1947-48; and $3082 in 1949-50.

(7) The average cost-of-living index for 1947 was 159.2; for 1950 it was 171.6. This is an increase in points of 12.4, which is an increase in percent of 7.7%. The cost-of-living index as of December 15, 1950, was 178.4, an increase of 19.2 points over the average for 1947, or an increase in per cent of 12.2%.

These are the facts that must be weighed in considering Senate Bill No. 75, and to my mind they do not show sufficient justification for a general increase in the uniform school program at this time. Any such

increase, because of its tremendous effect on taxation, must be carefully considered. The uniform school program was adopted, with an assurance that it was flexible and relatively permanent, only after exhaustive study by a special Legislative Tax Study Committee. Before the program is altered, I believe it must be subjected to the same type of study.

I, therefore, respectfully urge that the Legislature sustain my veto and then create a special Legislative Committee, similar to the Tax Study Committee, charged with the responsibility of:

(1) Studying school expenditures and programs to determine where they can be reduced, and in what proportions, consistent with the State's financial ability.

(2) Studying the uniform school program in relationship to the 1946 Tax Study Committee's report and present developments to determine what changes, if any, should be made.

(3) Studying the State's obligation with the Utah State Teachers Retirement System and the advisability of meeting this obligation from the uniform school fund.

A prompt but thorough investigation of these and related problems should provide a recommended solution to the present situation. Certainly the matter is of such magnitude that it deserves the most careful consideration.

No one will deny the importance of maintaining a first-rate educational system in Utah, but we must never forget that there are many other obligations in government which also must be maintained. At the same time, we must remember that there is a saturation point in taxation, beyond which we must not go if we are to preserve the great American heritage of freedom and democracy that has been bequeathed us.

Respectfully yours,

J. BRACKEN LEE,
Governor

Communication filed.

On motion of Senator Hopkin, *S. B. No. 75* was made a special order of business for Friday, March 2, 1951 at 2:15 P.M.

COMMUNICATIONS FROM THE HOUSE

March 1, 1951

Mr. President:

I am directed to inform your Honorable Body that the 28th day of February, 1951, the Governor did veto *H. B. No. 1*, by Messrs. Larsen, Tietjen, and Woolley, entitled:

AN ACT REPEALING CHAPTER 79 OF THE LAWS OF UTAH 1947 AND CREATING A NEW ACT PROVIDING FOR THE APPROPRIATION TO AND EQUITABLE DISTRIBUTION AMONG THE VARIOUS JUNIOR COLLEGES, THE UNIVERSITY OF UTAH (NOT

INCLUDING THE MEDICAL SCHOOL), THE UTAH STATE AGRICULTURAL COLLEGE (NOT INCLUDING THE EXPERIMENT STATION AND EXTENSION SERVICE) AND THE BRANCH AGRICULTURAL COLLEGE OF THE MONIES FOR THE COMMON COSTS OF SUCH STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION FOR INSTRUCTION, MAINTENANCE AND REPAIR OF PHYSICAL PLANTS AND GROUNDS AND ADMINISTRATION, and the House, after considering said veto message, ordered said bill tabled.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 1, 1951

Mr. President:

I am directed to return to your Honorable Body *H. B. No. 41*, by Messrs. Larsen, Frost, Elswood and Elizabeth Vance, entitled:

AN ACT AMENDING SECTION 31, CHAPTER 9, LAWS OF UTAH 1948, FIRST SPECIAL SESSION, RELATING TO RESIDENCE REQUIREMENTS FOR PUBLIC ASSISTANCE.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 41 was referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

March 1, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 51*, by Mr. Larsen, entitled:

AN ACT AMENDING SECTIONS 85-4-1, 85-4-2, 85-4-3, 85-4-4, 85-4-5, 85-4-8, 85-4-9, 85-4-10, UTAH CODE ANNOTATED 1943, RELATING TO THE ORGANIZATION AND PRESCRIBING THE POWERS AND DUTIES OF THE UTAH STATE FAIR ASSOCIATION, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 51 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 1, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 105*, by Mrs. Jensen and Mr. Reese, entitled:

AN ACT AMENDING SECTION 1 OF CHAPTER 4 LAWS OF UTAH 1944, FIRST SPECIAL SESSION, AUTHORIZING THE STATE TREASURER OR THE TREASURER OF ANY COUNTY, SCHOOL DISTRICT, CITY, TOWN, OR ANY OTHER POLITICAL SUB-DIVISION IN THE STATE TO INVEST FUNDS IN BONDS OR OTHER OBLIGATIONS OF THE UNITED STATES, MATURING NOT LATER THAN FIVE YEARS FROM DATE OF PURCHASE, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 105 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 1, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 168*, by Messrs. Gibson, Hopkin and Fowles, entitled:

AN ACT AMENDING SECTION 3-12-23, UTAH CODE ANNOTATED 1943, RELATING TO FIRE ESCAPES REQUIRED ON HOTELS AND PROVIDING FOR CERTAIN TYPE FIRE ESCAPES AND OTHER FIRE PREVENTATIVE MEASURES FOR HOTELS, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 168 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 1, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 114*, by Messrs. Day, Reese, Beal, Hopkin, Fowles and Gibson, entitled:

AN ACT PROVIDING FOR A LIQUOR PERMIT IDENTIFICATION CARD SHOWING EVIDENCE OF AGE, WHICH STATE LIQUOR STORE MANAGERS AND EMPLOYEES, PACKAGE AGENCY PROPRIETORS AND THEIR EMPLOYEES, AND LICENSEES HOLDING RETAIL LICENSES TO SELL BEER AS PROVIDED IN SECTION 46-0-131, UTAH CODE ANNOTATED 1943, AND EMPLOYEES OF SUCH LICENSEES, MAY ACCEPT AS EVIDENCE OF LEGAL AGE FOR THE SALE OF LIQUOR OR BEER ISSUED TO THE PERSON PRESENTING SAME; PRESCRIBING A FORM FOR IDENTIFICATION CARD; AUTHORIZING THE STATE LIQUOR CONTROL COMMISSION AND AUTHORITIES OF CITIES, TOWNS AND COUNTIES, AS PROVIDED IN SECTION 46-0-131, UTAH CODE ANNOTATED 1943, TO PRESCRIBE REGULATIONS FOR ISSUANCE OF SUCH IDENTIFICATION CARD AND USE THEREOF; PRESCRIBING DEFINITIONS AND FIXING PENALTY FOR VIOLATIONS 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,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 114 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, 1951

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 122*, by Mr. Larsen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LORENZO E. ELGGREN,

Report filed. Chairman

S. B. No. 122 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

March 1, 1951

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 119, 120, 121, S. B. Nos. 216, 233, H. B. No. 97, S. B. Nos. 98 and 47.

Respectfully,

MARL D. GIBSON,

Report filed. Chairman

H. B. Nos. 119, 120, 121, S. B. Nos. 216, 233, H. B. No. 97, S. B. Nos. 98 and 47 were placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 119 was read the second time.

On motion of Senator Larsen the rules were suspended and *H. B. No. 119* was read the third time and placed on its final passage.

H. B. No. 119 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Cannon, Muir and Paxton.

H. B. No. 119 was returned to the House.

H. B. No. 120 was read the second time.

On motion of Senator Larsen the rules were suspended and *H. B. No. 120* was read the third time and placed on its final passage.

H. B. No. 120 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Reese, Tippetts and Thorn.

Absent and not voting: Senators Brockbank, Cannon, Fowles, Muir, Paxton and Watson.

H. B. No. 120 was returned to the House.

H. B. No. 121 was read the second time.

On motion of Senator Marthakis the rules were suspended and *H. B. No. 121* was read the third time and placed on its final passage.

H. B. No. 121 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Beal, Burns, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Thorn and Watson.

Absent and not voting: Senators Adams, Brockbank, Cannon, Fowles, Muir and Tippetts.

H. B. No. 121 was returned to the House.

S. B. No. 216 was read the second time.

Committee report read and adopted.

On motion of Senator Day, *S. B. No. 216* was made a special order of business for Friday, March 2, 1951 at 3:30 P.M.

Senator Hopkin moved that the Senate reconsider its action whereby it passed *H. B. No. 147* and that the rules be suspended and that the Senate do now consider *H. B. No. 147*.

Motion carried.

H. B. No. 147 was before the Senate for reconsideration.

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

Page 2, line 11, strike "75-13-12" and insert in lieu thereof "75-21-2".

H. B. No. 147 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn and Watson.

Absent and not voting: Senators Brockbank, Fowles and Muir.

H. B. No. 147 was returned to the House.

S. B. No. 233 was read the second time.

Committee report read and adopted.

On motion of Senator Elggren the rules were suspended and *S. B. No. 233* was read the third time and placed on its final passage.

S. B. No. 233 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Muir.

S. B. No. 233 was transmitted to the House.

H. B. No. 97 was read the second time.

Committee report read and adopted.

Senator Gibson moved that the rules be suspended and that the Senate do now consider *S. B. No. 98*.

Motion carried.

S. B. No. 98 was read the second time.

Committee report read and adopted.

Senator Gibson moved that the rules be suspended and that the Senate do now consider *S. B. No. 47*.

Motion carried.

S. B. No. 47 was read the second time.

Committee report read and adopted.

On motion of Senator Gibson, *H. B. No. 97*, *S. B. Nos. 98 and 47* were retained on the calendar as unfinished business.

On motion of Senator Marthakis the Senate adjourned until Friday, March 2, 1951 at 10:00 A.M.

FIFTY-FOURTH DAY

MORNING SESSION

March 2, 1951

The Senate was called to order at 10:00 A.M. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

March 2, 1951

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 corrections noted on the final copy.

Respectfully,

JAMES E. BURNS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 1, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 28th day of February, 1951, return without the approval of certain items in *H. B. No. 279*, by the Appropriations Committee, entitled:

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1951, AND ENDING JUNE 30, 1953, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES, and that on reconsideration by the House on the 1st day of March, 1951, it failed to obtain a vote of two-thirds of the members on the following roll call:

Yeas, 30; Nays, 30; Absent, 0.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 1, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 169*, by Messrs. Paxton, Reese and Ashton, entitled:

AN ACT AMENDING SECTIONS 57-12-39, 57-12-40, 57-12-41 AND 57-12-42, UTAH CODE ANNOTATED 1943, RELATING TO AND REQUIRING RETAIL VENDORS OF MOTOR FUELS TO DETERMINE AND POST PRICES OF SUCH FUELS AT THEIR PLACES OF BUSINESS AT THE BEGINNING OF EACH BUSINESS DAY, WHICH SHALL REMAIN NOT LESS THAN 24 HOURS UNLESS CHANGED TO MEET A POSTED COMPETITIVE PRICE IN THE SAME COMMUNITY, AND REQUIRING SAID RETAIL VENDORS TO SELL AT SAID POSTED PRICE, AND ALSO PROVIDING FOR A PENALTY FOR INFRACTION OF THE PROVISIONS OF SAID ACT, and same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 169 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 1, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 78*, by Messrs. Reese and Paxton, entitled:

AN ACT AMENDING SECTION 57-12-1, UTAH CODE ANNOTATED 1943, RELATING TO DEFINITIONS AS USED IN THE MOTOR FUELS TAX LAW; EXCEPTING PROPANE AND BUTANE FROM THE DEFINITION OF "MOTOR FUELS" AS THEREIN USED; AND REDEFINING THE TERMS "DISTRIBUTOR" AND "RETAIL DEALER", and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 78 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

March 1, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 81*, by Messrs. Day and Muir, entitled:

AN ACT ASSENTING TO THE PROVISIONS OF THE ACT OF CONGRESS ENTITLED "AN ACT TO PROVIDE THAT THE UNITED STATES SHALL AID THE STATES IN FISH RESTORATION AND MANAGEMENT PROJECTS, AND FOR OTHER PURPOSES" APPROVED AUGUST 9, 1950, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 81 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 1, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 144*, by Messrs. Marthakis, Muir, Beal, Tippetts, Ashton, Elggren, Jenkins, Milliman and Mrs. Jensen, entitled:

AN ACT AMENDING SECTION 2 OF CHAPTER 126, LAWS OF UTAH 1947, RELATING TO THE CONSTRUCTION, EQUIPPING AND FURNISHING OF BUILDINGS ON THE CAMPUSES OF THE UNIVERSITY OF UTAH AND THE UTAH STATE AGRICULTURAL COLLEGE AND PROVIDING FOR THE FINANCING THEREOF THROUGH THE ISSUANCE OF REVENUE BONDS, 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,

EDWIN B. CANNON,
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 1, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 121*, by Messrs. Watson and Hopkin, entitled:

AN ACT AMENDING SECTION 86-1-18, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 84, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 129, LAWS OF UTAH 1947, RELATING TO MINING LEASES, RENTALS AND ROYALTIES ON LANDS IN THE STATE OF UTAH AND TO THE ACREAGE LIMITATION WITH RESPECT THERETO AND PROVIDING AN EXCEPTION AS TO LANDS WITHIN OIL AND GAS COOPERATIVE OR UNIT PLANS, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 121 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.

CONSIDERATION OF BILLS ON THIRD READING

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, 20; Nos, 2; Absent, 1.

Those voting in the affirmative were: Senators Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins,

Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Watson.

Those voting in the negative were: Senators Adams and Mr. President.

Absent and not voting: Senator Jensen.

H. B. No. 55 was returned to the House.

H. B. No. 126 was read the third time and placed on its final passage.

H. B. No. 126 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

H. B. No. 126 was returned to the House.

On motion of Senator Tippetts the Senate recessed for fifteen minutes.

The Senate re-assembled.

On motion of Senator Hopkin, *S. B. No. 75* retained its place on the Calendar.

With unanimous consent, the following bill was introduced:

INTRODUCTION OF BILLS

S. B. No. 255 By Messrs. Hopkin, Reese and Gibson

AN ACT AMENDING SECTIONS 75-12-5 AND 75-12-8 UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 80 LAWS OF UTAH 1947 TO FIX THE COST OF THE UNIFORM MINIMUM SCHOOL PROGRAM FOR ELEMENTARY SCHOOLS, INCLUDING KINDERGARTEN, AND HIGH SCHOOLS AT $3500 FOR EACH CLASSROOM UNIT, PLUS AN ADDITIONAL AMOUNT FOR TRANSPORTATION OF PUPILS IN THE SUM OF $1,000,000, AND AN ADDITIONAL AMOUNT EQUAL TO ONE-HALF THE BUDGET OF THE STATE BOARD OF EDUCATION AS PROVIDED FOR THE BIENNIUM BY THE LEGISLATURE AND ALTERING THE STATUTORY LIMITS ON THE AMOUNT OF TAXES ON TANGIBLE PROPERTY FOR SCHOOL PROGRAMS ABOVE THE UNIFORM MINIMUM LOCAL LEVY AUTHORIZED BY LAW, was read the first time.

Senator Hopkin moved that the rules be suspended and that the Senate do now consider *S. B. No. 255*

Motion carried.

On motion of Senator Marthakis the rules were suspended and *S. B. No. 255* was read the second and third times and placed on its final passage.

S. B. No. 255 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank (explained vote), Burns, Clegg, (explained vote), Day (explained vote), Elggren (explained vote), Gibson, Hopkin, Jenkins, Jensen (explained vote), Larsen, Marthakis (explained vote), Milliman, Muir (explained vote), Paxton, Reese, Tippetts (explained vote), Thorn, Watson (explained vote) and Mr. President.

Absent and not voting: Senator Cannon.

S. B. No. 255 was transmitted to the House.

A letter from the Utah Labor's Joint Legislative Committee endorsing *S. B. No. 16* was read.

Communication filed.

On motion of Senator Marthakis, *H. B. No. 97, S. B. Nos. 98 and 47* were made a special order of business for Monday, March 5, 1951 at 2:30 P.M.

On motion of Senator Day, it was agreed that when the Senate adjourns today, it stand adjourned until Saturday, March 3, 1951 at 11:00 A.M.

On motion of Senator Gibson, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Fowles in the Chair.

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

REPORTS OF STANDING COMMITTEES

March 2, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 90*, by Messrs. Jenkins, Reese and Muir, 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 85-5-2A, 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 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 PUB-

LIC 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 90 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, 1951

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. Nos. 32 and 67*, has carefully considered said bills and reports the same out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

H. B. Nos. 32 and 67 were referred to the Sifting Committee.

February 28, 1951

Mr. President:

Your Committee on Judiciary, to which were referred S. B. Nos. 68, 77, 198, 206, 210, 212, 213, 223, 232, 234, 237, 242, 248, and S. J. R. Nos. 14 and 15, has carefully considered said bills and resolutions and reports them out without recommendation.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. Nos. 68, 77, 198, 206, 210, 212, 213, 223, 232, 234, 237, 242, 248 and S. J. R. Nos. 14 and 15 were referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

March 2, 1951

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 166, 201, 154, 102, 103, 104, H. B. No. 90, S. B. Nos. 146, 171 and 246.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. Nos. 166, 201, 154, 102, 103, 104, H. B. No. 90, S. B. Nos. 146, 171 and 246 placed on the Second Reading Calendar.

SPECIAL ORDER

H. B. No. 68, being a special order of business, was before the Senate.

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

Line 4, strike the word "first" and insert in lieu thereof the word "second".

Line 5, strike the word "August" and insert in lieu thereof the word "September".

H. B. No. 68 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Elggren, Gibson, Jenkins, Jensen, Marthakis, Milliman, Reese, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Cannon, Clegg, Day, Larsen, Paxton and Thorn.

Absent and not voting: Senators Beal, Brockbank, Hopkin and Muir.

H. B. No. 68 was returned to the House.

H. B. No. 69, being a special order of business, was before the Senate.

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, 13; Nos, 6; Absent, 4.

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Elggren, Gibson, Jenkins, Jensen, Marthakis, Milliman, Reese, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Cannon, Clegg, Day, Larsen, Paxton and Thorn.

Absent and not voting: Senators Beal, Brockbank, Hopkin and Muir.

H. B. No. 69 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 166 was read the second time.

Committee report read and adopted.

S. B. No. 166 then failed of passage on the following roll call:

Ayes, 8; Nos, 11; Absent, 4.

Those voting in the affirmative were: Senators Beal, Burns, Gibson, Larsen (explained vote), Milliman, Muir, Paxton and Thorn.

Those voting in the negative were: Senators Adams, Ashton (explained vote), Cannon, Clegg, Day (explained vote), Elggren, Jensen, Marthakis, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Hopkin, Jenkins and Reese.

S. B. No. 166 was filed.

SPECIAL ORDER

S. B. No. 216, being a special order of business, was before the Senate.

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

Line 6, strike the period and insert "AND TO PROVIDE A POOL CAR SYSTEM FOR STATE OWNED CARS".

Insert new section to read as follows:

"Section 2. The commission of finance shall establish and operate a pool car system for the use of state-owned vehicles by officers and employees of the state in the various state departments. Whenever, in its opinion, the best interests of the state will be served, the finance commission, with the approval of the Board of Examiners, shall transfer any state car belonging to or used by any state department, to the state pool car system to be used as a part of the pool car system to facilitate the proper functioning of the state departments in a uniform and business-like manner."

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

Line 1, after the words "AN ACT" strike the balance of the line and lines 2, 3, 4, 5 and the following on line 6: "PORTION OF THE STATE CAPITAL BUILDING GROUNDS AND".

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

Line 1, strike lines 1 to 5, both inclusive.

In the new section, strike "Section 2" and insert in lieu thereof "Section 1".

On motion of Senator Day the rules were suspended and *S. B. No. 216* was read the third time and placed on its final passage.

S. B. No. 216 then passed on the following roll call:

Ayes, 14; Nos, 5; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Beal, Cannon, Clegg, Day, Gibson, Jensen, Larsen, Marthakis, Muir, Paxton, Tippetts, Thorn and Mr. President.

Those voting in the negative were: Senators Burns, Elggren, Milliman, Reese and Watson.

Absent and not voting: Senators Adams, Brockbank, Hopkin and Jenkins.

S. B. No. 216 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 201 was read the second time.

Committee report read and adopted.

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

Page 2, line 20, strike "thirty-five" and insert in lieu thereof "forty-five".

On motion of Senator Marthakis the rules were suspended and *S. B. No. 201* was read the third time and placed on its final passage:

S. B. No. 201 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Gibson, Jensen, Larsen, Marthakis, Milliman, Paxton, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative: Senator Muir.

Absent and not voting: Senators Brockbank, Elggren, Hopkin, Jenkins and Reese.

S. B. No. 201 was transmitted to the House.

On motion of Senator Marthakis the Senate recessed for fifteen minutes.

The Senate re-assembled.

COMMUNICATIONS FROM THE HOUSE

March 2, 1951

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. 186*, by Messrs. Bushnell and Thoresen, entitled:

AN ACT TO AMEND CHAPTER 14, TITLE 80, UTAH CODE ANNOTATED, 1943, BY ADDING THERETO NEW SECTIONS TO BE NUMBERED 80-14-65.10(a), 80-14-65.10(b) AND 80-14-65.10(c), PROVIDING FOR AN ALTERNATIVE OPTIONAL TAX (SHORT FORM) IN CASE OF RESIDENT INDIVIDUALS HAVING A FEDERAL ADJUSTED GROSS INCOME OF LESS THAN $5,000, AND PROVIDING THAT IN LIEU OF THE TAX IMPOSED BY CHAPTER 14, TITLE 80, UTAH CODE ANNOTATED, 1943, THE TAXPAYER MAY AT HIS OPTION PAY A TAX EQUAL TO TEN PERCENT OF HIS FEDERAL TAX, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 186 was read the first time and referred to the Sifting Committee.

March 2, 1951

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. 283*, by Messrs. White, R. C. Anderson, Howe, Swenson and Taylor, entitled:

AN ACT AMENDING SECTION 87-4-1, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 96, LAWS OF UTAH 1943, RELATING TO THE STATE AUDITOR, HIS POWERS, QUALIFICATIONS, DUTIES AND BOND, AND PROVIDING FOR THE EMPLOYMENT OF CERTIFIED PUBLIC ACCOUNTANTS, THE

AUDITS OF CERTAIN INSTITUTIONS, THE ACCOUNTING SYSTEM OF THE STATE ROAD COMMISSION, AND MAKING AN APPROPRIATION, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 283 was read the first time and referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 154 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 154* was read the third time and placed on its final passage.

S. B. No. 154 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Hopkin and Jensen.

S. B. No. 154 was transmitted to the House.

S. B. No. 102 was read the second time.

Committee report read and adopted.

On motion of Senator Marthakis the rules were suspended and *S. B. No. 102* was read the third time and placed on its final passage.

S. B. No. 102 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Hopkin, Jenkins and Larsen.

S. B. No. 102 was transmitted to the House.

S. B. No. 103 was read the second time.

Committee report read and adopted.

On motion of Senator Adams the rules were suspended and *S. B. No. 103* was read the third time and placed on its final passage.

S. B. No. 103 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Watson.

Absent and not voting: Senators Brockbank, Fowles, Hopkin, Jenkins and Larsen.

S. B. No. 103 was transmitted to the House.

S. B. No. 104 was read the second time.

Committee report read and adopted.

On motion of Senator Milliman the rules were suspended and *S. B. No. 104* was read the third time and placed on its final passage.

S. B. No. 104 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Jensen, Marthakis, Milliman, Muir, Reese, Tippetts and Watson.

Absent and not voting: Senators Brockbank, Fowles, Gibson, Hopkin, Jenkins, Larsen, Paxton and Thorn.

S. B. No. 104 was transmitted to the House.

H. B. No. 90 was read the second time.

On motion of Senator Day the rules were suspended and *H. B. No. 90* was read the third time and placed on its final passage.

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

Line 5, strike the word "HEALTH" and insert in lieu thereof the word "EXAMINERS".

Line 6, after the word "THE" insert "STATE".

Line 6, after the word "BOARD" insert "OF HEALTH".

H. B. No. 90 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Hopkin, Jenkins and Larsen.

H. B. No. 90 was returned to the House.

On motion of Senator Gibson the Senate recessed for fifteen minutes.

The Senate re-assembled.

S. B. No. 146 was read the second time.

Committee report read and adopted.

On motion of Senator Day, *S. B. No. 146* was referred back to the Sifting Committee.

COMMUNICATIONS FROM THE HOUSE

March 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 159*, by Messrs. Howe, Bushnell, Barton, Thoresen, Openshaw and Hinton, entitled:

AN ACT AMENDING SECTIONS 80-13-41, 80-13-42 AND 80-13-44, UTAH CODE ANNOTATED, 1943, RELATING TO THE PERIOD OF LIMITATION FOR MAKING ASSESSMENTS, ENFORCING COLLECTION AND CREDITING OR REFUNDING OF CORPORATION FRANCHISE TAXES, AND PROVIDING THAT THE APPLICABLE PERIODS OF LIMITATION SHALL BE SIX MONTHS, PLUS THE APPLICABLE PERIODS PRESCRIBED IN THE FEDERAL INTERNAL REVENUE CODE, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 159 was read the first time and referred to the Sifting Committee.

March 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 168*, by Messrs. Bushnell, Woolley, Thoresen, Openshaw, Miller, Larson and Elswood, entitled:

AN ACT AMENDING SECTIONS 80-14-34, 80-14-35, AND 80-14-37, UTAH CODE ANNOTATED, 1943, RELATING TO THE PERIOD OF LIMITATION FOR MAKING ASSESSMENTS, ENFORCING COLLECTION AND CREDITING OR REFUNDING OF INCOME TAXES, AND PROVIDING THAT THE APPLICABLE PERIODS OF LIMITATION SHALL BE SIX MONTHS, PLUS THE APPLICABLE PERIODS PRESCRIBED IN THE FEDERAL INTERNAL REVENUE CODE, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 168 was read the first time and referred to the Sifting Committee.

March 2, 1951

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. 19*, by Messrs. Gammell, Rees, Cope, Frost, Elswood, Elizabeth Vance, E. C. Larsen, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF SEVERIN THATCHER JEPPESEN, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 19 was read the first time.

On motion of Senator Marthakis the rules were suspended and *H. J. R. No. 19* was read the second and third times and placed on its final passage.

H. J. R. No. 19 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Hopkin and Paxton.

H. J. R. No. 19 was returned to the House.

March 2, 1951

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 Dalebout, Munk, and Mrs. Vance, to act with a like Committee from the Senate to consider *H. B. No. 185*, by Mr. Munk, entitled:

AN ACT AMENDING SECTION 30-0-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, AND 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 LICENSES FOR FISHING AND HUNTING LICENSES FOR TRAPPING FUR BEARERS; 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; SECTION 30-0-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, RELATING TO LICENSE AGENTS, PRESCRIBING THEIR DUTIES AND FIXING THEIR COMPENSATION; AND REPEALING SECTION 30-0-22, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 30-0-14, 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; SECTION 30-0-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947; AND SECTION 30-0-16, 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.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 2, 1951

Mr. President:

I am directed to return for your further consideration *H. B. No. 70*, by Messrs. Walker and Beezley, entitled:

AN ACT AMENDING SECTION 25-1-13, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1945, RELATING TO THE TIME OF OPENING AND CLOSING OF THE POLLS AT GENERAL ELECTIONS, as requested in your letter of March 1, 1951.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

Senator Jenkins moved that the rules be suspended and that the Senate do now reconsider its action by which it passed *H. B. No. 70*.

Motion carried.

H. B. No. 70 was before the Senate for reconsideration.

On motion of Senator Watson, the enacting clause in *H. B. No. 70* was struck.

SPECIAL ORDER

S. B. No. 111, being a special order of business, was before the Senate.

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

Strike all the material in the title, and insert in lieu thereof "AN ACT AMENDING THE STATE COUNCIL OF DEFENSE ACT WHICH WAS CHAPTER 33 OF THE LAWS OF 1941 SECOND SPECIAL SESSION AND KNOWN AS SECTIONS 82C-5-1 TO 82C-5-10 INCLUSIVE, UTAH CODE ANNOTATED 1943, PROVIDING DEFINITIONS OF EMERGENCIES AND THE UTILIZATION OF THE LEGISLATURE AND EXISTING STATE AND MUNICIPAL OFFICERS AND ORGANIZATIONS TO DEAL WITH PROBLEMS CREATED BY EMERGENCIES WHETHER CIVIL OR MILITARY, ESTABLISHING A STATE COUNCIL OF DEFENSE, PRESCRIBING ITS POWERS, DUTIES, AND FUNCTIONS AUTHORIZING THE MAKING OF MUTUAL ASSISTANCE PACTS WITH OTHER STATES AND BETWEEN POLITICAL SUBDIVISIONS OF THIS STATE AND MAKING AN APPROPRIATION."

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

Strike all the material in the bill and insert in lieu thereof:

"Section 1. The numbering of Sections 82C-5-2 and 82C-5-3 U. C. A. 1943 is reversed and with said numbering reversed Sections 82C-5-1 to 82C-5-8 inclusive U. C. A. 1943 are amended to read:

82C-5-1

The imminent threat of another war involving the United States of America requires the preparation by this sovereign state in its own rights to meet emergencies incident thereto; the occurrence of disasters from natural causes make expedient the same preparation; and in the exercise of sovereign concern for the safety, health, protection, and general welfare of the people of this state there is hereby established a council which shall be known as the state council of defense to utilize existing governmental agencies of the state, counties, and municipalities to the end that the resources and manpower of the state may be employed to meet, combat and prepare to meet and combat the emergencies or threat thereof. This act may be sited as the "State Council of Defense Act."

82-5-2 (a)

( ) The state council of defense shall be composed of the governor, the secretary of state, the attorney general, the president of the senate, the speaker of the house of representatives, and four members appointed from the citizens of the state at large to hold office during the pleasure of the governor. The governor shall ( ) designate the chairman and vice-chairman of the council. ( ) Appointment of citizen members shall be made ( ) with reference to their special knowledge of industry, transportation, agriculture, consumer protection, labor, education, health, welfare or other subjects relating to national or state defense or combating disasters. No more than five members of the council shall be members of the same political party.

(b) The council may employ an executive director and such technical, clerical, stenographic and other personnel and fix their compensation, if any, and may make such expenditures within the appropriation therefor as are necessary to carry out the purposes of this act.

(c) The members of the council shall serve without compensation, but shall be reimbursed for their actual and necessary traveling and other expenses incurred in connection with attendance upon meetings of the council.

(d) The governor may at his discretion terminate the individual appointment to the council and fill vacancies.

(e) The council shall be provided with appropriate office space, furniture, equipment, supplies, stationery and printing in the same manner as other state agencies are supplied.

82C-5-3 (a)

The governor is authorized and empowered in time of ( ) emergencies or threatened emergencies as herein defined from acts or presence of the public enemy or from natural or other causes over or involving wide areas of the state to convene a meeting of the state council of defense, hereinafter designated as the "council," to determine whether the emergency is of such character to call for the adoption of emergency measures and for the general purpose of assisting in the co-ordination of the state and local activities relating to national and state defense and control of the emergency.

(b) If the council shall determine that a justifying emergent situation exists, and if the governor shall likewise so determine, the governor may immediately issue a proclamation convening into immediate special session the legislature of the state and declaring that an emergency exists. If the council shall consider the situation sufficiently grave it shall request and the governor may declare martial law in the area affected and as provided in the constitution and laws of the state. The council shall also consider the advisability of calling into active duty the Utah State Guard and shall make recommendation thereon to the governor.

(c) Until the legislature shall take action the council shall proceed under powers now existing and hereby created and in case the legislature shall fail to provide additional funds before the regular emergency appropriation is exhausted the governor shall have authority to borrow the necessary funds until the legislature shall be in session on such terms as he may find advisable under the circumstances, to carry on the task of combating the emergency. These emergency borrowings by the governor shall have priority over all other obligations of the state.

(d) Unless the emergency shall be declared by the legislature to have terminated and whenever he deems it expedient, the governor may, by proclamation, declare the emergency terminated ( ) or suspend, ( ) the meeting of the council ( ) with reference to said emergency.

82C-5-4

The council shall, consistent with existing statutes relating to martial law and use of the state guard, and subject to direction and control of the legislature, have the following powers and duties:

(a) To adopt, amend, ( ) repeal and publish rules, regulations and by-laws governing its procedure and activities.

(b) To cooperate with the advisory commission to the council of national defense through its division of state and local cooperation or

with any similar federal agencies hereafter created, and with any departments or other federal agencies engaged in defense activities.

(c) To cooperate with similar councils of defense in other states.

(d) To cooperate with local defense councils.

(e) To supervise and direct investigations and report to the governor with recommendations for legislation or other appropriate action as it may deem necessary, with respect to the following matters insofar as they are or may be related to defense:

(1) Industrial materials and facilities.

(2) Production and manufacturing facilities.

(3) Agriculture, food supply and land use.

(4) Transportation facilities.

(5) Labor supply and training, labor relations and human resources, professions, trades and skills.

(6) Consumers and consumer protection.

(7) Housing and related facilities.

(8) Health, hospitals, and sanitation facilities.

(9) Welfare.

(10) Educational facilities.

(11) Recreational areas and facilities.

(12) Finance.

(13) Civil liberties, including but without limitation, the protection thereof, maintenance of law and order and measure to guard against sabotage and subversive activities.

(14) Civil defense, including police mobilization, coordination for fire protection and disaster relief.

(15) Any other type of activity directly or indirectly related to defense.

(f) To create committees, either within or without its membership, to aid it in the discharge of its powers and duties.

(g) To require and direct the cooperation and assistance of state and local governmental agencies ( ) officials, employees, property and equipment in combating the emergency and in making plans and training personnel before the existence of an emergency and commencing with the effective date of this act.

(h) To make full investigation as to all questions directly or indirectly relating to the powers or duties vested in it by this act, or by any other law.

(i) To accept on behalf of the state, in times of threatened or existent emergency, with the consent of the governor, any unconditional or unrestricted gift of service, equipment, supplies, materials, or funds from the federal government or agency thereof or agent therefor, or from another state or from any person, firm or corporation.

(j) With the approval of the governor, the State Board of Examiners and the Federal Civil Defense Administration to negotiate and enter into compacts with other states when authorized thereto by the Federal Congress, to be operative only in the event of a proclaimed emergency, providing for authorization, accrediting and permission of doctors, nurses, bacteriologists, radiologists and other scientists duly licensed by another state to come into this state to assist in relieving distress within the limits of their licensed skills; provided, that any such compacts shall be made expressly subject to approval by the legislature of Utah at its next subsequent regular or special session; and provided further that no compact shall require a person to go from one state to another state against his will or take private property from this state without the owner's consent; and provided further that such compacts shall not authorize or consent to the removal or evacuation of any persons from or into this state until legislative approval shall be given specifically by the Utah Legislature.

(k) To approve compacts for mutual aid by and between political subdivisions of the state for combating public emergency as defined herein, so long as the governing body of each such political subdivision shall unanimously approve such mutual aid compacts.

(l) To do all acts and things, not inconsistent with law, for the furtherance of defense activities.

82C-5-5

In order to avoid duplication of services and facilities the council and the local and district councils of defense established under authority of this act are:

(a) Directed to utilize the services and facilities of existing officers, offices, departments, commissions, boards, bureaus, institutions and other agencies of the state and of the political subdivisions thereof, and

(b) All such officers and agencies shall cooperate with and extend their services, (,) facilities, property and equipment to the council and to the local and district councils of defense as they shall request; provided that directions of the state council shall supersede and be paramount to plans and directions of the local councils.

82C-5-6

Each political subdivision of the state may establish a local council of defense by the proclamation of the executive officer or governing body thereof. Local councils of defense, if and when established, shall cooperate with and assist the council, and shall perform such services as may be requested by it. Local councils may act jointly with other such councils and may, with the approval of the state council of defense, enter into mutual-aid compacts. Insofar as applicable, local councils shall have the same power and duties within their respective jurisdictions as are vested in the council. Such councils shall terminate or cease activity whenever the council is dissolved or suspended. Primary responsibility for maintaining law and order outside any zone of military operations incident to an emergency shall rest with the state council of defense, and local councils and organizations shall be subordinate to the state council of defense. As a means of coordinating, policing and supervising the combating of emergencies, the Utah State Guard, if it shall be called into active duty, the Utah Highway Patrol, Sheriffs' forces, police and constables of the cities and towns shall act under the direction of the state council.

82C-5-7

In cooperation with the local officials ( ) in critical areas of the state of especial importance in defense ( ) or in combating emergencies there may be established by the executive heads of the counties involved districts councils of defense to embrace two or more contiguous counties. Such district councils shall act as coordinating agencies under the supervision and direction of the council and in ( ) cooperation with local government agencies.

82C-5-8

There is appropriated out of any money in the state treasury not otherwise appropriated the sum of ( ) $ or so much thereof as may be necessary for the council to carry out the purposes of this act during the next biennium and $ or so much thereof as may be necessary in the event of proclamation of an emergency.

Section 2. New Sections 82C-5-9 to 82C-5-20 inclusive are enacted to read:

82C-5-9

Emergencies as herein defined shall include:

A. Local emergencies.

Local emergencies are those conditions which arise from natural forces such as wind, storm, earthquakes, flood, mine disaster, epidemic, fire or other natural disaster, or local riot, unlawful assembly or mob violence and confined in effect to one city, town or community or a localized group thereof.

(1) Such emergencies may be met pursuant to present law, by state welfare organizations, voluntary private help, and the activities of regularly organized religious institutions.

B. Public emergencies.

Those arising from acts of attack, sabotage or other hostile acts or presence of the public enemy or emergencies otherwise described as local but involving wide areas of the state.

1. Remedies therefor are of two classes, to-wit, military and civil.

82C-5-10

All military remedies shall be under the direction of the federal government, and all demands and requirements of such military remedies shall be fully provided prior to all other requirements; provided, however, that the national guard or the non-federalized state guard may be employed when necessary by the governor, primarily to maintain law and order outside of federal military operations, pursuant to existing law providing therefor.

82C-5-11

Civil remedies shall be under the direction of the State Council of Defense. All public peace officers and agencies including sheriffs, constables, police, fire protection agencies, road, street and highway departments, and state highway patrol shall upon the declaration of such emergency constitute and be a part of such emergency force, to augment the state guard if in active service, and it shall be their duty to cooperate with, and do all things assigned to them by the council.

All other public agencies of counties, cities, villages, both incorporated and unincorporated, and the inhabitants thereof, may be organized into coordinated defense units within such areas, to provide defense and protection from enemy action in raid by air-guided missles, bacterial and chemical warfare or other overt acts, and to train persons in matters pertaining thereto such as adequate shelter, blackout, first aid, nursing, medical and hospital care, housing, work and all things required to meet the needs of such occasion, which training may be before or after the proclamation of an emergency.

82C-5-12

Upon proclamation of such public emergency (Sec. 82C-5-9) the state council of defense when authorized by the governor may purchase, borrow, construct, lease or appropriate public or private property for public use, and all such taking shall be in accordance with, and under rules and regulation established by the governor, and approved by the council.

All types and kinds of property necessary for use in such emergency shall be subject to such acquisition or use including raw and manufactured materials of all kinds, foodstuffs, clothing, shelter, means of trans-

portation, implements, building equipment, fuels, oils, power plants and facilities, buildings, lands, etc. Such property may be used for any purpose to meet the exigencies of such emergency including its use to relieve want, distress, disease, accident, and such shall constitute public use.

82C-5-13

All property acquired or used pursuant to the above section shall be paid for to its reasonable value out of state funds appropriated therefor, in the manner as other claims against the state.

Whenever the seizing officer and the owner of such property can agree on the value thereof, the seizing officer shall issue an order for payment of the same, which shall be promptly paid out of state funds appropriated therefor. Such order shall be non-negotiable.

Whenever the seizing officer and the owner of such property cannot agree on the value of the property so taken, the seizing officer shall issue a receipt to the owner, specifying the kind and amount of property taken, and the officer's estimate of the fair value thereof.

82C-5-14

Upon receipt of such certificate provided for in the preceding section, such owner may present the same to the district judge where the property is taken, and such district judge is directed and empowered immediately to determine and adjudicate the value of such property. Appeals from such judgment shall lie, as in other civil matters, and upon final judgment thereon, such amount shall be paid in the same manner as though the parties had agreed thereon.

82C-5-15

The state council of defense or the governor is authorized to accept voluntary service from any qualified person or group of good character who may offer such service, in combating an emergency, or in training personnel in anticipation thereof.

The state council of defense or the governor is authorized to call upon the people residing in areas of the state neighboring upon any affected area in local emergencies, for such help as they can provide, to meet the needs of the people in the disaster area.

The governor shall have power to augment the personnel and if necessary the powers of the existing state welfare agencies to cope with emergent needs as to food, clothing, shelter, medicines and hospitalization for emergent cases.

82C-5-16

No person shall be employed or associated in any capacity in any civil defense organization established under this act who advocates or has advocated a change by force or violence in the constitutional form of the government of the United States or of this state or the overthrow of any government in the United States by force or violence, or who has been convicted of, or is under indictment or information charging any

subversive act against the United States. Each person who is appointed to serve in an organization for civil defense shall, before entering upon his duties, take an oath in writing before a person authorized to administer oaths in this state, which oath shall be substantially as follows:

"I ..., do solemnly swear (or affirm) that I will support and defend the constitution of the United States and the constitution of the State of Utah, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

"And I do further swear (or affirm) that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am a member of the (name of civil defense organization), I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence."

82C-5-17

The various state and local subdivision councils are authorized to train certain personnel on a gratuitous basis. Each such trainee who is injured by accident arising out of, or in the course of, his training, or in the performance of duties during an emergency, wherever such injury occurs, or who contracts any occupational disease as defined by Section 42-1a-28, Utah Code Annotated 1943, as amended, and the dependents of every such trainee or part-time worker whose death results from such injury or disease provided the same was not purposely self-inflicted, shall be subject to chapters 42-1 and 42-1a, Utah Code Annotated 1943, as amended, and entitled to the benefits thereof to the same extent as if the trainee was an employee of the state or local political subdivision drawing such wages as are paid employees for similar or substantially similar work. All physicians, surgeons and practitioners treating such trainee for injury or occupational disease as herein defined shall comply with all rules and regulations of the industrial commission of Utah, issued under the authority of chapters 42-1 and 42-1a, Utah Code Annotated 1943, as amended.

The state of Utah and any local political subdivision insured by the state insurance fund shall pay to the said state insurance fund an amount equal to the insurance premium for the type of work performed or service rendered by the trainees, provided, however, that the wages upon which said premium is based shall be determined by multiplying the actual number of days the trainee is in training and performs services gratuitously by the daily wage paid to employees of the state or local political subdivision for similar or substantially similar work.

Self-insured political subdivisions shall enact the necessary ordinances or laws to assure trainees or part-time defense employees the benefits of the above quoted sections of Utah Code Annotated 1943.

The council, the state departments, and all the local political subdivisions insured by the state insurance fund shall, immediately upon appointment of a trainee, report in writing to the state insurance fund the name of the trainee, the type of work to be performed and the wages paid to employees doing similar or substantially similar work. In addition, all shall report to the state insurance fund, when requested, the actual number of days said trainee was in training and rendered services gratuitously to the said state or local political subdivision.

After the declaration of an emergency neither the state nor any political subdivision thereof, nor other agencies, nor, except in cases of malfesance, gross negligence or willful misconduct, the agents, employees, or representatives of any of them, engaged in any civil defense or disaster activities, while complying with or attempting to comply with this act or any rule or regulation promulgated pursuant to the provisions of this act, shall be liable for the death of or injury to persons or damage to property. The provisions of this section shall not affect the right of any person to receive benefits to which he is entitled under this act, or under the workmen's compensation law, or under any pension law, or the right of any such person to receive any benefits or compensation under any act of congress or the right of a property owner to receive just compensation as provided for in section 82C-5-9 of this act.

82C-5-18

No organization for civil defense established under the authority of this act shall participate in any form of political activity, nor shall it be employed directly or indirectly for political purposes.

82C-5-19

Any person who shall refuse to obey the lawful order of any legally appointed officer or seeks to hinder, delay, obstruct, or in any way interfere with any officer carrying out the provisions of the various emergent measures shall be guilty of a misdemeanor and shall be punished by a fine of not less than $ or by a jail sentence of not less than , or by both such fine and imprisonment.

Section 3. 82C-5-9 U.C.A. 1943 is renumbered 82C-5-20 to read:

If any provision of this act, or the application of such provision to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

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

Line 4, strike "10" and insert in lieu thereof "7" and after the word "INCLUSIVE" strike the comma and insert "AND SECTIONS 82C-5-9 AND 82C-5-10".

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

Line 12, insert a period after the word "STATE".

Line 13, strike "AND MAKING AN APPROPRIATION."

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

Page 1, line 3, strike "82C-5-8" and insert in lieu thereof "82C-5-7".

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

Page 2, line 5, after the word "appointed" insert "by the Governor".

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

Page 5, line 2, strike the words "unconditional or".

Page 5, line 3, strike the word "unrestricted".

Page 7, strike lines 1 to 6, both inclusive.

Page 12, line 8, strike the words "the various emergent" and insert in lieu thereof "this act".

Page 12, line 9, strike the word "measures".

Page 12, line 10, before the word "than" strike the word "less" and insert the word "more", strike the dotted line and insert in lieu thereof "1,000." and strike the last word "less" and insert in lieu thereof the word "more".

Page 12, line 11, strike the dotted line and insert in lieu thereof "six months".

S. B. No. 111 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Hopkin.

On motion of Senator Gibson, the enacting clause in *S. B. No. 84* was struck.

In accordance with the report of the Sifting Committee, adopted on the forty-fourth legislative day, S. B. Nos. 171 and 246 were referred back to the Sifting Committee.

On motion of Senator Gibson the Senate adjourned.

FIFTY-FIFTH DAY

March 3, 1951

The Senate was called to order at 11:00 A.M. President Fowles in the chair.

Roll Call—All Senators present except Senators Brockbank and Tippetts, excused.

Prayer by the Chaplain.

March 3, 1951

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 corrections noted on the final copy.

Respectfully,

JAMES E. BURNS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 3, 1951

Dear Mr. President and
Members of the Senate:

In compliance with State laws, I am submitting the following appointments to your Honorable Body for advice and consent:

MEMBERS, BOARD ON ALCOHOLISM:

Thomas F. Kearns, Salt Lake City
Seth M. Oberg, Salt Lake City
David R. Trevithick, Salt Lake City
Wendell W. Whitney, Salt Lake City
N. Blain Winters, Salt Lake City

all for two-year terms, ending March 1, 1953.

MEMBERS, BOARD OF TRUSTEES, UTAH STATE AGRICULTURAL COLLEGE:

Mrs. Fern L. Ercanbrack, Provo
Thorpe B. Isaacson, Salt Lake City
Dr. R. O. Porter, Logan
Newell V. (Hod) Sanders, Kaysville
A. V. Smoot, Corinne
B. H. Stringham, Vernal

for four-year terms, beginning July 1, 1951; ending July 1, 1955.

MEMBERS, ADVISORY COUNCIL, BUSINESS REGULATION:

Chris Jouflas, Helper; for six-year term, ending March 1, 1957

Joseph Rosenblatt, Salt Lake City; for five-year term, ending March 1, 1956.

MEMBER, BOARD OF TRUSTEES, UTAH STATE HOSPITAL FOR POLIOMYELITIS AND OTHER CHILDREN'S CRIPPLING DISEASES:

Mrs. Ted Kirkmeyer, Ogden; for seven-year term, ending March 31, 1958.

MEMBERS, UTAH STATE INSTITUTE OF FINE ARTS:

Mrs. Arthur L. Beeley, Salt Lake City
Alice Morrey Bailey, Salt Lake City
Theodore L. Cannon, Salt Lake City
Mrs. Allie Clark, Provo
Floyd Cornaby, Logan
Maude R. Hardman, Salt Lake City

all for four-year terms ending June 30, 1955.

MEMBER, ADVISORY COUNCIL FOR THE SCHOOL FOR THE DEAF AND BLIND:

Mrs. Ella V. Reeder, Brigham City; for five-year term, ending March 1, 1956.

MEMBERS, BOARD OF REGENTS, UNIVERSITY OF UTAH:

Clarence Bamberger, Salt Lake City
Albert E. Bowen, Jr., Salt Lake City
Spencer S. Eccles, Ogden
Ward C. Holbrook, Bountiful
Fullmer H. Latter, Salt Lake City
Orrice C. McShane, Richfield

all for four-year terms, beginning July 1, 1951; ending July 1, 1955.

COMMISSIONERS, STATE TAX COMMISSION:

Selvoy J. Boyer, Springville
Roscoe E. Hammond, Salt Lake City

for four-year terms, ending March 1, 1955.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication referred to the Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 1st day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 51*, by Messrs. Tietjen, Bushnell, Sheffield, Albrecht, Jones and Woolley, entitled:

AN ACT PRESCRIBING A STANDARD OF CARE FOR INVESTMENTS OF FUNDS BY EXECUTORS, ADMINISTRATORS, GUARDIANS, TRUSTEES, AND OTHER FIDUCIARIES.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 1st day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 47*, by Messrs. Davis, Luke, Woolley, Jones and Gammell, entitled:

AN ACT AMENDING SECTION 18-2-17, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 26, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 30, LAWS OF UTAH 1945, RELATING TO CORPORATE DIVIDENDS AND DISTRIBUTIONS OF ASSETS AND ADDING A NEW SECTION TO BE KNOWN AS 18-2-17.2 AUTHORIZING THE PURCHASE OR REDEMPTION OF CORPORATE SHARES IN CERTAIN INSTANCES.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 2nd day of March, 1951 approve and transmit to the Secretary of State, *H. B. No. 20*, by Mr. Bonacci, entitled:

AN ACT AMENDING SECTION 76-5-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 1, CHAPTER 8, LAWS OF UTAH, FIRST SPECIAL SESSION, 1948, PROVIDING FOR EXCEPTIONS TO PROVISION OF MOTOR VEHICLE TRANSPORTATION ACT.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 1st day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 53*, by Messrs. Tietjen, Bushnell, Sheffield, Albrecht, Jones and Woolley, entitled:

AN ACT AMENDING THE INDIVIDUAL INCOME TAX ACT, BEING CHAPTER 14 OF TITLE 80, UTAH CODE ANNOTATED 1943, BY ADDING THERETO NEW SECTIONS TO BE KNOWN AS SECTION 80-14-47a AND 80-14-47b UTAH CODE ANNOTATED 1943, RELATING TO COMMON TRUST FUNDS AND TRUSTS CREATED BY AN EMPLOYER AS PART OF A STOCK BONUS, PENSION, OR PROFIT-SHARING PLAN AND THE TAXATION OF SUCH TRUSTS AND ACCUMULATIONS AND DISTRIBUTIONS THEREUNDER.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 1st day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 164*, by Messrs. Woolley, Swenson, Larson and Rowberry, entitled:

AN ACT APPROPRIATING FROM THE STATE HIGHWAY FUND NOT OTHERWISE APPROPRIATED $300,000 TO PURCHASE ROAD EQUIPMENT FOR USE BY THE STATE ROAD COMMISSION.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 1st day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 59*, by Messrs. Larson and Openshaw, entitled:

AN ACT AMENDING SECTION 49-9-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 60, LAWS OF UTAH 1943, RELATING TO TIME EMPLOYERS MUST PAY EMPLOYEES IN PRIVATE EMPLOYMENT AND DEDUCTION STATEMENTS.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 1st day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 52*, by Messrs. Tietjen, Bushnell, Sheffield, Albrecht, Jones and Woolley, entitled:

AN ACT CONCERNING COMMON TRUST FUNDS AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, AMENDING CHAPTER 4a, TITLE 7, UTAH CODE ANNOTATED 1943, RELATING TO BANKS AND TRUST COMPANIES ACTING AS FIDUCIARIES, BY ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 7-4a-16, 7-4a-17, 7-4a-18, 7-4a-19, 7-4a-20, 7-4a-21 AND 7-4a-22, UTAH CODE ANNOTATED 1943, RELATING TO THE INVESTMENT OF TRUST FUNDS, AND ACCOUNTING FOR SUCH FUNDS.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 2nd day of March, 1951 approve and transmit to the Secretary of State, *H. B. No. 49*, by Messrs. Openshaw, Woolley and Romney, entitled:

AN ACT RELATING TO THE TERMINATION OF CONTRACTS FOR PUBLIC WORK BECAUSE OF NATIONAL EMERGENCIES WHICH CAUSE A STOPPAGE OF CONSTRUCTION OR WORK THEREON, AND TO PRESCRIBE PROCEDURE, THE ADJUSTMENT AND PAYMENT OF COMPENSATION, AND TO PROVIDE A METHOD FOR SETTLEMENT OF DISPUTES IN CONNECTION THEREWITH.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 2, 1951

Mr. President:

I am directed 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. 168*, by Messrs. Gibson, Hopkin and Fowles, entitled:

AN ACT AMENDING SECTION 3-12-23, UTAH CODE ANNOTATED 1943, RELATING TO FIRE ESCAPES REQUIRED ON HOTELS AND PROVIDING FOR CERTAIN TYPE FIRE ESCAPES AND OTHER FIRE PREVENTATIVE MEASURES FOR HOTELS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 168 was transmitted to the Governor.

March 2, 1951

Mr. President:

I am directed 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. 144*, by Messrs. Marthakis, Muir, Beal, Tippetts, Ashton, Elggren, Jenkins, Milliman and Mrs. Jensen, entitled:

AN ACT AMENDING SECTION 2 OF CHAPTER 126, LAWS OF UTAH 1947, RELATING TO THE CONSTRUCTION, EQUIPPING

AND FURNISHING OF BUILDINGS ON THE CAMPUSES OF THE UNIVERSITY OF UTAH AND THE UTAH STATE AGRICULTURAL COLLEGE AND PROVIDING FOR THE FINANCING THEREOF THROUGH THE ISSUANCE OF REVENUE BONDS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 144 was transmitted to the Governor.

March 2, 1951

Mr. President:

I am directed 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. Watson, for Committee on Agriculture and Irrigation, entitled:

AN ACT PROVIDING FOR RETURN OF AND FUTURE ADMINISTRATION OF THE ASSETS OF THE UTAH RURAL REHABILITATION CORPORATION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 139 was transmitted to the Governor.

March 2, 1951

Mr. President:

I am directed 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. 105*, by Mrs. Jensen and Mr. Reese, entitled:

AN ACT AMENDING SECTION 1 OF CHAPTER 4 LAWS OF UTAH 1944, FIRST SPECIAL SESSION, AUTHORIZING THE STATE TREASURER OR THE TREASURER OF ANY COUNTY, SCHOOL DISTRICT, CITY, TOWN, OR ANY OTHER POLITICAL SUBDIVISION IN THE STATE TO INVEST FUNDS IN BONDS OR OTHER OBLIGATIONS OF THE UNITED STATES, MATURING NOT LATER THAN FIVE YEARS FROM DATE OF PURCHASE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 105 was transmitted to the Governor.

March 2, 1951

Mr. President:

I am directed 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. 62*, by Mr. Watson, entitled:

AN ACT AMENDING SECTIONS 100-9-7 AND 100-9-11 UTAH CODE ANNOTATED 1943, RELATING TO IRRIGATION DISTRICTS, AND MORE PARTICULARLY TO OFFICE LOCATION; PRE-ELECTION PROCEEDINGS; PROVIDING FOR CONTINUANCE IN OFFICE OF DIRECTOR WHEN NO CANDIDATE FILES FOR OFFICE; ORGANIZATION OF BOARD OF DIRECTORS; ITS POWERS AND DUTIES; WATER ALLOTMENTS AND CHANGE THEREOF; CONTRACTING WITH THE UNITED STATES; REMOVAL OF LANDS FROM ASSESSMENT ROLLS; CONTRACTING FOR SUPPLY OF WATER TO MUNICIPALITIES, CORPORATIONS, ASSOCIATIONS OR INDIVIDUALS FOR BENEFICIAL USE; PUBLIC MEETINGS; FIXING TAX LEVIES, DETERMINATION OF AMOUNTS THEREOF; AND ESTABLISHING TAXES AS BEING SPECIAL TAXES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 62 was transmitted to the Governor.

March 2, 1951

Mr. President:

I am directed 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. 51*, by Mr. Larsen, entitled:

AN ACT AMENDING SECTIONS 85-4-1, 85-4-2, 85-4-3, 85-4-4, 85-4-5, 85-4-8, 85-4-9, 85-4-10, UTAH CODE ANNOTATED 1943, RELATING TO THE ORGANIZATION AND PRESCRIBING THE POWERS AND DUTIES OF THE UTAH STATE FAIR ASSOCIATION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 51 was transmitted to the Governor.

March 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 49*, by Mr. Larsen, entitled:

AN ACT TRANSFERRING PROTECTION OF RELICS AND SCENIC FEATURES AND CONTROL OF EXCAVATION AND EXPLORATION FROM THE STATE BOARD OF PARK COMMISSIONERS TO THE STATE LAND BOARD AND REPEALING SECTIONS 68-0-8 AND 68-0-9, UTAH CODE ANNOTATED 1943, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 49 was transmitted to the Governor.

March 2, 1951

Mr. President:

I am directed 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. 114*, by Messrs. Day, Reese, Beal, Hopkin, Fowles and Gibson, entitled:

AN ACT PROVIDING FOR A LIQUOR PERMIT IDENTIFICATION CARD SHOWING EVIDENCE OF AGE, WHICH STATE LIQUOR STORE MANAGERS AND EMPLOYEES, PACKAGE AGENCY PROPRIETORS AND THEIR EMPLOYEES, AND LICENSEES HOLDING RETAIL LICENSES TO SELL BEER AS PROVIDED IN SECTION 46-0-131, UTAH CODE ANNOTATED 1943, AND EMPLOYEES OF SUCH LICENSEES, MAY ACCEPT AS EVIDENCE OF LEGAL AGE FOR THE SALE OF LIQUOR OR BEER ISSUED TO THE PERSON PRESENTING SAME; PRESCRIBING A FORM FOR IDENTIFICATION CARD; AUTHORIZING THE STATE LIQUOR CONTROL COMMISSION AND AUTHORITIES OF CITIES, TOWNS AND COUNTIES, AS PROVIDED IN SECTION 46-0-131, UTAH CODE ANNOTATED 1943, TO PRESCRIBE REGULATIONS FOR ISSUANCE OF SUCH IDENTIFICATION CARD AND USE THEREOF; PRESCRIBING DEFINITIONS AND FIXING PENALTY FOR VIOLATIONS OF THIS ACT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 114 was transmitted to the Governor.

March 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 147*, by Messrs. Larsen, Tietjen, L. B. Johnson, Woolley, J. Johnson, Hurst, Hinton, Luke, Albrecht, C. C. Gardner, and Crofts, for the Utah Legislative Council, entitled:

AN ACT AUTHORIZING THE BOARDS OF EDUCATION OF ALL SCHOOL DISTRICTS WITHIN THE STATE OF UTAH TO CREATE A BUILDING RESERVE FUND FOR CAPITAL OUTLAY PURPOSES; ESTABLISH A POLICY AND DECLARE THE PURPOSES; PRESCRIBE THE MANNER IN WHICH THE RESERVE SHALL BE ACCUMULATED; PROVIDE FOR INVESTMENT OF THE FUND; THE REPORTING AND ACCOUNTING THEREOF; AND REGULATING EXPENDITURES THEREFROM.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed as amended by the House, *H. B. No. 50*, by Messrs. Elswood, Cope, Jones, Gammell and Openshaw, entitled:

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 AND SECOND CLASS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 50 was read the first time and referred to the Sifting Committee.

March 2, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 85*, by Messrs. Sheffield, Larson, Beezley, Jones, Walker and Davis, entitled:

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, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 85 was read the first time and referred to the Sifting Committee.

March 2, 1951

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. 149*, by Messrs. Sagers, Cazier, Howe, Bushnell and Davis, entitled:

AN ACT AMENDING SECTION 87-1-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 97, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 124, LAWS OF UTAH 1945, AND SECTIONS 87-1-3 AND 87-1-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 125, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 134, LAWS OF UTAH 1947, AND SECTION 1, CHAPTER 126, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 132, LAWS OF UTAH 1947, RELATING TO SALARIES OF STATE OFFICERS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 149 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

March 2, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 169*, by Messrs. Paxton, Reese and Ashton, entitled:

AN ACT AMENDING SECTIONS 57-12-39, 57-12-40, 57-12-41 AND 57-12-42, UTAH CODE ANNOTATED 1943, RELATING TO AND REQUIRING RETAIL VENDORS OF MOTOR FUELS TO DETERMINE AND POST PRICES OF SUCH FUELS AT THEIR PLACES OF BUSINESS AT THE BEGINNING OF EACH BUSINESS DAY, WHICH SHALL REMAIN NOT LESS THAN 24 HOURS UN-

LESS CHANGED TO MEET A POSTED COMPETITIVE PRICE IN THE SAME COMMUNITY, AND REQUIRING SAID RETAIL VENDORS TO SELL AT SAID POSTED PRICE, AND ALSO PROVIDING FOR A PENALTY FOR INFRACTION OF THE PROVISIONS OF SAID 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 169 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 2, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 78*, by Messrs. Reese and Paxton, entitled:

AN ACT AMENDING SECTION 57-12-1, UTAH CODE ANNOTATED 1943, RELATING TO DEFINITIONS AS USED IN THE MOTOR FUELS TAX LAW; EXCEPTING PROPANE AND BUTANE FROM THE DEFINITION OF "MOTOR FUELS" AS THEREIN USED; AND REDEFINING THE TERMS "DISTRIBUTOR" AND "RETAIL DEALER", 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 78 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 3, 1951

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 217*, by Messrs. Muir, Hopkin and Larsen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

L. RULON JENKINS,
Chairman

Report filed.

S. B. No. 217 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

March 3, 1951

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 205, 155, 153, 52, 190, 73, 87, 136, 170, 113, 171, 246.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. Nos. 205, 155, 153, 52, 190, 73, 87, 136, 170, 113, 171, 246 were placed on the Second Reading Calendar.

Senator Gibson moved that the Senate reconsider its action by which it passed *S. B. No. 111*, and that the Senate do now consider *S. B. No. 111*.

Motion carried.

S. B. No. 111 was before the Senate for reconsideration.

On motion of Senator Gibson the title as amended by the Senate on the fifty-fourth day is further amended as follows:

Line 4, after "1943," insert "AND ENACTING NEW SECTIONS 82C-5-11 TO 82C-5-20 INCLUSIVE".

On motion of Senator Gibson the bill as amended by the Senate on the fifty-fourth day is further amended as follows:

Page 7, line 7, strike the word "New" and the words "to 82C-5-20 inclusive are enacted" and insert in lieu thereof "and 82C-5-10 are amended".

Page 7, line 9, insert "( )" after "82C-5-9".

Page 7, underscore all material on lines 10 to 23 inclusive.

Page 7, line 24, insert "( )" after "82C-5-10".

Page 7, underscore all material on lines 25 to 30 inclusive.

Page 7, between lines 30 and 31 insert the following "Section 3. New Sections 82C-5-11 to 82C-5-20 inclusive are enacted to read:".

Page 12, strike all of line 12 and insert in lieu thereof "82C-5-20".

Page 12, insert a new section: "82C-5-21 This act shall expire and terminate on February 10, 1953."

S. B. No. 111 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Marthakis, Milliman, Muir, Reese, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Jenkins, Larsen, Paxton, Tippetts and Thorn.

S. B. No. 111 was transmitted to the House.

UNFINISHED BUSINESS

S. B. No. 83, being unfinished business, was before the Senate for reconsideration.

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

Line 1, strike the words "AN APPROPRIATION" and insert in lieu thereof the word "APPROPRIATIONS".

Line 3, change the period to a comma and insert "OR ANY SUCCESSOR COUNCIL THAT MAY BE CREATED BY THE TWENTY-NINTH LEGISLATURE".

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

Line 1, strike the word "hereby".

Line 10, strike the words "redistribute portions of it to" and insert in lieu thereof "use said funds in cooperating with".

Between lines 17 and 18 insert the following new section to be known as "Section 4. There is appropriated to the state council of defense, out of the Emergency Relief fund, the sum of two hundred twenty-four thousand one hundred dollars ($224,100) to be used with matching funds provided by the federal government and cities, towns, counties and other governmental subdivisions of the state of Utah, or any of the foregoing, for the purchase of organizational equipment such as heavy fire fighting equipment, special rescue vehicles, hose, resuscitators, fire extinguishers, state and local communications and alert equipment, first-aid station supplies and ambulances, and equipment of any other kind or nature which the state council of defense may deem necessary to carry out the purposes for which it is established."

Line 18, strike the figure "4" and insert in lieu thereof the figure "5".

S. B. No. 83 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Marthakis, Milliman, Muir, Reese, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Cannon, Jenkins, Larsen, Paxton, Tippetts and Thorn.

S. B. No. 83 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 205 was read the second time.

Committee report read and adopted.

On motion of Senator Milliman the rules were suspended and *S. B. No. 205* was read the third time and placed on its final passage.

S. B. No. 205 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Marthakis, Milliman, Muir, Reese, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Cannon, Jenkins, Larsen, Paxton, Tippetts and Thorn.

S. B. No. 205 was transmitted to the House.

S. B. No. 155 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 155* was read the third time and placed on its final passage.

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

Page 1, line 3, after "82-2-6" strike the balance of the line and all of lines 4 to 20, both inclusive.

Page 2, strike lines 1 to 32, both inclusive.

S. B. No. 155 then failed of passage on the following roll call:

Ayes, 10; Nos, 4; Absent, 9.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Jensen, Reese and Mr. President.

Those voting in the negative were: Senators Gibson, Hopkin (explained vote), Marthakis and Watson.

Absent and not voting: Senators Brockbank, Elggren, Jenkins, Larsen, Milliman, Muir, Paxton, Tippetts and Thorn.

S. B. No. 155 was filed.

S. B. No. 153 was read the second time.

Committee report read and adopted.

On motion of Senator Hopkin the rules were suspended and *S. B. No. 153* was read the third time and placed on its final passage.

S. B. No. 153 then passed on the following roll call:

Ayes, 15; Nos, 3; Absent, 5.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese and Mr. President.

Those voting in the negative were: Senators Day, Gibson and Watson.

Absent and not voting: Senators Brockbank, Elggren, Larsen, Tippetts and Thorn.

S. B. No. 153 was transmitted to the House.

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

Committee report read and adopted.

On motion of Senator Gibson *S. B. No. 52* was made a special order of business for Monday, March 5, 1951 at 11:00 A.M.

S. B. No. 190 was read the second time.

Committee report read and adopted.

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

Line 9, after the word "person" insert "including the State of Utah".

On motion of Senator Day the rules were suspended and *S. B. No. 190* was read the third time and placed on its final passage.

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

Line 9, after the word "act" insert ", breach of contract, default".

S. B. No. 190 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Gibson, Jenkins, Jensen, Larsen, Marthakis, Muir, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Elggren, Hopkin, Milliman, Paxton and Tippetts.

S. B. No. 190 was transmitted to the House.

S. B. No. 73 was read the second time.

COMMUNCATIONS

Hon. J. Francis Fowles
President, Utah State Senate
The Capitol
Salt Lake City, Utah

Dear Sir:

I note in this morning's Tribune (Saturday, March 3, 1951) that Senator Mark Paxton of Fillmore, speaking in support of an amendment to the bill to increase, among other salaries of State elective officials, the salaries of the justices of the Supreme Court, stated apparently on the floor of the Senate yesterday as quoted from the newspaper that "one Supreme Court justice had received additional income from the University of Utah of $9,599.84 during the past two years and four months; that another had received $4,799.92 from the same institution in three years; and that a district judge received $6,166.42 from the Utah State Agricultural College during the past three years."

For the information of the Senate, I want to emphatically state that this statement is erroneous. I have heard that it was rumored in the Senate that I was the one who had received $9,599.84. I had not taken the trouble to squelch such rumor as false because I understood that others had definitely informed the senators that this was not the case. As a matter of fact, I have never in my more than forty years in Utah received a penny from the University of Utah except about thirty years ago I received several hundred dollars for doing some teaching in the Extension division for a course in government of the United States. Mr. Chief Justice Pratt taught several subjects in the law school of the University of Utah for, I think, a period of three years and he may have received the $4,799.92; I do not know what he did receive, but as I recollect he did not teach during the last year of his term of Chief Justice and is now off the Court and working in Washington, D. C. At the time Judge Pratt taught, there was a swollen enrollment on account of the G. I. Bill and he was requested to help out.

I understand in talking with Senator Paxton that the $6,166.42 received by a district judge from the Utah State Agricultural College was received by a man who has not been on the district bench for a number of years and that there is nothing to show that that gentleman when he was district judge ever did any teaching in the State Agricultural College.

I think perhaps the $9,599.84 attributed as having been received by me may be due to the fact that I have a son by the same name who is teaching in the Department of Mathematics at the University of Utah. I think he has been there a little more than two years and four months. He was called by the University after having received his bachelor's degree at the University of Utah and his master's and doctorate in mathematics at the Harvard University.

I think that in order to be fair to the justices and the judges in this matter of salary raises there should be no inaccuracies.

As judge of the district court for six years and as justice of this court for over sixteen years, my net salary after income taxes during that entire period of over 22 years has never been sufficient to pay the living expenses and the expenses of educating five children during their formative years. There is another justice of this Court who now is going through that period having five young children. When a man gives more than half of his adult life to the service of the State after having been thoroughly trained in his profession and having of course given up practice which in the latter years of his life it is too late to regain and having such small retirement pay as would not support himself and his dependents during the remainder of his life he cannot help feel some indignation that use is made of figures and supposed facts which are utterly errroneous in order to defeat a merited increase in the salary of the judges.

Perhaps I should also say that no judge who runs for office can possibly predict raises in the cost of living, nor is it possible ever to be able to change a salary before he is elected, without having the raise not take effect during the term for which he is elected because the Legislature which grants the raise must necessarily meet during the term for which he is elected. For instance, on the Supreme Court where the term is ten years, a raise granted by this session in order not to take effect during the terms for which all of the present justices were elected would only benefit justices whose terms began after January 1, 1961. It was for that reason that the Constitution was amended to furnish raises in salary of judges during their terms of office.

I have consistently refrained through the years when I was on the bench to come to the Legislature for anything or do any lobbying. In this case, I feel that I should, as Chief Justice, to correct an error and misapprehension which may cause injustice to all the judges of this State.

With high regards.

Sincerely,

JAMES H. WOLFE

Senator Paxton, speaking on personal privilege, made the following comment:

Yesterday, on the floor of the Senate, I made a speech in opposition to pay increases for judges in this state. In connection with that speech I made reference to certain salaries paid to two Supreme Court Justices and one District Court Judge. This information was furnished me by the Finance Commission of the State of Utah and I assumed the accuracy of the information given. I have made an investigation this morning and much to my embarrassment I find that in at least two instances the information furnished me was misleading and false. Apparently, the compilation was made without investigation or verification by the Finance Commission.

In connection with the reported $9,599.84, which I represented as paid to a Supreme Court Justice, I find that this was the salary paid to a son of the Justice, who, I am informed, is a professor in Mathematics, a graduate engineer of Harvard, and an excellent professor.

In connection with the sum of $6,166.42, which I represented as having been earned by a District Court Judge, I find that this too was furnished me without even a cursory examination having been made as to whether or not it involved the present judge of the First Judicial District. I have received information from him which I am authorized to quote that he has received no pay of any kind from the Utah State Agricultural College.

In connection with the third, an amount of $4,799.92, I am informed that Mr. Justice Pratt immediatly upon his return from the service was employed as a part-time lecturer in law, his lectures being given early in the morning and for the most part his preparation being done outside of court time.

I regret having furnished the quoted information, but I did so in good faith, relying entirely upon the information furnished me by the State Finance Commission. It is regrettable that information so inaccurate will be furnished by a state department, particularly where it reacts to the detriment of other departments.

I request that the members of the Legislative body in considering these bills be not influenced by the previous statements made by me and that the bills be considered solely upon the merits of whether or not members of the judicial department are entitled to increases in salaries.

MARK PAXTON

Senator Marthakis moved that the letter from the Honorable James H. Wolfe, Chief Justice of the Supreme Court of Utah and the comments by Senator Paxton be printed in the Journal.

Motion carried.

In accordance with the report of the Sifting Committee, adopted on the forty-fourth legislative day, S. B. Nos. 87, 136, 170, 113, 171 and 246 were referred back to the Sifting Committee.

On motion of Senator Marthakis the Senate adjourned until Monday, March 5, 1951 at 1:00 P.M.

FIFTY-SEVENTH DAY

March 5, 1951

The Senate was called to order at 1:00 P.M. President Fowles in the chair.

Roll Call- All Senators present.

Prayer by the Chaplain.

March 5, 1951

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 corrections noted on the final copy.

Respectfully,

JAMES E. BURNS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 3, 1951

Dear Mr. President and
Members of the Senate:

I wish to further clarify my position relative to *S. B. No. 75*, which I have vetoed, and to the so-called compromise bill--*S. B. No. 255*—which is now before the Legislature, both of which pertain to the Uniform School program.

Attached is a copy of the veto message which I prepared for *S. B. No. 75*. On page 3, you will note that I urged the Legislature to sustain my veto and create a special legislative committee, similar to the Tax Study Committee, charged with the responsibility of:

1. Studying school expenditures and programs to determine where they can be reduced, and in what proportions, consistent with the State's financial ability.

2. Studying the Uniform School Program in relationship to the 1946 Tax Study Committee's report and present developments to determine what changes, if any should be made.

3. Studying the State's obligation with the Utah State Teachers Retirement System and the advisability of meeting this obligation from the Uniform School fund.

My attitude toward *S. B. No. 75* is unchanged. I believe that a matter of such importance as the Uniform School program deserves the most careful investigation and study before it is altered in either direction.

That being the case, I cannot subscribe to the compromise bill that has been proposed (*S. B. No. 255*); and should it be passed by the Legislature, I shall veto it as soon as it is received.

I recognize the fact that the schools may need additional funds. If the Legislature adopts my suggestion to make a study of the problem, and from this study determines that an immediate need does exist requiring a special session of the Legislature, I will be prepared to take that action.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 5, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 49*, by Mr. Larsen, entitled:

AN ACT TRANSFERRING PROTECTION OF RELICS AND SCENIC FEATURES AND CONTROL OF EXCAVATION AND EXPLORATION FROM THE STATE BOARD OF PARK COMMISSIONERS TO THE STATE LAND BOARD AND REPEALING SECTIONS 68-0-8 AND 68-0-9, UTAH CODE ANNOTATED 1943.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 4, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 51*, by Mr. Larsen, entitled:

AN ACT AMENDING SECTIONS 85-4-1, 85-4-2, 85-4-3, 85-4-4, 85-4-5, 85-4-8, 85-4-9, 85-4-10, UTAH CODE ANNOTATED 1943, RELATING TO THE ORGANIZATION AND PRESCRIBING THE POWERS AND DUTIES OF THE UTAH STATE FAIR ASSOCIATION.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 5, 1951

Dear Mr. President and
Members of the Senate:

I have approved and transmitted to the Secretary of State, *S. B. No. 105*, by Mrs. Jensen and Mr. Reese, entitled:

AN ACT AMENDING SECTION 1 OF CHAPTER 4 LAWS OF UTAH 1944, FIRST SPECIAL SESSION, AUTHORIZING THE STATE TREASURER OR THE TREASURER OF ANY COUNTY, SCHOOL DISTRICT, CITY, TOWN, OR ANY OTHER POLITICAL SUBDIVISION IN THE STATE TO INVEST FUNDS IN BONDS OR OTHER OBLIGATIONS OF THE UNITED STATES, MATURING NOT LATER THAN FIVE YEARS FROM DATE OF PURCHASE.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 5, 1951

Dear Mr. President and
Members of the Senate:

I have approved and transmitted to the Secretary of State, *S. B. No. 114*, by Messrs. Day, Reese, Beal, Hopkin, Fowles and Gibson, entitled:

AN ACT PROVIDING FOR A LIQUOR PERMIT IDENTIFICATION CARD SHOWING EVIDENCE OF AGE, WHICH STATE LIQUOR STORE MANAGERS AND EMPLOYEES, PACKAGE AGENCY PROPRIETORS AND THEIR EMPLOYEES, AND LICENSEES HOLDING RETAIL LICENSES TO SELL BEER AS PROVIDED IN SECTION 46-0-131, UTAH CODE ANNOTATED 1943, AND EMPLOYEES OF SUCH LICENSEES, MAY ACCEPT AS EVIDENCE OF LEGAL AGE FOR THE SALE OF LIQUOR OR BEER ISSUED TO THE PERSON PRESENTING SAME; PRESCRIBING A FORM FOR IDENTIFICATION CARD; AUTHORIZING THE STATE LI-

QUOR CONTROL COMMISSION AND AUTHORITIES OF CITIES, TOWNS AND COUNTIES, AS PROVIDED IN SECTION 46-0-131, UTAH CODE ANNOTATED 1943, TO PRESCRIBE REGULATIONS FOR ISSUANCE OF SUCH IDENTIFICATION CARD AND USE THEREOF; PRESCRIBING DEFINITIONS AND FIXING PENALTY FOR VIOLATIONS OF THIS ACT.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 5, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 139*, by Mr. Watson, for Committee on Agriculture and Irrigation, entitled:

AN ACT PROVIDING FOR RETURN OF AND FUTURE ADMINISTRATION OF THE ASSETS OF THE UTAH RURAL REHABILITATION CORPORATION.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 5, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 144*, by Messrs. Marthakis, Muir, Beal, Tippetts, Ashton, Elggren, Jenkins, Milliman and Mrs. Jensen, entitled:

AN ACT AMENDING SECTION 2 OF CHAPTER 126, LAWS OF UTAH 1947, RELATING TO CONSTRUCTION, EQUIPPING AND FURNISHING OF BUILDINGS ON THE CAMPUSES OF THE UNIVERSITY OF UTAH AND THE UTAH STATE AGRICULTURAL COLLEGE AND PROVIDING FOR THE FINANCING THEREOF THROUGH THE ISSUANCE OF REVENUE BONDS.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 5, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State *S. B. No. 168*, by Messrs. Gibson, Hopkin and Fowles, entitled:

AN ACT AMENDING SECTION 3-12-23, UTAH CODE ANNOTATED 1943 RELATING TO FIRE ESCAPES REQUIRED ON HOTELS AND PROVIDING FOR CERTAIN TYPE FIRE ESCAPES AND OTHER FIRE PREVENTATIVE MEASURES FOR HOTELS.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 3, 1951

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. 20* by Messrs. Rowberry and Openshaw, entitled:

A JOINT RESOLUTION MEMORIALIZING THE UTAH CONGRESSIONAL DELEGATES FOR ASSISTANCE IN HANDLING FEDERAL HOUSING MATTERS AT WENDOVER, UTAH, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 20 was read the first time.

On motion of Senator Milliman the rules were suspended and *H. J. R. No. 20* was read the second and third times and placed on its final passage.

H. J. R. No. 20 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen,

Larsen, Marthakis, Milliman, Muir, Paxton, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Adams, Gibson, Reese and Thorn.

H. J. R. No. 20 was returned to the House.

March 3, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 90*, by Messrs. Woolley, Sheffield and Davis, entitled:

AN ACT AMENDING SECTION 35-1-1.14 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 49, LAWS OF UTAH, 1945, RELATING TO THE STATE HEALTH COMMISSIONER; AUTHORIZING THE STATE BOARD OF EXAMINERS TO DETERMINE THE COMMISSIONER'S SALARY, AND AUTHORIZING THE STATE BOARD OF HEALTH TO APPOINT AN ACTING STATE HEALTH COMMISSIONER.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 5, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 2nd day of March, 1951, transmit to the Secretary of State, *H. B. No. 279*, by Appropriations Committee, entitled:

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1951, AND ENDING JUNE 30, 1953, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES, together with his Veto Message.

The House on the first day of March, 1951, failed to obtain a vote of two-thirds of the members to over-ride the items vetoed in this bill. The bill, excepting those vetoed items, therefore, becomes law.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 3, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 3rd day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 88*, by Messrs. Sheffield, Davis, Thoresen, Dalebout, Frost, Larson, Bunderson, Postma, Luke, Bonacci, J. Johnson, S. Anderson, and Jones, entitled:

AN ACT AMENDING SECTION 57-7-91, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 65, LAWS OF UTAH 1949, PERMITTING TRAFFIC LIGHTS TO DENOTE "STOP," "GO" AND "CAUTION," AND PERMITTING RIGHT TURNS AGAINST THE RED LIGHT, UNLESS PROHIBITED BY THE SIGN.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 5, 1951

Mr. President:

I am directed 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. 78*, by Messrs. Reese and Paxton, entitled:

AN ACT AMENDING SECTION 57-12-1, UTAH CODE ANNOTATED 1943, RELATING TO DEFINITIONS AS USED IN THE MOTOR FUELS TAX LAW; EXCEPTING PROPANE AND BUTANE FROM THE DEFINITION OF "MOTOR FUELS" AS THEREIN USED; AND REDEFINING THE TERMS "DISTRIBUTOR" AND "RETAIL DEALER", and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 78 was transmitted to the Governor.

March 3, 1951

Mr. President:

I am directed 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. 81*, by Messrs. Day and Muir, entitled:

AN ACT ASSENTING TO THE PROVISIONS OF THE ACT OF CONGRESS ENTITLED "AN ACT TO PROVIDE THAT THE UNITED

STATES SHALL AID THE STATES IN FISH RESTORATION AND MANAGEMENT PROJECTS, AND FOR OTHER PURPOSES," APPROVED AUGUST 9, 1950, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 81 was transmitted to the Governor.

March 3, 1951

Mr. President:

I am directed 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. 90*, by Messrs. Jenkins, Reese and Muir, 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 85-5-2A, 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 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,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 90 was transmitted to the Governor.

March 3, 1951

Mr. President:

I am directed 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. 121*, by Messrs. Watson and Hopkin, entitled:

AN ACT AMENDING SECTION 86-1-18, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 84, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 129, LAWS OF UTAH 1947, RELATING TO MINING LEASES, RENTALS AND ROYALTIES ON LANDS IN THE STATE OF UTAH AND TO THE ACREAGE LIMITATION WITH RESPECT THERETO AND PROVIDING AN EXCEPTION AS TO LANDS WITHIN OIL AND GAS COOPERATIVE OR UNIT PLANS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 121 was transmitted to the Governor.

March 5, 1951

Mr. President:

I am directed 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. 169*, by Messrs. Paxton, Reese and Ashton, entitled:

AN ACT AMENDING SECTIONS 57-12-39, 57-12-40, 57-12-41 AND 57-12-42, UTAH CODE ANNOTATED 1943, RELATING TO AND REQUIRING RETAIL VENDORS OF MOTOR FUELS TO DETERMINE AND POST PRICES OF SUCH FUELS AT THEIR PLACES OF BUSINESS AT THE BEGINNING OF EACH BUSINESS DAY, WHICH SHALL REMAIN NOT LESS THAN 24 HOURS UNLESS

CHANGED TO MEET A POSTED COMPETITIVE PRICE IN THE SAME COMMUNITY, AND REQUIRING SAID RETAIL VENDORS TO SELL AT SAID POSTED PRICE, AND ALSO PROVIDING FOR A PENALTY FOR INFRACTION OF THE PROVISIONS OF SAID ACT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 169 was transmitted to the Governor.

March 3, 1951

Mr. President:

I am directed 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. Bagnall, Young, Munk, Postma, V. Peterson, White, Bunderson, Tietjen, Russell, J. Johnson, Sevy, Dunn, Thurston, Brotherson, A. Gardner, Hurst, and Jarman, entitled:

AN ACT PROVIDING FOR REFUND OF 85 PERCENT OF THE TOTAL 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 OTHER NON-TRANSPORTATION PURPOSES; AND PROVIDING FOR METHODS OF ADMINISTRATION AND FOR PENALTIES AND COLLECTION OF PENALTIES FOR MAKING FALSE CLAIM OR VIOLATING ANY PROVISION OF THIS ACT, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 42 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 3, 1951

Mr. President:

I am directed 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. 15*, by Messrs. Woolley, and Hopkins, entitled:

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, RELATING TO THE TERMS OF OFFICE OF THE PRESIDENT, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 15 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

March 3, 1951

Mr. President:

I am directed 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. Bonacci, Larson, Taylor, and Davis, entitled:

AN ACT AMENDING SECTION 42-2a-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 67, LAWS OF UTAH 1945, CHAPTER 54, LAWS OF UTAH 1947 AND CHAPTER 53, LAWS OF UTAH 1949; SECTIONS 42-2a-5, 42-2a-6 AND 42-2a-11, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 53, LAWS OF UTAH 1949; SECTION 42-2a-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 56, LAWS OF UTAH 1947 AND CHAPTER 53, LAWS OF UTAH 1949; SECTION 42-2a-14, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 68, LAWS OF UTAH 1945 AND CHAPTER 53, LAWS OF UTAH 1949; SECTION 42-2a-16, UTAH CODE ANNOTATED 1943; AND ENACTING NEW SECTIONS 42-2a-25 AND 42-2a-26, RELATIVE TO UNEMPLOYMENT COMPENSATION; BENEFITS; ELIGIBILITY FOR BENEFITS; REQUIRED REPORTS; INELIGIBILITY FOR BENEFITS; EMPLOYER CONTRIBUTIONS; DUTIES OF INDUSTRIAL COMMISSION; MERIT RATING; PENALTIES; PERSONNEL; DEFINING TERMS; EFFECTIVE DATE, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 184 was signed by the President in open session in the presence of the Senate and returned to the House for transmission to the Governor.

March 3, 1951

Mr. President:

I am directed 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 Messrs. Tietjen, Larsen, White, Luke, Dalebout, C. Gardner, and Frost, entitled:

AN ACT TO AMEND SECTIONS 7-1-9, 7-1-10, 7-1-11, AND 7-1-11X, UTAH CODE ANNOTATED 1943, RELATING TO THE EXAMINATION OF, AND THE FEES PAYABLE TO THE BANK COMMISSIONER BY, FINANCIAL INSTITUTIONS UNDER THE SUPERVISION OF THE STATE BANKING DEPARTMENT, AND THE DISPOSITION TO BE MADE OF FEES SO PAID, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
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.

March 3, 1951

Mr. President:

I am directed 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. 46*, by Messrs. Chas. C. Gardner, Dalebout, Davis, Sheffield, Sagers, and Rowberry, entitled:

AN ACT APPROPRIATING TO THE STATE BOARD FOR VOCATIONAL EDUCATION THE SUM OF $37,550.00, FROM THE GENERAL FUND OF THE STATE TREASURY, FOR THE PURPOSE OF COSTS OF OPERATION OF THE SALT LAKE AREA VOCATIONAL SCHOOL DURING THE REMAINDER OF THE PRESENT BIENNIUM, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 46 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 3, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 43*, by Messrs. Postma, Young, Jarman, Tietjen, Hurst, Brotherson, and Patterson, 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 RECEIPT THEREFROM, ALLOCATION OF THE AERONAUTIC FUND AND HOW IT IS USED, REPORTS OF DISTRIBUTORS AND DEALERS, DISPOSITION OF THE BALANCE, BY APPROPRIATING 93% TO THE STATE HIGHWAY CONSTRUCTION FUND, CREATING A MOTOR FUEL RESERVE FUND AND APPROPRIATING 7% 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 the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 43 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 5, 1951

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. 284*, by Mr. Walker, entitled:

AN ACT AMENDING SECTION 25-3-38, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 34, LAWS OF UTAH 1949, RELATING TO PRIMARY ELECTIONS AND PROVIDING FOR THE CLOSING OF THE POLLS AT THE HOUR OF 8:00 P.M., and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 284 was read the first time and referred to the Sifting Committee.

March 5, 1951

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. 282*, by Messrs. White, R. C. Anderson, Howe, Swenson, and Taylor, entitled:

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 36-2-4a, RELATING TO THE UTAH STATE ROAD COMMISSION AND PROVIDING THAT IN ADDITION TO ITS OTHER POWERS AND DUTIES, THE STATE ROAD COMMISSION SHALL ESTABLISH AND MAINTAIN, WITH THE COOPERATION OF THE STATE AUDITOR, THE ACCOUNTING SYSTEM AND METHODS NECESSARY TO ACCOUNT FOR ITS FUNDS AND PROCEDURES, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 282 was read the first time and referred to the Sifting Committee.

March 2, 1951

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. 281*, by Messrs. White, R. C. Anderson, Howe, Taylor, and Swenson entitled:

AN ACT AMENDING SECTIONS 82C-2-21, AND 82C-2-21a, UTAH CODE ANNOTATED 1943, RELATING TO THE DEPARTMENT OF FINANCE ACCOUNTING METHODS AND CONTROLS AND PRE-AUDITS, POST-AUDITS, EXAMINATION OF CLAIMS AND PROPOSED EXPENDITURES, SUPERVISION OF ACCOUNTING SYSTEMS AND PROVIDING THAT THE STATE ROAD COMMISSION SHALL MAINTAIN ITS OWN ACCOUNTING SYSTEM AND METHODS EXCEPT AS TO PRE-AUDIT OF CLAIMS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 281 was read the first time and referred to the Sifting Committee.

March 3, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 258*, by Messrs. Davis, W. G. Larson, Wood, E. C. Larsen, and Albrecht, entitled:

AN ACT AMENDING SECTION 50-1-3, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE REDISTRICTING OF COUNTIES HAVING MORE THAN ONE REPRESENTATIVE IN THE HOUSE OF REPRESENTATIVES OF THE STATE LEGISLATURE, INTO REPRESENTATIVE DISTRICTS AND TO NUMBER THE SAME, AND PROVIDING FOR THE APPOINTMENT OF A COMMITTEE TO REDISTRICT SUCH COUNTIES AND SETTING TIME LIMITS FOR THE COMPLETION OF THEIR WORK, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 258 was read the first time and referred to the Sifting Committee.

March 5, 1951

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. 244*, by Messrs. Davis, and W. G. Larson, entitled:

AN ACT TO ESTABLISH DAYLIGHT SAVING TIME AT ONE HOUR EARLIER THAN MOUNTAIN STANDARD TIME FROM THE FIRST SUNDAY OF JUNE, 1951, AND THEREAFTER FROM THE FIRST SUNDAY OF APRIL OF EACH YEAR UNTIL THE FIRST SUNDAY OF OCTOBER OF EACH YEAR, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 244 was read the first time and referred to the Sifting Committee.

March 3, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 124*, by Messrs. Sheffield, Rees, Walker, Larson, and Miller, entitled:

AN ACT AMENDING SECTIONS 87-1-3 AND 87-1-4, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 125, LAWS

OF UTAH 1945, AND AS AMENDED BY CHAPTER 134, LAWS OF UTAH, 1947, RELATING TO THE SALARIES OF JUDGES OF THE SUPREME AND DISTRICT COURTS AND THE TERM OF DISTRICT JUDGES, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,

Communication filed. Chief Clerk

H. B. No. 124 was read the first time and referred to the Sifting Committee.

March 5, 1951

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 Mr. Larson, entitled:

AN ACT AMENDING SECTION 19-13-15 UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 30, LAWS OF UTAH, 1943, AS AMENDED BY CHAPTER 35, LAWS OF UTAH, 1945, AS AMENDED BY CHAPTER 23, LAWS OF UTAH, 1947, AS AMENDED BY CHAPTER 1, LAWS OF UTAH, 1948, (SPECIAL SESSION) AS AMENDED BY CHAPTER 25, LAWS OF UTAH, 1949, RELATING TO SALARIES OF COUNTY OFFICERS AND AUTHORIZING COUNTY COMMISSIONERS TO INCREASE SUCH SALARIES TEMPORARILY, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,

Communication filed. Chief Clerk

H. B. No. 107 was read the first time and referred to the Sifting Committee.

March 5, 1951

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. 106*, by Mr. Larson, entitled:

AN ACT AMENDING SECTION 19-13-14, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 34, LAWS OF UTAH, 1945, AS AMENDED BY CHAPTER 25, LAWS OF UTAH 1949, RELATING TO SALARIES OF COUNTY OFFICERS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,

Communication filed. Chief Clerk

H. B. No. 106 was read the first time and referred to the Sifting Committee.

March 5, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 38*, by Messrs. Bushnell and Openshaw, entitled:

AN ACT DIRECTING THE BOARD OF EXAMINERS TO APPROPRIATE FROM THE RESERVE BUILDING FUND THE SUM OF $312,000.00 TO THE STATE BOARD FOR VOCATIONAL EDUCATION, FOR THE PURCHASE OF REAL PROPERTY FOR THE SALT LAKE AREA VOCATIONAL SCHOOL, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 38 was read the first time and referred to the Sifting Committee.

March 3, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 45*, by Messrs. Cannon, Day, and Marthakis, 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, AS AMENDED BY CHAPTER 27, LAWS OF UTAH 1949, RELATING TO COMPENSATION OF COURT REPORTERS, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. 45 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF SPECIAL COMMITTEES

March 3, 1951

Mr. President:

Your Joint Committee appointed to investigate and make recommendations for the disposition of the matter existing between the State of Utah and Coal Logs Corporation has introduced *S. B. No. 253* which

would authorize the Board of Examiners to dispose of this matter in the best interests of the State and recommends that that bill be given favorable consideration.

Respectfully,

EDWARD H. WATSON,
Chairman.

Report filed.

On motion of Senator Marthakis, the Senate resolved itself into a Committee of the Whole to hear the Honorable Theodore Turkovassilis, Nationalist Party Leader, member of the Parliament, Athens, Greece.

The Committee of the Whole was dissolved.

March 5, 1951

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 171 and 113 and H. B. No. 181.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. Nos. 171 and 113 and H. B. No. 181 were placed on the Second Reading Calendar.

Senator Marthakis moved that the Senate reconsider its action by which it failed to pass *S. B. No. 155*, that the rules be suspended and that Senate do now consider *S. B. No. 155*.

Motion carried.

S. B. No. 155 was before the Senate for reconsideration.

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

Sections (a) and (b) were re-instated by striking the previous amendment.

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

Line 2, after "1943," insert "AS AMENDED BY HOUSE BILL NO. 61, 29th LEGISLATURE".

Line 5, after the word "AND" insert "ADDING A NEW SUB-SECTION (c)".

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

Page 1, line 1, after "1943" insert the following "as amended by House Bill No. 61, 29th Legislature," and after the word "is" insert the word "further".

Page 1, line 4, strike the word "qualification" and insert in lieu thereof the word "qualifications".

Page 1, line 15, strike the word "Five" and insert in lieu thereof the word "Three".

Page 1, line 20, strike the word "five" and insert in lieu thereof the word "three".

Page 1, lines 3 to 20 inclusive, delete all underscoring.

Page 2, line 1, delete the underscoring.

Page 2, lines 3 and 4, delete the underscoring.

Page 2, line 11, after the word "as" insert the word "a".

Page 2, line 20, delete the underscoring under the words "Such application shall be accompanied by".

Page 2, line 21 to 25 inclusive, delete the underscoring.

Page 2, line 32, delete the brackets and the underscoring.

Page 3, line 26, strike the word "be" and insert in lieu thereof the word "by".

S. B. No. 155 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative: Senator Adams.

Absent and not voting: Senators Gibson, Hopkin and Paxton.

S. B. No. 155 was transmitted to the House.

UNFINISHED BUSINESS

S. B. No. 73, being unfinished business, was before the Senate.

Committee report read and adopted.

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

Strike all the underscored material in the bill.

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

Page 4, line 22, strike the word "he" and insert in lieu thereof the word "it".

Page 7, strike lines 22 to 28, both inclusive.

Page 7, line 29, renumber "Section 32" as "Section 31".

On motion of Senator Day the rules were suspended and *S. B. No. 73* was read the third time and placed on its final passage.

S. B. No. 73 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Jenkins, Jensen, Larsen, Paxton, Reese, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Gibson and Hopkin.

Absent and not voting: Senators Marthakis, Milliman, Muir and Tippetts.

S. B. No. 73 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 171 was read the second time.

Committee report read and adopted.

Senator Elggren moved that the report of the Special Committee appointed to hold public hearing on the State Hospital for Poliomyelites and other Crippling Diseases of Children in connection with *S. B. No. 171*, be printed in the Journal.

Motion carried.

March 1, 1951

President J. Francis Fowles and
Members of Utah State Senate:

The following is the report of your committee appointed to investigate the State Poliomyelitis and Crippling Disease Hospital in connection with Governor Lee's letter of January 24, 1951 and Senate Bill No. 171.

A public hearing was held on this matter at which about 65 people were present, all deeply interested in this project.

A brief review shows that the original act, Chapter 59, Laws of Utah 1945, declared a legislative policy in providing a hospital for the treatment of all crippling diseases of children. The bill recognized the necessity of such treatment, not only as a humanitarian thing, but as protecting the state against the care of crippled and dependent persons all through life because of neglect of proper care and treatment during youth against the ravages of polio, rheumatic heart, spastic and other crippling diseases which respond to proper treatment at the proper time.

The purpose of this hospital was to provide a service to children so afflicted, not merely to provide a hospital bed.

The claim that there are 245 beds in existing hospitals, even if true, is not the answer. It is the hospital service that is required, and actually even hospital beds are not available as inquiry will show. All hospitals cannot and are not meeting the demands of doctors and patients for hospital beds today.

It is the duty of this legislature to carry out the policy of the law and to go forward to accomplish the purpose of the act — to provide a hospital service for meeting the effects of all crippling diseases of children.

Nearly $500,000 is invested in the structure and it is estimated about $100,000 will complete it.

The law provided for a board of trustees composed of one from the board of health, one from the University medical school, one from the polio foundation, one from the State Medical Association and three lay members, with two women and two licensed physicians.

Investigation shows that out of this board there grew immediate conflicts of interest and selfish purposes and years of controversy resulted over the location of the hospital. The University won out on its claim that the hospital should be located and built as the nucleus for a University Medical School and for research rather than service to the crippled children.

Other interests and especially the hospitals became jealous and the fact of increased costs caused mainly by the controversy and delay has been used to inflame the public from an economy stand-point.

The acute demands of polio have fluctuated but the crippling effects on the children exists and through the rehabilitation work of the board of health, the department of education and the organizations working for crippled children, large sums of state money are being spent and the work being done is not such as contemplated by the law creating the hospital and as can now be done at the hospital.

A flood of letters have been received from polio and crippling disease patients pointing out the lack of proper treatment and nursing service for these patients and begging that Utah's hospital and research center for polio and other crippling diseases be finished at the earliest possible time to serve the crying needs of people thus affected and others that are being attacked with these diseases. A few of these letters are among the attached papers.

The Federal Government has contributed a large sum and private interests have been putting up money, all of which must be returned if the purpose of the building is changed as contemplated by this act.

It is the very apparent purpose of the present board of trustees of the hospital to not complete it as a hospital for crippling diseases of

children and to defeat the well defined purpose of the legislature in the act creating the hospital.

Senate Bill No. 171 will kill the hospital and continue the neglect and haphazard treatment of crippled children at state expense.

It is apparent that calm and unprejudiced study of the whole present situation can and will bring about the proper solution of the problem. The people of the state — the whole state — are interested. The outlying counties are entitled to the same facilities that Salt Lake City people enjoy. Time will solve the problem presented and it is the recommendation of this committee that this bill be amended to provide for the repeal of Section 2, Chapter 59, Laws of Utah, 1945 and enact a section in lieu thereof making the Secretary of State custodian and manager of the hospital with authority to provide out of available funds, the facilities necessary for the care and treatment of crippled children now being provided by the state rehabilitation program through the board of health, the department of education and the Utah society for the physically handicapped or other organizations, using funds appropriated or available to these organizations on a proper basis and with authority to lease or make available such parts of the hospital not now necessary to this purpose, to any other state or federal agency on a contract lease approved by the state board of examiners, such leases or agreements to extend not longer than two years.

This plan will not require the repayment of any money advanced by the Federal Government or by any private interests now in the hospital or available for hospital use but will hold the same intact and for use until final plans are worked out for the hospital.

Respectfully submitted,

LORENZO E. ELGGREN,

Chairman of Committee appointed by President J. Francis Fowles to hold public hearing on Governor Lee's letter of January 24, 1951 on the State Polio and Other Crippling Disease Hospital in connection with *S. B. No. 171.*

On motion of Senator Day, the Senate resolved itself into a Committee of the Whole to hear Dr. George A. Spendlove.

The Committee of the Whole was dissolved.

Senator Elggren moved that the title and bill be amended as follows:

Title, line 1, strike the word "REPEALING" and insert in lieu thereof the word "AMENDING". Before the word "CHAPTER" insert the words "SECTION 2, 3, 4, 5, 6, AND 8".

Line 9, after the word "HEALTH" strike the balance of line 9, all of lines 10, 11, 12, 13 and down to, and including the word "GROUPS" in line 14, and insert "SECRETARY OF STATE" in lieu thereof.

Bill, page 1, line 1, after "Section 1" insert "Section 2, 3, 4, 5, 6 and 8.

Bill, page 1, line 2, strike the words "is hereby repealed" and insert "are amended to read" in lieu thereof.

Bill, page 1, line 3, strike the balance of the bill and insert:

Sec. 2. ( ) The Secretary of State shall be in charge of equipping and managing the said children's crippling diseases hospital, ( ) and shall serve without additional compensation ( ). The Secretary of State shall execute all powers and discharge all duties and perform all the functions which by existing and continuing law are conferred upon, and required to be discharged or performed by the board of trustees of the state hospital for Poliomyelitis and other children's crippling diseases whenever any existing and continuing law referring to or naming the state board of trustees or any officer, agent or employee of such board, the same shall be construed to mean, refer to and name the Secretary of State or the corresponding officer, agent or employee of such Secretary of State.

Sec. 3. ( ) The Secretary of State shall be custodian and manager of the hospital with authority to lease or make available parts of the hospital to other organizations or state departments for the purpose of the rehabilitation and care and treatment of crippled children. Such leases shall be approved by the State Board of Examiners and shall not extend beyond June 30, 1953. The Secretary of State is further authorized to charge the Board of Health, Department of Education, the Utah Society for the Physically Handicapped or other organizations, the reasonable value rendered such departments in the current treatment of crippled children.

Sec. 4. ( ) The Secretary of State shall have power to advertise and receive bids and to let contracts for work to be done in the equipping of said childrens' crippling diseases hospital and to hire help and purchase materials necessary for the equipment, operation and maintenance of said hospital. He shall keep a strict and accurate account of all moneys disbursed by him in furthering and equipping said hospital and make a report thereof and of all his contracts and transactions, to the governor at the time and manner specified by law, who shall transmit the same to the next succeeding session of the legislature.

Sec. 5. ( ) All funds appropriated or received for the equipping, maintaining and operating of said hospital, shall be under the control and direction of the ( ) Secretary of State, subject to the provisions herein contained. Such fund shall be disbursed on warrants of the state

auditor issued for claims approved by the Secretary of State and state board of examiners. The mode of government and the powers and duties of the ( ) Secretary of State shall be as follows:

( )

1. To provide by regulation for admission to and charges by the hospital;

2. To keep a record of his proceedings open at all times during office hours to the inspection of the public;

3. To appoint a medical superintendent who shall hold his office during the pleasure of the ( ) Secretary of State;

4. To receive, take and hold money, real and personal property in trust for the state and for the use and benefit of the hospital, or any department or division thereof;

5. To make such improvements as in his judgment are actually necessary for the care of patients;

6. To cause the accounts of the hospital to be so kept and reported as to show the quality, quantity and cost, together with the name of the vendor of every article purchased;

7. To examine and audit all expenditures of the superintendent and certify the same to the auditor;

8. To make regulations providing for the conduct of research and experimental work.

Sec. 6. ( ) Neither the Secretary of State nor the superintendent ( ) nor any employee may have a pecuniary interest in any contract for supplies furnished for the hospital. All contracts must be awarded to the lowest bidder giving satisfactory security for faithful performance of its contract. ( )

Sec. 8. The medical superintendent shall be the chief executive officer of the hospital with powers and duties as follows:

1. To manage the hospital, determine the treatment and prescribe and enforce the sanitary regulations of the hospital.

2. With the consent of the ( ) Secretary of State, to fix the number and compensation of, appoint, control and remove, all employees, and prescribe and enforce the performance of their duties, the provisions of Sec. 82c-2-14 Utah Code Annotated 1943 notwithstanding.

3. To ascertain and report to the ( ) Secretary of State the amount and quality of provisions, fuel, equipment and supplies required for the six months ending on the first of June and December in each year.

4. With the consent of the ( ) Secretary of State, to make all expenditures necessary in the performance of his duties.

5. To keep a daily record of his official acts.

6. To make his annual accounts on the first day of July in each year and report a statement thereof and the general condition of the hospital to the ( ) Secretary of State as soon thereafter as possible.

7. To estimate quarterly in advance the probable expenses of the hospital and submit such estimate to the ( ) Secretary of State ( ) for consideration and approval.

Senator Elggren, with the aid of five Senators, requested a roll call on the above amendments.

The amendments as proposed by Senator Elggren then failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Brockbank, Burns, Elggren, Jensen, Marthakis, Milliman and Watson.

Those voting in the negative were: Senators Adams, Ashton, Beal, Cannon, Clegg, Day, Gibson, Hopkin, Jenkins, Larsen, Muir, Paxton, Reese, Tippetts (explained vote), Thorn and Mr. President.

On motion of Senator Cannon the rules were suspended and *S. B. No. 171* was read the third time and placed on its final passage.

S. B. No. 171 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Beal, Cannon, Clegg, Day (explained vote), Gibson, Hopkin, Jenkins, Jensen (explained vote), Larsen, Muir, Paxton, Tippetts and Thorn.

Those voting in the negative were: Senators Adams, Brockbank, Burns, Elggren, Marthakis, Milliman, Reese, Watson and Mr. President.

S. B. No. 171 was transmitted to the House.

On motion of Senator Hopkin, the Senate recessed for fifteen minutes.

The Senate re-assembled.

S. B. No. 113 was read the second time.

Committee report read and adopted.

On motion of Senator Jensen the rules were suspended and *S. B. No. 113* was read the third time and placed on its final passage.

S. B. No. 113 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Jenkins, Jensen, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Gibson, Hopkin, Larsen and Marthakis.

S. B. No. 113 was transmitted to the House.

H. B. No. 181 was read the second time.

H. B. No. 181 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 Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippets, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Elggren and Gibson.

The President recognized former State Senator David Jones, and former State Representative Mrs. Della L. Loveridge.

The President recognized former State Senator L. C. Romney.

The Senate voted to accept the invitation of the Utah Symphony to attend its concert on Wednesday, March 7, 1951 at 8:30 P.M.

On motion of Senator Day *S. B. No. 52* was made a special order of business for Tuesday, March 6, 1951 at 11:30 A.M.

A letter from Mr. L. R. Wilson in regard to deer damaging his crops was read and referred to the Committee on Fish and Game.

On motion of Senator Day, the President appointed Senators Hopkin, Marthakis and Larsen as a committee to act with a like committee from the House to formulate procedure for the next three days.

On motion of Senator Milliman the Senate adjourned until Tuesday, March 6, 1951 at 11:00 A.M.

FIFTY-EIGHTH DAY

March 6, 1951

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 6, 1951

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 corrections noted on the final copy.

Respectfully,

JAMES E. BURNS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 6, 1951

Dear Mr. President and
Members of the Senate:

In compliance with State laws, I am submitting the following appointment to your Honorable Body for advice and consent:

COMMISSIONER, DEPARTMENT OF BUSINESS REGULATION:

Stewart M. Hanson, 1524 Arlington Drive, Salt Lake City: for six-year term, ending March 1, 1957.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication referred to the Committee on Appointments.

March 6, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 62*, by Mr. Watson, entitled:

AN ACT AMENDING SECTIONS 100-9-7 AND 100-9-11, UTAH CODE ANNOTATED 1943, RELATING TO IRRIGATION DISTRICTS, AND MORE PARTICULARLY TO OFFICE LOCATION; PRE-ELECTION PROCEEDINGS; PROVIDING FOR CONTINUANCE IN OFFICE OF DIRECTOR WHEN NO CANDIDATE FILES FOR OFFICE; ORGANIZATION OF BOARD OF DIRECTORS; ITS POWERS AND DUTIES; WATER ALLOTMENTS AND CHANGE THEREOF; CONTRACTING WITH THE UNITED STATES; REMOVAL OF LANDS FROM ASSESSMENT ROLLS; CONTRACTING FOR SUPPLY OF WATER TO MUNICIPALITIES, CORPORATIONS, ASSOCIATIONS OR INDIVIDUALS FOR BENEFICIAL USE; PUBLIC MEETINGS; FIXING TAX LEVIES, DETERMINATION OF AMOUNTS THEREOF; AND ESTABLISHING TAXES AS BEING SPECIAL TAXES.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 5, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 146*, by Messrs. Larsen, Tietjen, L. B. Johnson, Woolley, J. Johnson, Hurst, Brotherson, Hinton, Luke, Albrecht, C. C. Gardner, Russell, and Crofts, for the Utah Legislative Council, entitled:

AN ACT TO PROVIDE FOR ESTABLISHMENT OF A SCHOOL BUILDING SURVEY COMMISSION TO DETERMINE THE EXTENT OF THE SCHOOL BUILDING NEEDS OF SCHOOL DISTRICTS; DEFINING ITS DUTIES; PROVIDING THE STANDARDS OF ELIGIBILITY WHEREBY SCHOOL DISTRICTS MAY OBTAIN STATE FUNDS TO MEET THEIR EMERGENCY SUPPLEMENTAL NET BUILDING NEEDS; DIRECTING THE STATE BOARD OF EDUCATION TO PRESCRIBE MINIMUM SCHOOL PLANT STANDARDS AND TO APPROVE CONSTRUCTION PLANS; PROVIDING FOR THE DISTRIBUTION OF STATE AID AND THE CONDITIONS

PRECEDENT THERETO; APPROPRIATING THE SUM OF TWO MILLION DOLLARS ($2,000,000.00) FOR EMERGENCY SUPPLEMENTAL STATE AID; AND PROVIDING FOR A REPORT OF THE RESULTS OF THE SURVEY.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 5, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 108*, by Mr. Sheffield, entitled:

AN ACT AMENDING SECTIONS 43-20-2, AND 43-20-4, OF CHAPTER 63, LAWS OF UTAH 1947, RELATING TO GROUP DISABILITY INSURANCE REQUIREMENTS OF GROUP DISABILITY INSURANCE CONTRACT AND PROVIDING THAT GROUP DISABILITY INSURANCE MAY INCLUDE SPOUSE AND CHILDREN UNDER 19, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 108 was read the first time and referred to the Sifting Committee.

March 5, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 156*, by Messrs. Patterson and Hurst, entitled:

AN ACT AMENDING SECTION 86-1-44, UTAH CODE ANNOTATED 1943, RELATING TO LEASES OF STATE LANDS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 156 was read the first time and referred to the Sifting Committee.

March 5, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 171*, by Messrs. Crofts, Albrecht and Hurst, entitled:

AN ACT AMENDING SECTION 86-1-34, UTAH CODE ANNOTATED 1943 RELATING TO THE SALE OF TIMBER, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 171 was read the first time and referred to the Sifting Committee.

March 5, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 203*, by Mr. Hinton, entitled:

AN ACT AUTHORIZING AND DIRECTING THE STATE LAND BOARD TO QUIT CLAIM CERTAIN LAND TO THE CITY OF ST. GEORGE CITY, UTAH, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 203 was read the first time and referred to the Sifting Committee.

March 5, 1951

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. 206*, by Messrs. C. C. Gardner, Dalebout, W. G. Larson, Miller and Brotherson, entitled:

AN ACT AMENDING SECTIONS 79-12-2, 79-12-7, 79-12-8, 79-12-10, 79-12-11, 79-12-12, 79-12-13, UTAH CODE ANNOTATED 1943; AND ENACTING NEW SECTIONS 79-12-2.1, 79-12-2.2, 79-12-2.3, 79-12-8.1, 79-12-10.1, 79-12-10.2, 79-12-10.3, 79-12-10.4, 79-12-11.1, 79-12-12.1, 79-12-12.2, 79-12-16.1, 79-12-16.2, 79-12-16.3, 79-12-16.4, 79-12-16.5, 79-12-16.6, 79-12-16.7, 79-12-16.8, 79-12-16.9, UTAH CODE ANNOTATED 1943; AND REPEALING SECTIONS 79-12-29, 79-12-30, 79-12-31 AND 79-12-32, UTAH CODE ANNOTATED 1943; AND ENACTING A NEW SECTION 79-12-29, UTAH CODE ANNOTATED 1943; RELATING

TO LICENSES TO PRACTICE PHARMACY; RAISING THE APPLICATION FEE FROM $15 TO $20, AND RAISING THE ANNUAL RENEWAL FEE FROM $5 TO $10; REGULATING THE MANUFACTURE AND SALE OF DRUGS AND PROVIDING FOR THE LICENSING OF MANUFACTURING, WHOLESALE AND RETAIL DRUG BUSINESSES, AND PROVIDING THE FEES THEREFOR; PROVIDING FOR INVESTIGATIONS BY THE BOARD OF PHARMACY; RELATING TO THE REFILLING OF PRESCRIPTIONS, AND PROVIDING THE PENALTY FOR THE VIOLATIONS OF THE ACT; AND REPEALING ALL INCONSISTENT ACTS OR PARTS OF ACTS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 206 was read the first time and referred to the Sifting Committee.

March 5, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 207*, by Messrs. C. C. Gardner, Dalebout, W. G. Larson, Miller and Brotherson, entitled:

AN ACT AMENDING SECTIONS 79-1-7, 79-1-13, AND 79-1-21, UTAH CODE ANNOTATED 1943, AND 79-1-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 41, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 32, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 77, LAWS OF UTAH 1949, DESIGNATING THE COMMITTEE OF FIVE PHARMACISTS AS THE STATE BOARD OF PHARMACY; ADDING TO THE GENERAL DUTIES OF THE SEVERAL REPRESENTATIVE COMMITTEES THE PERFORMANCE OF ALL OTHER DUTIES SPECIFICALLY REQUIRED OF THEM UNDER THE LAWS OF THIS STATE; PROVIDING FOR AN ADDITIONAL FUNCTION AND DUTY OF THE DEPARTMENT OF REGISTRATION UPON THE ACTION AND REPORT IN WRITING OF THE APPROPRIATE REPRESENTATIVE COMMITTEES TO PROMULGATE AND ENFORCE RULES AND REGULATIONS WHEN SUCH COMMITTEES ARE AUTHORIZED BY LAW TO MAKE AN INTIATE SUCH RULES AND REGULATIONS; INCREASING THE MAXIMUM LICENSE, CERTIFICATE, PERMIT, STUDENT CARD AND APPRENTICE CARD RENEWAL FEE FROM $5 TO $10, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 207 was read the first time and referred to the Sifting Committee.

March 5, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 208*, by Messrs. C. C. Gardner, Dalebout, W. G. Larson, Miller and Brotherson, 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,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 208 was read the first time and referred to the Sifting Committee.

March 5, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 209*, by Messrs. C. C. Gardner, Dalebout, W. G. Larson, Miller and Brotherson, entitled:

AN ACT AUTHORIZING THE BOARD OF PHARMACY TO MAKE AND INITIATE RULES AND REGULATIONS FOR PROTECTION OF THE PUBLIC; PROVIDING FOR ELECTION OF OFFICERS OF THE BOARD; AND PROHIBITING BOARD MEMBERS FROM PRIVATELY TEACHING PHARMACY, AND IN ENACTING A NEW CHAPTER TO BE KNOWN AS CHAPTER 12b, TITLE 79, UTAH CODE ANNOTATED 1943, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 209 was read the first time and referred to the Sifting Committee.

March 6, 1951

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. 224*, by Mrs. Gerald Cazier, Elizabeth Vance, Messrs. L. B. Johnson, V. H. Peterson, Hurst and Hinton, entitled:

AN ACT TO REQUIRE THE REGISTRATION OF PERSONS ENGAGED IN CERTAIN OCCUPATIONS, TRADES AND PROFESSIONS, RELATING TO THE CARE OF OTHERS, TO REGISTER WITH THE DEPARTMENT OF REGISTRATION; AND TO PROVIDE FOR A BOARD OF EXAMINERS; QUALIFICATIONS, PENALTIES, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 224 was read the first time and referred to the Sifting Committee.

March 5, 1951

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. 241*, by Messrs. Bonacci, W. G. Larson, Davis, Taylor, Mrs. Gerald Cazier and Elizabeth Vance, entitled:

AN ACT AMENDING SECTION 14-6-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 15, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 20, LAWS OF UTAH 1945, RELATING TO EMPLOYMENT OF MINORS IN AGRICULTURE, AND, TO MAKE IT LAWFUL DURING PERIODS OF CRITICAL LABOR SHORTAGE TO EMPLOY MINORS OF FOURTEEN YEARS OF AGE OR OVER IN THE FIRST PROCESSING OF AGRICULTURAL PRODUCTS AND OTHER NON-HAZARDOUS INDUSTRIES, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 241 was read the first time and referred to the Sifting Committee.

March 5, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 242*, by Messrs. Bonacci, W. G. Larson, Davis and Taylor, entitled:

AN ACT AMENDING SECTION 49-4-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 58, LAWS OF UTAH 1943 AND CHAPTER 78, LAWS OF UTAH 1945, RELATING TO

EMPLOYMENT OF MINORS AND FEMALES, AND MAKING IT LAWFUL DURING PERIODS OF CRITICAL LABOR SHORTAGES TO EMPLOY FEMALES OF EIGHTEEN YEARS OR OVER AT MINES AND SMELTERS IN OTHER THAN UNDERGROUND WORK, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 242 was read the first time and referred to the Sifting Committee.

March 5, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, *H. B. No. 260*, by Messrs. Bagnall, Young, R. C. Anderson, L. B. Johnson, Tietjen, Dalebout, Sevy, J. Johnson, Dunn, Hurst, Wood, A. O. Gardner, Gammell, Postma, Thoresen, White, C. C. Gardner, Munk, Barton, Albrecht, Hinton, Russell, Thurston, Jarman, Mrs. Gerald Cazier, Frost and E. C. Larsen, entitled:

AN ACT AMENDING SECTION 46-0-237, UTAH CODE ANNOTATED 1943 RELATING TO INTOXICATING LIQUORS, AND TO PROHIBIT STORING ALCOHOLIC BEVERAGES OR THE MIXING OR DRINKING OF ALCOHOLIC BEVERAGES IN PRIVATE CLUBS AND RECREATION AND SOCIAL PLACES TO REMOVE AMBIGUITY FROM THE PRESENT LAWS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 260 was read the first time and referred to the Sifting Committee.

March 5, 1951

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. 285*, by Messrs. Sagers and Tietjen, entitled:

AN ACT MAKING AN APPROPRIATION FOR THE ADMINISTRATION OF THE UTAH STATE TAX COMMISSION FROM THE UNAPPROPRIATED SURPLUS IN THE MOTOR VEHICLE CON-

TROL FUND TO OFF-SET A DEFICIT IN THE VEHICLE CONTROL FUND FOR THE PERIOD BEGINNING JULY 1, 1949 AND ENDING JUNE 30, 1951, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 285 was read the first time and referred to the Sifting Committee.

March 5, 1951

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 Messrs. Davis, W. G. Larson, Wood, E. C. Larsen and Albrecht, entitled:

A NEW ACT TO BE KNOWN AS 50-1-3A, LAWS OF UTAH 1951, PROVIDING FOR THE REDISTRICTING OF COUNTIES HAVING MORE THAN ONE REPRESENTATIVE IN THE HOUSE OF REPRESENTATIVES OF THE STATE LEGISLATURE, INTO REPRESENTATIVE DISTRICTS AND TO NUMBER THE SAME, AND PROVIDING FOR THE APPOINTMENT OF A COMMITTEE TO REDISTRICT SUCH COUNTIES AND SETTING TIME LIMITS FOR THE COMPLETION OF THIS WORK, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 286 was read the first time and referred to the Sifting Committee.

March 6, 1951

Mr. President:

I am directed 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. 121*, by Messrs. Sheffield, Beezley, Jones and Howe, entitled:

AN ACT AMENDING SECTION 14-2-7, UTAH CODE ANNOTATED 1943, PROVIDING FOR JUDGMENT AGAINST FATHER OF BASTARD AND BOND FOR PAYMENT, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 121 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 6, 1951

Mr. President:

I am directed 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. 120*, by Messrs. Sheffield, Beezley, Jones and Howe, entitled:

AN ACT AMENDING SECTION 103-1-18, UTAH CODE ANNOTATED 1943, DEFINING HABITUAL CRIMINAL AND PROVIDING PUNISHMENT THEREFOR, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 120 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 6, 1951

Mr. President:

I am directed 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. 119*, by Messrs. Sheffield, Beezley, Jones and Howe, entitled:

AN ACT PROVIDING FOR THE PROCEDURE IN CHARGING AND TRYING A PERSON CHARGED WITH BEING AN HABITUAL CRIMINAL, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 119 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 6, 1951

Mr. President:

I am directed 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. 112*, by Messrs. Jones, Bunderson, Bushnell, Dalebout, Beezley, Lundell and Walker, entitled:

AN ACT AUTHORIZING THE SALE OF THE PRESENT EXISTING ARMORY, LOCATED AT 4TH EAST AND 2ND SOUTH STREETS, SALT LAKE CITY, UTAH, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 112 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 6, 1951

Mr. President:

I am directed 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. 93*, by Messrs. Tietjen, White, Luke, Dalebout, C. Gardner, Larsen and Frost, entitled:

AN ACT AMENDING SECTION 7-3-6, UTAH CODE ANNOTATED, 1943, RELATING TO THE LOCATION AT WHICH THE BUSINESS OF A BANK SHALL BE CONDUCTED AND TO THE ESTABLISHMENT OF BRANCH BANKS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 93 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 6, 1951

Mr. President:

I am directed 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. Walker, Beezley, Tietjen and Young, entitled:

AN ACT AMENDING SECTION 25-2-6, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944 FIRST SPECIAL SESSION, DESIGNATING REGISTRATION DATES, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
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 6, 1951

Mr. President:

I am directed 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 Messrs. Walker, Bonacci, Bushnell and Davis, entitled:

AN ACT AMENDING SECTION 21-0-4, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE COMPENSATION OF COURT REPORTERS FOR FURNISHING TRANSCRIPTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
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.

REPORTS OF STANDING COMMITTEES

March 6, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 45*, by Messrs. Cannon, Day and Marthakis, 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, AS AMENDED BY CHAPTER 27, LAWS OF UTAH 1949, RELATING TO COMPENSATION OF COURT REPORTERS, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 45 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

REPORTS OF SPECIAL COMMITTEES

March 6, 1951

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 225, 136, 210, 211, H. B. Nos. 244, 32, 80 and 226.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

S. B. Nos. 225, 136, 210, 211, H. B. Nos. 244, 32, 80 and 226 were placed on the Second Reading Calendar.

With unanimous consent, the following bill was introduced:

INTRODUCTION OF BILLS

S. B. No. 256 By Appropriations Committee

AN ACT REPEALING CHAPTER 122, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 12, LAWS OF UTAH 1948, FIRST SPECIAL SESSION, AND CREATING A NEW ACT RELATING TO A RESERVE BUILDING FUND, PROVIDING FOR APPROPRIATIONS TO THE RESERVE BUILDING FUND AND ALLOCATIONS THEREFROM; PROVIDING 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.

On motion of Senator Hopkin, the rules were suspended and *S. B. No. 256* was referred to the Sifting Committee.

SPECIAL ORDER

H. B. No. 97 being a special order of business was before the Senate.

The President directed the Secretary to read the following opinion from the Attorney General of the State of Utah dealing with the constitutional principles underlying apportionment of representation in the State Legislature:

March 6, 1951

Honorable J. Francis Fowles
President,
Utah State Senate
Capitol

Dear Mr. President:

You have requested this office to prepare a statement of constitutional principles underlying apportionment of representation in the state Legislature.

Section 2, Article IX, of the Utah Constitution provides:

> The Legislature shall provide by law for an enumeration of the inhabitants of the State, A. D. 1905, and every tenth year thereafter, and at the session next following such enumeration, and also at the session next following an enumeration made by the authority of the United States, shall revise and adjust the apportionment for senators and representatives on the basis of such enumeration according to ratios to be fixed by law. (Emphasis added.)

Cases have uniformly held that constitutional provisions, such as the foregoing, require apportionment on "at least as close an approximation to exactness and equality as is reasonably possible." While mathematical exactness cannot be attained, the principle of equality of representation must be followed and districts must be as equal in population as is reasonably possible.

Section 4 of Article IX of the Constitution provides that each county shall be entitled to at least one representative, and that when a senatorial district is made up of more than one county, such counties shall be contiguous. With the foregoing exception and limitation, and with the further limitation that it is virtually impossible to create districts having exactly the same number of inhabitants, the Legislature must establish districts on as nearly an equal basis as is reasonably attainable.

The following quotations from decisions in other states support the foregoing statement of general principles.

The Supreme Court of Oklahoma, in the case of Jones v. Freeman 146 P 2d 564, has stated:

> In passing apportionment acts, the principle of equality is, as a general rule, enjoined upon the Legislature, so that each voter of the State will have approximately the same power and influence in electing members of the two houses of the Legislature, and in shaping legislation, as every other voter. * * *
>
> While it is impossible to apportion representation in the two houses with mathematical exactness, and the Legislature is, and should be, allowed some discretion in enacting such statutes, yet the provisions of the Constitution require at least as close an approximation to exactness and equality as is reasonably possible.
>
> The principle of equality of representation lies at the very heart of representative government. 18 Am. Jur. 192 ¤17. This principle was enjoined upon the Legislature by the cited constitutional provisions. At the ballot box, in a representative government, each citizen is supposed to be, and should be, the equal of every other citizen, and all are entitled to approximately an equal voice in the enactment of laws through elected representatives. It was not the intention of the framers of the Constitution, or of the people who adopted it, that citizens of one county should have representation in the two houses of the Legislature out of all proportion to that enjoyed by the citizens of other counties * *

The Supreme Court of Kentucky, in the case of Stiglitz v. Schardien, 239 Ky. 799, 40 SW 2d 315, 321, has held:

> Equality of representation in the legislative bodies of the state is a right preservative of all other rights. The success of the laws that govern the daily lives of the people, the control of the public purse from which the money of the taxpayers is distributed, and the power to make and measure the levy of taxes, are so essential, all inclusive, and vital that the consent of the governed ought to be obtained through representatives chosen at equal, free, and fair elections. If the principle of equality is denied, the spirit, purpose, and very terms of the Constitution are emasculated. The failure to give a county or a district equal representation is not merely a matter of partisan strategy. It rises above the question of party, and reaches the very vitals of democracy itself.

The Supreme Court of the State of Colorado in the case of Armstrong v. Mitten et al., 37 P. 2d p. 757, held unconstitutional a legislative act attempting to redistrict the state for senatorial purposes. The provision of the Colorado Constitution is identical with the provision of the Utah Constitution above cited except for the term "general assembly" in lieu of the term "legislature" as used in the Utah Constitution, and the figure "1885" in the Colorado Constitution in lieu of the figure "1905" in the Utah Constitution. In the case cited, the Court held:

> The legislative act attempts to confer upon some districts a representation that is greater, and upon others a representation that is less than they are entitled to under the Constitution. A glance at the senatorial districts reveals the following situation: According to the census and established ratio, the Denver district is entitled to eight senators. The legislative act gives it only seven senators, thereby depriving it of one senator, in plain violation of the Constitution. Rio Grande, Sagauche, and Mineral Counties are grouped together as the 15th senatorial district; and although their combined population is less than 17,000, the district is given one senator, although it would require the addition of at least one more county to give it a population sufficient to entitle the district to one senator. The same situation exists in the 18th senatorial district, which is given one senator, although the combined population of its constituent counties is less than the population sufficient to entitle the district to one senator. And the 21st senatorial district is in precisely the same situation. * * *
>
> That part of the legislature act attempting to redistrict the state and to apportion senators and representatives to the several districts violates the Constitution, not in one instance only, but in many instances. It is so honey-combed with unconstitutional provisions as to render it void.

A general statement of the principles involved is contained in 2 ALR p. 1337:

> The principle of equality of representation lies at the foundation of representative government, and requires that no voter shall exercise, in the selection of the legislature, a greater voting power than other voters. It is therefore, a usual constitutional requirement that representative districts shall be equal in population as nearly as possible. In practice, however, this principle is qualified by the impracticability of mathematical exactness, by the desirability of providing for local representation, which finds expression in the constitutional provisions preserving the integrity and requiring the contiguity of territorial units and laying out representative districts, and by various other constitutional provisions, such as those requiring convenience and compactness to be taken into consideration.

In the case of City of Lanzig v. Hilliard (Mich. 1944) 14 NW 2d 426, the court stated:

> Fundamentally, the objectives sought by the Constitution, in providing for the membership in the House of Representatives of the State Legislature, is that the membership shall be apportioned according to population as nearly as may be. All other provisions of the Constitution in creating the House of Representatives must be read with this fundamental constitutional objective in mind.

In the case of Merrill v. Mitchell (Mass. 1926) 153 NE 562, the Supreme Court held invalid an apportionment act where the number of voters for each representative in different districts ranged from 4,135 to 8,256. The court laid down the following test to be applied to determine the validity of an apportionment act:

> Does the apportionment made approximate as nearly as reasonably may be the exactness in the number of legal voters in any district, when compared with the legal voters in other districts? If the apportionment does not thus approximate, the action of the commissioners is a nullity because it transgresses commands of the Constitution.

In the case of Ragland v. Anderson, 125 Ky. 141; 100 SW 865, the court made the following statement:

> The equality of representation is a vital principle of democracy. In proportion as this is defined or withheld the government becomes oligarchial or monarchial. Without equality republican institutions are impossible. Inequality of representation is the tyranny to which no people worthy of freedom will tamely submit. To say that a man in Spencer County shall have seven times as much influence in the government of the state as a man in Ohio, Butler or Edmonson, is to say that six men out of every seven in these counties are not represented in the government at all. They are required to submit to taxation without representation. It was this kind of oppression that inspired that great struggle for freedom which began at Lexington Green in 1775 and ended at Yorktown in 1871.

In the case of Williams v. Secretary of State, 145 Mich. 447, 108 NW 749; the court held that the legislative discretion in making an apportionment will not be deemed to have been exercised properly where one district contained 116,033, another 52,731, another 108,434, another 55,637, another 102,725 and another 55,744.

In the case of Stevens v. Secretary of State, 181 Mich. 199, 148 NW 97, the court held that an apportionment was not a just exercise of legislative discretion which created districts one of which contained 23,789 persons, another 21,291, another 15,806, another 26,771, another 27,129, and another 41,475.

In the case of Baird v. Kings County, 138 NY 95, 38 NE 27, the court held invalid an act which created districts varying in population between 31,000 and 102,000.

In the case of State ex rel Attorney General v. Cunningham 81 Wis. 440, 51 NW 724, the court held that a constitutional requirement of apportionment according to the number of inhabitants, in creating assembly and senate districts is violated by an apportionment act, in which, the average population of 51,117 for a senate district, the number of inhabitants in the respective districts created ranges from 37,000 to 68,000 and in the assembly districts with the average of 16,868, ranges from 6,000 to 38,000. The court made the following statement:

It is not an "apportionment" in any sense of the word. It is a direct and palpable violation of the Constitution.

The court further states:

The differences are too material, great and glaring, and deprive too many people of the state of a representation in the legislature to be allowed to pass as mere errors of judgment. They bear upon their face the intrinsic evidence that no judgment or discretion was exercised, and that they were made intentionally and wilfully for some improper purpose, or for some private end foreign to constitutional duty and obligation.

As an illustration, statutes setting up districts with the following differences have been held unconstitutional:

	most populous district	least populous district
In re Sherill v. O'Brien 188 NY 185, 81 NE 124	246,187	97,717
Brooks v. State 162 Ind. 568, 70 NE 980	17,775	10,787
Attorney Gen. v. Suffolk Apportionment Com'rs. 224 Mass. 598, 113 NE 581	6,182	1,957
Williams v. Secretary of State 145 Mich. 447, 108 NW 749	116,033	52,000
Rogers v. Morgan 127 Neb. 456, 256 NW 1	21,181	8,094
State v. Cunningham 83 Wis. 90, 53 NW 35	65,952	30,732
Stiglitz v. Schardein 239 Ky. 799, 40 SW 2d 315	128,595	39,210
Ragland v. Anderson 125 Ky. 141 100 SW 865	53,263	7,407
Merrill v. Mitchell 153 NE 562 Mass. 1926	8,256	4,135

Stevens v. Secretary of State 181 Mich. 447, 108 NW 749	41,475	15,806
Baird v. Kings County 138 NY 95, 38 NE 27	102,000	31,000
State ex rel Attorney General v. Cunningham 81 Wis. 440, 51 NW 724	68,000	37,000

We hope that the foregoing will be of some assistance in the consideration of reapportionment legislation.

Respectfully,

CLINTON D. VERNON,
Attorney General

Senator Marthakis moved that the letter and opinion from the Attorney General in regard to apportionment of representation in the State Legislature be printed in the Journal.

Motion carried.

Senator Reese moved that *H. B. 97 and S. B. Nos. 98 and 47* be tabled, and that the matter of the legislative re-apportionment be referred to the Utah Legislative Council for study and report to the Thirtieth Legislature.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 225 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 225* was read the third time and placed on its final passage.

S. B. No. 225 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Mathakis, Milliman, Muir, Thorn, Watson and Mr. President.

Absent and not voting: Senators Adams, Hopkin, Paxton, Reese and Tippetts.

S. B. No. 225 was transmitted to the House.

S. B. No. 136 was read the second time.

Committee report read and adopted.

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

Page 3 ,line 18, add a period after the word "administration" and strike all of lines 19 and 20.

Page 3, line 23, strike the words "for Salt Lake County".

Page 3, strike lines 28 to 33, both inclusive and insert in lieu thereof:

"Section 3. Accident reports and supplemental information in connection therewith, as required under this act, shall be for the confidential use of the commission and other state agencies, as provided in Section 57-7-107, Utah Code Annotated 1943, as amended by Chapter 65, Laws of Utah 1949, and provided further, that the commission may disclose to the persons damaged or injured in any accident, or their representatives, wheather the person or persons involved in said accident have deposited the security, or proof of financial responsibility required by this act."

Page 4, strike line 1.

Page 4, strike lines 28 to 32, both inclusive and insert in lieu thereof: "and all motor vehicle registrations of such operator, and if such operator is a non-resident, the privilege of operating a motor vehicle within this state, and the privilege of the use within this state of any motor vehicle owned by him, unless he shall deposit security in the".

Page 5, line 31, strike the word "if" and insert in lieu thereof, the word "in".

Page 6, between lines 26 and 27, insert the following:

"(5) to the driver of any emergency vehicle acting in the line of duty at the time of the accident."

Page 6, line 33, strike the word "suspension" and insert in lieu thereof, the word "accident".

Page 9, line 1, strike the word "commissioner" and insert in lieu thereof the word "commission".

Page 10, line 14, strike the word "defendent" and insert in lieu thereof the word "judgment debtor".

Page 10, line 17, strike the word "defendent" and insert in lieu thereof the words "judgment debtor".

Page 11, line 8, after the word "section" at the end of the line, insert the words "1, subsection".

Page 11, strike lines 32 and 33.

Page 12, strike lines 1 to 26 both inclusive, and renumber Sections 19 through 42 accordingly.

Page 17, line 27, strike the word "marked" and insert in lieu thereof the word "market".

Page 21, line 27, after the word "court" insert a period and strike the words "in Salt Lake County".

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

Page 8, line 31, strike the word "residents" and insert in lieu thereof the word "resident".

Page 5, line 21, strike "35" and insert in lieu thereof "34".

Page 12, line 30, strike "20" and insert in lieu thereof "19".

Page 12, line 31, strike "21" and insert in lieu thereof "20".

Page 12, line 32, strike "25" and insert in lieu thereof "24".

Page 13, line 1, strike "26" and insert in lieu thereof "25".

Page 13, line 2, strike "35" and insert in lieu thereof "34".

Page 14, line 10, strike "section 20 or section 21" and insert in lieu thereof "section 19 or section 20".

Page 16, line 23, strike "section 20 or a policy under section 21" and insert in lieu thereof "section 19 or a policy under section 20".

On motion of Senator Day the rules were suspended and *S. B. No. 136* was read the third time and placed on its final passage.

S. B. No. 136 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Muir.

S. B. No. 136 was transmitted to the House .

S. B. No. 210 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 210* was read the third time and placed on its final passage.

S. B. No. 210 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Gibson and Larsen.

S. B. No. 210 was transmitted to the House.

S. B. No. 211 was read the second time .

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 211* was read the third time and placed on its final passage.

S. B. No. 211 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Watson.

Absent and not voting: Senator Fowles.

S. B. No. 211 was transmitted to the House.

On motion of Senator Gibson *H. B. No. 244* retained its place on the Second Reading Calendar.

H. B. No. 32 was read the second time.

Committee report read and adopted.

H. B. No. 32 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 Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Gibson, Hopkin and Jenkins.

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

The Senate re-assembled.

COMMUNICATIONS FROM THE GOVERNOR

March 6, 1951

Dear Mr. President and Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 169*, by Messrs. Paxton, Reese, and Ashton, entitled:

AN ACT AMENDING SECTIONS 57-12-39, 57-12-40, 57-12-41, AND 57-12-42, UTAH CODE ANNOTATED 1943, RELATING TO AND REQUIRING RETAIL VENDORS OF MOTOR FUELS TO DETERMINE AND POST PRICES OF SUCH FUELS AT THEIR PLACES OF BUSINESS AT THE BEGINNING OF EACH BUSINESS DAY, WHICH SHALL REMAIN NOT LESS THAN 24 HOURS UNLESS CHANGED TO MEET A POSTED COMPETITIVE PRICE IN THE SAME COMMUNITY, AND REQUIRING SAID RETAIL VENDORS TO SELL AT SAID POSTED PRICE, AND ALSO PROVIDING FOR A PENALTY FOR INFRACTION OF THE PROVISIONS OF SAID ACT.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 6, 1951

Dear Mr. President and Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 121*, by Messrs. Watson and Hopkin, entitled:

AN ACT AMENDING SECTION 86-1-18, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 84, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 129, LAWS OF UTAH 1947, RELATING TO MINING LEASES, RENTALS, AND ROYALTIES ON LANDS IN THE STATE OF UTAH AND TO THE ACREAGE LIMITATION WITH RESPECT THERETO AND PROVIDING AN EXCEPTION AS TO LANDS WITHIN OIL AND GAS COOPERATIVE OR UNIT PLANS.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 6, 1951

Dear Mr. President and Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 81*, by Messrs. Day and Muir, entitled:

AN ACT ASSENTING TO THE PROVISIONS OF THE ACT OF CONGRESS ENTITLED "AN ACT TO PROVIDE THAT THE UNITED STATES SHALL AID THE STATES IN FISH RESTORATION AND MANAGEMENT PROJECTS, AND FOR OTHER PURPOSES" APPROVED AUGUST 9, 1950.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 6, 1951

Dear Mr. President and Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 78*, by Messrs. Reese and Paxton, entitled:

AN ACT AMENDING SECTION 57-12-1, UTAH CODE ANNOTATED 1943, RELATING TO DEFINITIONS AS USED IN THE MOTOR FUELS TAX LAW; EXCEPTING PROPANE AND BUTANE FROM THE DEFINITION OF "MOTOR FUELS" AS THEREIN USED; AND REDEFINING THE TERMS "DISTRIBUTOR" AND "RETAIL DEALER".

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 6, 1951

Dear Mr. President and Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 90*, by Messrs. Jenkins, Reese and Muir, 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 85-5-2A, 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 PUB-

LIC 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 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.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 6, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 5th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 61*, by Messrs. Lundell, Dalebout, Wood, Frost, V. Peterson, Bushnell, and Beezley, entitled:

AN ACT AMENDING SECTIONS 82-2-5, 82-2-6, 82-2-9, 82-2-11, 82-2-12, AND 82-2-17, UTAH CODE ANNOTATED, 1943, RELATING TO THE DUTIES OF THE SECURITIES COMMISSION IN CONNECTION WITH REAL ESTATE BROKERS AND SALESMEN; ESTABLISHING A BOARD OF REAL ESTATE EXAMINERS AND A REAL ESTATE ADMINISTRATOR AND PROVIDING FOR LICENSING, SUPERVISION, AUDITING, AND CONTROLLING REAL ESTATE SALESMEN AND BROKERS IN THE PUBLIC INTEREST; PROVIDING FOR APPLICATION FEES; FOR REVOCATION OF LICENSES AND HEARINGS ON APPLICATIONS AND REVOCATIONS; REQUIRING THE KEEPING OF RECORDS BY REAL ESTATE BROKERS; ENACTING NEW SECTIONS 82-2-18, 82-2-19, 82-2-20, 82-2-21.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 6, 1951

Mr. President:

I am directed 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. 148*, for the Utah Legislative Council, by Messrs. Larsen, L. B. Johnson, Tietjen, Woolley, J. Johnson, Hurst, Hinton, Luke, Albrecht, C. C. Gardner, and Crofts, entitled:

AN ACT AMENDING SECTIONS 75-13-12, UTAH CODE ANNOTATED 1943, RELATING TO THE LIMITATION OF BONDING AUTHORITY OF SCHOOL DISTRICTS FOR SCHOOL BUILDING PURPOSES; PROVIDING FOR THE CANVASS OF BOND ELECTIONS AND THE REPORTING OF SUCH ELECTIONS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 148 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 6, 1951

Mr. President:

I am directed 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. 147*, for the Utah Legislative Council, by Messrs. Larsen, Tietjen, L. B. Johnson, Woolley, J. Johnson, Hurst, Hinton, Luke, Albrecht, C. C. Gardner, and Crofts, entitled:

AN ACT AUTHORIZING THE BOARD OF EDUCATION OF ALL SCHOOL DISTRICTS WITHIN THE STATE OF UTAH TO CREATE A BUILDING RESERVE FUND FOR CAPITAL OUTLAY PURPOSES; ESTABLISH A POLICY AND DECLARE THE PURPOSES; PRESCRIBE THE MANNER IN WHICH THE RESERVE SHALL BE ACCUMULATED; PROVIDE FOR INVESTMENT OF THE FUND; THE REPORTING AND ACCOUNTING THEREOF; AND REGULATING EXPENDITURES THEREFROM, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 147 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 6, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 145*, by Agricultural Committee, entitled:

AN ACT RELATED TO APPLICATION OF INSECTICIDES, FUNGICIDES AND OTHER ECONOMIC POISONS; PROVIDING FOR THE LICENSING AND EXAMINATION OF OPERATORS, EMPOWERING THE BOARD OF AGRICULTURE TO REGULATE AND ENFORCE THE PROVISIONS OF THIS ACT, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 145 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor

March 6, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 111*, by Mr. Beezley, entitled:

AN ACT CARRYING INTO EFFECT SECTION 3, ARTICLE VIII OF THE CONSTITUTION BY AMENDING SECTION 25-3-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY 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 A NEW SECTION PROVIDING FOR THE NOMINATION OF JUDGES BY DIRECT PRIMARIES; AND THE ELIMINATION OF JUDICIAL NOMINATIONS AT POLITICAL CONVENTIONS; THE USE OF A HEADLESS BALLOT AT BOTH PRIMARY AND GENERAL ELECTIONS; PROHIBITING CANDIDATES FOR SUCH JUDICIAL OFFICES FROM ENGAGING IN PARTISAN POLITICAL ACTIVITIES AND ACCEPTING CERTAIN OFFICES; AND REPEALING ANY ACTS OR PARTS OF ACTS INCONSISTENT HEREWITH, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 111 was read the first time and referred to the Sifting Committee.

March 6, 1951

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. 135*, by Mr. Beezley, entitled:

AN ACT AMENDING SECTION 20-4-2, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 35, LAWS OF UTAH 1943, AS RE-ENACTED BY SECTION 104-4-2 OF HOUSE BILL 31, 29TH LEGISLATIVE SESSION, RELATING TO CITY JUDGES NUMBER, ELECTION, AND TERM OF OFFICE; AMENDING SECTION 20-4-3, UTAH CODE ANNOTATED 1943, AS RE-ENACTED BY SECTION 104-4-3 OF HOUSE BILL 31, 29TH LEGISLATIVE SESSION, RELATING TO CITY JUDGES APPOINTMENT BY MAYOR PENDING ELECTION; AND ENACTING NEW SECTIONS PROVIDING FOR A NON-PARTISAN METHOD OF SELECTING JUDGES OF THE CITY COURTS; PROHIBITING INCUMBENTS OF AND CANDIDATES FOR THE OFFICE OF JUDGE OF THE CITY COURTS 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 action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 135 was read the first time and referred to the Sifting Committee.

March 6, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 230*, by Messrs. Tippetts and Muir, entitled:

AN ACT AMENDING SECTION 75-6-1, UTAH CODE ANNOTATED 1943, RELATING TO SNOW COLLEGE AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 75-6-1.10 AND 75-6-1.11, MAKING SAID SCHOOL A BRANCH OF THE UTAH STATE AGRICULTURAL COLLEGE AND TRANSFERRING THE MANAGEMENT AND CONTROL THEREOF TO THE BOARD OF TRUSTEES OF THE UTAH STATE AGRICULTURAL COLLEGE, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 230 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 6, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 50*, by Mr. Larsen, entitled:

AN ACT PROVIDING FOR THE ADMINISTRATION, CONTROL AND MAINTENANCE OF HISTORICAL MONUMENTS AND STATE PARKS, PLACING SUPERVISION AND CONTROL OF OLD STATE HOUSE AT FILLMORE AND CAMP FLOYD UNDER THE STATE HISTORICAL SOCIETY, AND PROVIDING FOR THE SALE OF THE OLD STATE PRISON SITE NOW DESIGNATED AS A STATE PARK, AND PLACING ALL OTHER HISTORICAL MONUMENTS AND STATE PARKS UNDER SUPERVISION AND CONTROL OF THE ENGINEERING COMMISSION, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS OF THE HISTORICAL SOCIETY AND THE ENGINEERING COMMISSION, RESPECTIVELY, WITH RELATION THERETO, MAKING AN APPROPRIATION FOR CONDEMNATION PURPOSES AND REPEALING SECTIONS 68-0-10, 68-0-11, 68-0-12, 68-0-13, 68-0-14, 68-0-15 AND 68-0-16, UTAH CODE ANNOTATED 1943, and the same is transmitted herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 50 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 6, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. J. R. No. 19*, by Messrs. Reed Gammell, T. M. Reese, Albert J. Cope, G. T. Frost, Elswood, Vance and Edward G. Larsen, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF SEVERIN THATCHER JEPPESEN, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 19 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

March 6, 1951

Mr. President:

I am directed 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. 173*, by Elizabeth Vance, Mrs. G. Cazier, Messrs. S. C. Anderson, Barton, Larson, White, Bushnell, Jarman, Bagnall, J. Johnson, Luke, Cope, V. H. Peterson, Patterson, Munk, Hinton, Russell, Thurston, Rees, Crofts, Hurst, Rowberry, Miller, Henderson, Bonacci, C. C. Gardner, Lundell, Walker, Romney, Howe, Beezley, Wood, Hopkins, Sheffield, Openshaw, Sagers, Tietjen, R. C. Anderson, entitled:

AN ACT PROVIDING FOR EXAMINATION FOR MENTAL ILLNESS BEFORE SENTENCING PERSONS CONVICTED OF CERTAIN SEX OFFENSES, FOR THE MANNER OF PROVIDING FOR SUCH EXAMINATION, AND COMPENSATION THEREOF, FOR THE IMPOSING OF SENTENCE AFTER SUCH EXAMINATION, AND INCARCERATION AND FOR PAROLE OF SUCH PERSONS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 173 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 6, 1951

Mr. President:

I am directed 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. 48*, by Messrs. Young, Bagnall, Patterson, Bunderson, Albrecht, Luke, Munk, and Jarman, entitled:

AN ACT RELATING TO THE CONTROL AND ERADICATION OF BRUCELLOSIS (BANG'S DISEASE); AUTHORIZING THE STATE BOARD OF AGRICULTURE 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, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 48 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 6, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 8*, by Messrs. Fowles, Gibson and Hopkin, For the Legislative Council, entitled:

AN ACT AMENDING SECTION 57-3a-136, UTAH CODE ANNOTATED, 1943, RELATING TO REDUCED FEES FOR PORTION OF YEAR, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 8 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 6, 1951

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. 184*, by Messrs. Adams, Watson, Fowles, and Clegg, entitled:

AN ACT AMENDING SECTION 27-0-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 40, SECTION 1, LAWS OF UTAH 1943, RELATING TO THE CESSION OF JURISDICTION TO THE UNITED STATES IN, TO AND OVER LANDS WITHIN THIS STATE WHICH HAVE BEEN OR MAY BE HEREAFTER ACQUIRED, LEASED, USED, OR RESERVED FROM THE PUBLIC DOMAIN BY THE UNITED STATES FOR PURPOSES AUTHORIZED BY ACTS OF CONGRESS, AND AMENDING SECTION 27-0-2, UTAH CODE ANNOTATED 1943, RELATING TO EXECUTION BY THE GOVERNOR OF PROPER CONVEYANCES IN SUCH CESSION, AND ENACTING A NEW SECTION TO RETAIN CONCURRENT JURISDICTION IN CIVIC AND CRIMINAL MATTERS, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Marthakis, the Senate concurred in the House amendments to *S. B. No. 184*.

S. B. No. 184 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Mr. President.

Absent and not voting: Senator Watson.

S. B. No. 184 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 6, 1951

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. 3*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 57-12-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 71, LAWS OF UTAH 1947; PROVIDING FOR A TAX UPON THE SALE AND USE OF MOTOR FUELS, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Hopkin, the Senate concurred in the House amendments to *S. B. No. 3*.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Thorn, Watson and Mr. President.

Absent and not voting: Senator Tippetts.

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

March 6, 1951

Mr. President:

I am directed 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. 146*, by Messrs. Larsen, Tietjen, L. B. Johnson, Woolley, J. Johnson, Hurst, Brotherson, Hinton, Luke, Albrecht, L. C. Gardner, Russell, and Crofts, entitled:

AN ACT TO PROVIDE FOR ESTABLISHMENT OF A SCHOOL BUILDING SURVEY COMMISSION TO DETERMINE THE EXTENT OF THE SCHOOL BUILDING NEEDS OF SCHOOL DISTRICTS; DEFINING ITS DUTIES; PROVIDING THE STANDARDS OF ELIGIBILITY WHEREBY SCHOOL DISTRICTS MAY OBTAIN STATE FUNDS TO MEET THEIR EMERGENCY SUPPLEMENTAL NET BUILDING NEEDS; DIRECTING THE STATE BOARD OF EDUCATION TO PRESCRIBE MINIMUM SCHOOL PLANT STANDARDS AND TO APPROVE CONSTRUCTION PLANS; PROVIDING FOR THE DISTRIBUTION OF STATE AID AND THE CONDITIONS PRECEDENT THERETO; APPROPRIATING THE SUM OF TWO

MILLION DOLLARS ($2,000,000.00) FOR EMERGENCY SUPPLEMENTAL STATE AID; AND PROVIDING FOR A REPORT OF THE RESULTS OF THE SURVEY, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 146 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 6, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 230*, by Messrs. Tippetts and Muir, entitled:

AN ACT AMENDING SECTION 75-6-1, UTAH CODE ANNOTATED 1943, RELATING TO SNOW COLLEGE AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 75-6-1.10 AND 75-6-1.11, MAKING SAID SCHOOL A BRANCH OF THE UTAH STATE AGRICULTURAL COLLEGE AND TRANSFERRING THE MANAGEMENT AND CONTROL THEREOF TO THE BOARD OF TRUSTEES OF THE UTAH STATE AGRICULTURAL 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 230 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.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 244 was read the second time.

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

Line 2, strike the word "first" and insert in lieu thereof "last".

Line 5, strike the word "October" and insert in lieu thereof "September".

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

Line 4, strike the word "FIRST" and insert in lieu thereof "LAST".

Line 5, strike the word "OCTOBER" and insert in lieu thereof "SEPTEMBER".

On motion of Senator Jensen the rules were suspended and *H. B. No. 244* was read the third time and placed on its final passage.

H. B. No. 244 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Reese, Thorn and Watson.

Those voting in the negative were: Senators Larsen (explained vote), Muir, Paxton, Tippetts and Mr. President.

H. B. No. 244 was returned to the House.

H. B. No. 80 was read the second time.

H. B. No. 80 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 Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative were: Senators Hopkin and Larsen.

H. B. No. 226 was read the second time.

The President recognized students from the Wayne County High School, Loa, Utah.

On motion of Senator Hopkin, it was agreed that when the Senate adjourns today, it stand adjourned until Wednesday, March 7, 1951, at 11:00 a.m.

On motion of Senator Milliman the Senate adjourned.

FIFTY-NINTH DAY

MORNING SESSION

March 7, 1951

The Senate was called to order at 11:00 A.M. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

March 7, 1951

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 corrections noted on the final copy.

Respectfully,

JAMES E. BURNS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 7, 1951

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. Davis, Sheffield and Bushnell, entitled, "AN ACT AMENDING SECTIONS 104-2-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 18, LAWS OF UTAH 1943; 104-2-7 UTAH CODE ANNOTATED 1943 AND 104-2-12, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 104-2-5.10, AS AMENDED BY CHAPTER 19, LAWS OF UTAH 1943 AS AMENDED BY CHAPTER 8 LAWS OF UTAH 1947, AND ENACTING NEW LAWS TO BE KNOWN AS SECTIONS 104-2-

5.10 AND 104-2-5.11, LIMITING THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR RECOVERY OF REAL PROPERTY SOLD AND CONVEYED TO THE COUNTY UNDER TAX DEED OR FOR THE POSSESSION THEREOF," and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 18 was read the first time and referred to the Sifting Committee.

March 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 19*, by Messrs. Davis, Sheffield and Bushnell, entitled:

AN ACT PROVIDING THAT THE PURCHASE OF TAX DEED PROPERTY FROM THE COUNTY SHALL HAVE A LIEN AGAINST THE PROPERTY SO PURCHASED FOR THE RECOVERY OF THE PURCHASE PRICE SO PAID FOR INTEREST AND SUBSEQUENT TAXES PAID BY THE PURCHASER THEREON AND PROVIDING FOR TIME WITHIN WHICH SUCH LIEN MAY BE FORECLOSED, TO BE KNOWN AS SECTION 80-10-68.1, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 19 was read the first time and referred to the Sifting Committee.

March 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 158*, by Mr. C. E. Peterson, entitled:

AN ACT APPROPRIATING TO PROVO CITY, FOR THE UPKEEP OF THE STATE BURIAL LOTS IN PROVO CITY CEMETERY, THE SUM OF $7,225.00, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 158 was read the first time and referred to the Sifting Committee.

March 7, 1951

Mr. President:

I am directed 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. 126*, by Mr. Sheffield, entitled:

AN ACT AMENDING SECTION 79-10a-44 UTAH CODE ANNOTATED 1943, PROVIDING A PENALTY FOR VIOLATION OF NARCOTIC DRUGS ACT, AND MAKING THE VIOLATION THEREOF A FELONY, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 126 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, 1951

Mr. President:

I am directed 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. 90*, by Messrs. Woolley, Sheffield and Davis, entitled:

AN ACT AMENDING SECTION 35-1-1.14 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 49, LAWS OF UTAH, 1945, RELATING TO THE STATE HEALTH COMMISSIONER; AUTHORIZING THE BOARD OF EXAMINERS TO DETERMINE THE COMMISSIONER'S SALARY, AND AUTHORIZING THE STATE BOARD OF HEALTH TO APPOINT AN ACTING STATE HEALTH COMMISSIONER, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 90 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, 1951

Mr. President:

I am directed 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. 20*, by Messrs. Rowberry and Openshaw, entitled:

A JOINT RESOLUTION MEMORIALIZING THE UTAH CONGRESSIONAL DELEGATES FOR ASSISTANCE IN HANDLING FEDERAL HOUSING MATTERS AT WENDOVER, UTAH, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 20 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

March 7, 1951

Mr. President:

I am directed 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. Walker and Beezley, entitled:

AN ACT AMENDING TITLE 25, CHAPTER 3, SECTION 11, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944, FIRST SPECIAL SESSION, AS AMENDED BY CHAPTER 35, LAWS OF UTAH 1947, RELATING TO PRIMARY ELECTIONS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 68 was signed by the President in open session in the presence of the Senate and returned to the House for transmission to the Governor.

March 7, 1951

Mr. President:

I am directed 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. 12*, by Messrs. Larsen, Frost, Gammell and Hinton, entitled:

A JOINT RESOLUTION OF THE LEGISLATURE OF THE STATE OF UTAH, MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROVIDE FOR RESERVE OFFICERS' TRAIN-

ING CORPS UNITS IN THE JUNIOR COLLEGES, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 12 was signed by the President in the open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

March 7, 1951

Mr. President:

I am directed 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. 45*, by Messrs. Cannon, Day and Marthakis, 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, AS AMENDED BY CHAPTER 27, LAWS OF UTAH 1949, RELATING TO COMPENSATION OF COURT REPORTERS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 45 was transmitted to the Governor.

March 7, 1951

Mr. President:

I am directed 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. 230*, by Messrs. Tippetts and Muir, entitled:

AN ACT AMENDING SECTION 75-6-1, UTAH CODE ANNOTATED 1943, RELATING TO SNOW COLLEGE AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 75-6-1.10 AND 75-6-1.11, MAKING SAID SCHOOL A BRANCH OF THE UTAH STATE AGRICULTURAL COLLEGE AND TRANSFERRING THE MANAGEMENT AND CONTROL THEREOF TO THE BOARD OF TRUSTEES OF THE UTAH STATE AGRICULTURAL COLLEGE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 230 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

March 7, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 50*, by Mr. Larsen, entitled:

AN ACT PROVIDING FOR THE ADMINISTRATION, CONTROL AND MAINTENANCE OF HISTORICAL MONUMENTS AND STATE PARKS, PLACING SUPERVISION AND CONTROL OF OLD STATE HOUSE AT FILLMORE AND CAMP FLOYD UNDER THE STATE HISTORICAL SOCIETY, AND PROVIDING FOR THE SALE OF THE OLD STATE PRISON SITE NOW DESIGNATED AS A STATE PARK, AND PLACING ALL OTHER HISTORICAL MONUMENTS AND STATE PARKS UNDER SUPERVISION AND CONTROL OF THE ENGINEERING COMMISSION, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS OF THE HISTORICAL SOCIETY AND THE ENGINEERING COMMISSION, RESPECTIVELY, WITH RELATION THERETO, MAKING AN APPROPRIATION FOR CONDEMNATION PURPOSES AND REPEALING SECTIONS 68-0-10, 68-0-11, 68-0-12, 68-0-13, 68-0-14, 68-0-15 AND 68-0-16, 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,

EDWIN B. CANNON,

Report filed. Chairman

S. B. No. 50 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 7, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 3*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 57-12-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 71, LAWS OF UTAH 1947; PROVIDING FOR A TAX UPON THE SALE AND USE OF MOTOR FUELS, 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,

EDWIN B. CANNON,

Report filed. Chairman

S. B. 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.

March 7, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 8* for the Legislative Council, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 57-3a-136, UTAH CODE ANNOTATED, 1943, RELATING TO REDUCED FEES FOR PORTION OF 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,

EDWIN B. CANNON,
Chairman

Report filed.

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

March 7, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 184*, by Messrs. Adams, Watson, Fowles and Clegg, entitled:

AN ACT AMENDING SECTION 27-0-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 40, SECTION 1, LAWS OF UTAH 1943, RELATING TO THE CESSION OF JURISDICTION TO THE UNITED STATES IN, TO AND OVER LANDS WITHIN THIS STATE WHICH HAVE BEEN OR MAY BE HEREAFTER ACQUIRED, LEASED, USED, OR RESERVED FROM THE PUBLIC DOMAIN BY THE UNITED STATES FOR PURPOSES AUTHORIZED BY ACTS OF CONGRESS, AND AMENDING SECTION 27-0-2, UTAH CODE ANNOTATED 1943, RELATING TO EXECUTION BY THE GOVERNOR OF PROPER CONVEYANCES IN SUCH CESSION, AND ENACTING A NEW SECTION TO RETAIN CONCURRENT JURISDICTION IN CIVIL AND CRIMINAL MATTERS, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 184 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

On motion of Senator Thorn, the Senate recesssed until 1:30 P.M.

AFTERNOON SESSION

The Senate reconvened at 1:30 P.M. President Fowles in the chair.

Roll Call—All Senators present.

COMMUNICATIONS FROM THE HOUSE

March 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House and the Senate, *S. B. No. 7*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 57-3a-88, UTAH CODE ANNOTATED 1943, AS AMENDED BY THE LAWS OF UTAH, 1943, CHAPTER 64, RELATING TO RESIDENT AND NONRESIDENT OWNERS EXEMPT FROM LICENSING AND REGISTRATION, DUTY OF OWNER, RECIPROCITY, TEMPORARY PERMIT, APPORTIONMENT OF REGISTRATION OF INTERSTATE FLEETS AND PROVIDING FOR THE DISTRIBUTION OF THE FUNDS DERIVED FROM SAID TEMPORARY PERMITS, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Gibson, *S. B. No. 7* was retained on the calendar as unfinished business.

March 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House and the Senate, *S. B. No. 12*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 36-2-16.10, CHAPTER 47, LAWS OF UTAH 1949, AND SECTION 36-2-17, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 47, LAWS OF UTAH 1949, RE-

LATING TO DISTRIBUTION OF MOTOR VEHICLE REGISTRATION FUND TO A GENERAL HIGHWAY FUND, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Gibson, *S. B. No. 12* was retained on the calendar as unfinished business.

March 7, 1951

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. 4*, by Messrs. Fowles, Hopkin and Gibson, entitled:

AN ACT AMENDING SECTIONS 57-12-44, 57-12-46, 57-12-47, 57-12-48, 57-12-49, 57-12-50, 57-12-51, 57-12-52, 57-12-55, 57-12-57, 57-12-59, 57-12-60, 57-12-61, 57-12-62, 57-12-63, 57-12-65, 57-12-66, 57-12-67 AND 57-12-68, UTAH CODE ANNOTATED 1943, AND AMENDING SECTION 57-12-45, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 85, LAWS OF UTAH 1945, RELATING TO MOTOR FUELS; IMPOSING AN EXCISE TAX ON THE SALE OR USE OF FUEL AS DEFINED HEREIN, FOR THE PROPELLING OF VEHICLES ON THE HIGHWAYS OF THIS STATE; PROVIDING FOR THE ISSUANCE OF LICENSES AND PERMITS TO USER-DEALERS IN AND USERS OF SUCH FUEL; REVOCATION OF SUCH PERMITS AND LICENSES; PROVIDING FOR THE RIGHT OF A PERMITEE TO A HEARING BEFORE THE REVOCATION IS EFFECTIVE; REQUIRING OF A BOND TO GUARANTEE PAYMENT OF TAX; REQUIRING DISPLAY OF PERMIT WHERE NECESSARY; PROVIDING FOR LEVY ASSESSMENT AND COLLECTION OF SUCH TAX BY THE UTAH STATE TAX COMMISSION; PROVIDING DUE DATES AND DELINQUENCY DATES OF SUCH TAX AND REQUIRING MONTHLY REPORTS, MAINTENANCE OF RECORDS AND AUDITING OF SUCH RECORDS; PRESCRIBING PENALTIES FOR DELINQUENCY OF SUCH TAX AND REPORTS; PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREOF; PRESCRIBING METHODS TO BE USED IN OBTAINING AND GIVING INFORMATION; PRESCRIBING ADDITIONAL AND ARBITRARY DETERMINATION OF TAX UNDER CERTAIN CONDITIONS, PROVIDING FOR HEARINGS BEFORE THE TAX COMMISSION; PRESCRIBING REMEDIES FOR COLLECTION OF PAYMENTS OF OBLIGATIONS HEREUNDER; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF THE TAX; PROVIDING FOR THE REFUND OF TAXES COLLECTED THROUGH ERROR, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS

57-12-47.10 AND 57-12-68.10, UTAH CODE ANNOTATED 1943, PROVIDING FOR MONTHLY REPORTS BY FUEL USERS, PROVIDING A PENALTY AND PROVIDING FOR TRANSMISSION OF INFORMATION TO ENFORCEMENT OFFICIALS, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Gibson, *S. B. No. 4* was retained on the calendar as unfinished business.

March 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 9*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 36-1-31, UTAH CODE ANNOTATED, 1943, AS AMENDED BY THE LAWS OF UTAH, 1947, CHAPTER 46, AND SECTION 36-1-32, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 65, LAWS OF UTAH 1949, LIMITING THE MAXIMUM WEIGHTS OF VEHICLES AND COMBINATIONS OF VEHICLES DRIVEN OR MOVED ON ANY HIGHWAY AND PROVIDING FOR ENFORCEMENT THEREOF, AND PENALTIES FOR OVERLOADING, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 9 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 190*, by Messrs. Bunderson, Brotherson, Crofts, White and Jarman, entitled:

AN ACT AMENDING SECTIONS 82A-0-5, 82A-0-6 AND 82A-0-7, UTAH CODE ANNOTATED 1943, RELATING TO SOIL CONSERVATION DISTRICT, PETITION TO CREATE CHANGE OF BOUNDA-

RIES, NOMINATION AND ELECTION OF SUPERVISORS, SALARIES, EXPENSES, EMPLOYEES AND POSTING OF BONDS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 190 was read the first time and referred to the Sifting Committee.

March 7, 1951

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. 196*, by Mr. Charles C. Gardner, entitled:

AN ACT AMENDING SECTION 75-29-25, 75-29-26, 75-29-35, 75-29-38, 75-29-39, 75-29-41, 75-29-42, 75-29-44, 75-29-46, 75-29-50, UTAH CODE ANNOTATED 1943 AND SECTIONS 75-29-21, 75-29-32 UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 98 LAWS OF UTAH 1945 AND SECTION 75-29-30 UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 81 LAWS OF UTAH 1947 AND SECTION 75-29-27 UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 98 LAWS OF UTAH 1945 AS AMENDED BY CHAPTER 81 LAWS OF UTAH 1947 AND SECTIONS 75-29-37, 75-29-45, 75-29-47 UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 92 LAWS OF UTAH 1949, RELATING TO THE TEACHERS' RETIREMENT ACT; PROVIDING FOR A CHANGE IN THE BOARD; ALLOWING CREDIT FOR MILITARY SERVICE; INCREASING THE COMPENSATION UPON WHICH CONTRIBUTIONS ARE REQUIRED TO BE PAID; INCREASING THE MAXIMUM AND MINIMUM PENSION AND RETIREMENT ALLOWANCES PERMITTED BY THE ACT; PROVIDING FOR THE VESTING OF RETIREMENT BENEFITS; AND EXTENDING THE TIME ALLOWED FOR MAKING REDEPOSITS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 196 was read the first time and referred to the Sifting Committee.

March 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 204*, by Messrs. Patterson and Hurst, entitled:

AN ACT AMENDING SECTION 30-0-36, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 41, LAWS OF UTAH 1949, RELATING TO FISH AND GAME, UNLAWFUL BAIT, AND PROVIDING THAT ANY KIND OF BAIT MAY BE USED IN CERTAIN WATERS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 204 was read the first time and referred to the Sifting Committee.

March 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 205* by Messrs. Patterson and Hurst, entitled:

AN ACT AMENDING SECTION 30-0-34, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH, 1949, PROVIDING FOR UNLIMITED HOURS OF FISHING IN CERTAIN WATERS, PROVIDING FOR LIMIT OF CATCH AND DEFINING TERMS USED HEREIN, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 205 was read the first time and referred to the Sifting Committee.

March 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 243*, by Mr. Sheffield, entitled:

AN ACT AMENDING SECTION 46-0-115, UTAH CODE ANNOTATED, 1943, RELATING TO INTOXICATING LIQUORS, PROVIDING FOR LICENSE TO MANUFACTURE, SELL AND EXPORT

WINE, ALCOHOL AND LIQUOR, AND TO PROVIDE FOR THE SALE IN THE STATE OF ALCOHOL FOR INDUSTRIAL PURPOSES, AND TO THE ADVERTISEMENT OF AND THE CANVASSING OF, AND THE SOLICITATION OF ORDERS FOR INDUSTRIAL ALCOHOL, and the same is transmited herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 243 was read the first time and referred to the Sifting Committee.

March 7, 1951

Mr. President:

I am directed 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. 142*, by Agricultural Committee, entitled:

AN ACT RELATING TO THE REGISTRATION, EXAMINATION, AND LABELING OF INSECTICIDES, FUNGICIDES, RODENTICIDES, AND OTHER ECONOMIC POISONS AND DEVICES; REGULATING TRAFFIC THEREIN; IMPOSING PENALTIES FOR THE DISTRIBUTION, SALE OR TRANSPORTATION OF ADULTERATED OR MISBRANDED MATERIAL THEREOF; AND REPEALING TITLE 3, CHAPTER 3, ARTICLE 2, UTAH CODE ANNOTATED 1943, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 142 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, 1951

Mr. President:

I am directed 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 Messrs. Swenson and Dalebout, entitled,

AN ACT AMENDING SECTION 3-13-18, UTAH CODE ANNOTATED 1943 RELATING TO SALE OF PACKAGE FOOD PRODUCTS BY WEIGHT, AND PROVIDING THAT THE BOARD OF AGRICULTURE MAY MAKE REASONABLE EXEMPTIONS IN METHOD OF MARKING SUCH WEIGHT, AND AMENDING SECTION 3-13-21,

UTAH CODE ANNOTATED 1943 RELATING TO SALE OF BREAD BY WEIGHT AND PROVIDING THAT THE BOARD OF AGRICULTURE MAY SPECIFY METHOD OF MARKING WEIGHT, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
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.

REPORTS OF SPECIAL COMMITTEES

March 7, 1951

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 111, 135, 285, 286, 133, 224, 186, 241, 242, 18, 19, 38, 155.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

H. B. Nos. 111, 135, 285, 286, 133, 224, 186, 241, 242, 18, 19, 38 and 155 were placed on the Second Reading Calender.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 181 was read the third time and placed on its final passage.

H. B. No. 181 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Larsen, Marthakis, Milliman, Muir, Paxton, Tippets, Thorn, Watson and Mr. President.

Absent and not voting: Senators Hopkin, Jenkins, Jensen and Reese.

H. B. No. 181 was returned to the House.

On motion of Senator Day, *H. B. No. 32* retained its place on the Third Reading Calendar.

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, 22; Nos, 0; Absent, 1.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day (explained vote), Elggren, Gibson (explained vote), Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir (explained vote), Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Hopkin.

Senator Gibson moved that the rules be suspended and that the Senate reconsider its action by which it passed *H. B. No. 80* and that the Senate do now reconsider *H. B. No. 80.*

Motion carried.

H. B. No. 80 was before the Senate for reconsideration.

H. B. No. 80 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative: Senator Gibson.

Absent and not voting: Senator Hopkin.

H. B. No. 80 was returned to the House.

On motion of Senator Muir, the enacting clause of *S. B. No. 93* was struck.

UNFINISHED BUSINESS

H. B. No. 226, being unfinished business, was before the Senate.

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

The Senate re-assembled.

On motion of Senator Day the rules were suspended and *H. B. No. 226* was read the third time and placed on its final passage.

H. B. No 226 then failed of passage on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Day, Larsen (explained vote), Milliman, Reese and Mr. President.

Those voting in the negative were: Senators Brockbank, Burns, Cannon, Clegg, Elggren, Gibson, Hopkin (explained vote), Jenkins, Jensen, Marthakis, Muir, Paxton, Tippetts, Thorn and Watson.

H. B. No. 226 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 233*, by Messrs. Watson and Elggren, entitled:

AN ACT AMENDING SECTION 76-1-4, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS OF INDIVIDUAL MEMBERS OF THE PUBLIC SERVICE COMMISSION AND PROVIDING FOR EXAMINERS TO BE APPOINTED BY SAID COMMISSION TO CONDUCT HEARINGS AND INVESTIGATIONS AND TO MAKE RECOMMENDED FINDINGS AND ORDERS ON SUCH HEARINGS, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

S. B. No. 233 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 123*, by Messrs. Larsen and Cannon, entitled:

AN ACT AMENDING SECTIONS 85-9-2, 85-9-5, 85-9-6 AND 85-9-24, UTAH CODE ANNOTATED 1943, RELATING TO THE BOARD OF CORRECTIONS; PROVIDING FOR ITS COMPOSITION, POWERS, DUTIES AND MEETINGS; FOR THE PAYMENT OF EXPENSES INCURRED BY ITS MEMBERS AND EXTENDING THE DUTIES OF THE PRISON PHYSICIAN, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

S. B. No. 123 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 7, 1951

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. 124*, by Messrs. Larsen and Cannon, entitled:

AN ACT REPEALING SECTIONS 67-0-1, 67-0-2, 67-0-3, 67-0-4, 67-0-5, 67-0-6, 67-0-7, 67-0-8, 67-0-9, 67-0-10, 67-0-11 AND 67-0-12 RELATING TO THE BOARD OF PARDONS AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 67-0-1, 67-0-2, 67-0-3, 67-0-4, 67-0-5, 67-0-6, 67-0-7, 67-0-8, 67-0-9, 67-0-10, 67-0-11, 67-0-12, 67-0-13, 67-0-14, 67-0-15, 67-0-16, 67-0-17, 67-0-18, 67-0-19, 67-0-20 AND 67-0-21, PROVIDING FOR THE GRANTING OF PAROLES AND PARDONS; ESTABLISHING A STATE BOARD OF PARDONS AND DEFINING ITS COMPOSITION, POWERS AND DUTIES, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

S. B. No. 124 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 7, 1951

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. 107*, by Messrs. Adams, Hopkin, Larsen and Beal, entitled:

AN ACT AMENDING 100-5-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 96, LAWS OF UTAH 1949, RELATING TO THE CONSTRUCTION AND REPAIR OF DAMS, SUBMISSION OF PLANS TO ENGINEER FOR APPROVAL, SUPERVISION AND INSPECTION, PAYMENT OF EXPENSES, PENALTY FOR VIOLATION AND EXCEPTION, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

On motion of Senator Day the Senate concurred in the House amendments to *S. B. No. 107*.

S. B. No. 107 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Hopkin, Jenkins and Muir.

S. B. No. 107 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, *S. B. No. 5*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT REPEALING SECTION 57-3a-133, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 57-3a-133 UTAH CODE ANNOTATED 1943, RELATING TO REGISTRATION OF VEHICLES AND PROVIDING THE FEES THEREFOR, AND AMENDING SECTION 57-3a-151, UTAH CODE ANNOTATED 1943, RELATING TO THE DISPOSITION OF FEES DERIVED FROM REGISTRATIONS, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

On motion of Senator Gibson, *S. B. No. 5* was placed on the calendar as unfinished business.

March 7, 1951

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. 21*, by Mrs. Cazier, Albert C. Cope and T. M. Rees, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF REPRESENTATIVE W. G. LARSON, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

H. J. R. No. 21 was read the first time.

On motion of Senator Marthakis, the rules were suspended and *H. J. R. No. 21* was read the second and third times and placed on its final passage.

H. J. R. No. 21 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Hopkin.

H. J. R. No. 21 was returned to the House.

REPORTS OF STANDING COMMITTEES

March 7, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 9*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 36-1-31, UTAH CODE ANNOTATED, 1943, AS AMENDED BY THE LAWS OF UTAH, 1947, CHAPTER 46, AND SECTION 36-1-32, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 65, LAWS OF UTAH, 1949, LIMITING THE MAXIMUM WEIGHTS OF VEHICLES AND COMBINATIONS OF VEHICLES DRIVEN OR MOVED ON ANY HIGHWAY AND PROVIDING FOR ENFORCEMENT THEREOF, AND PENALTIES FOR OVERLOADING, 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,

EDWIN B. CANNON,
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.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 111 was read the second time.

On motion of Senator Gibson the rules were suspended and *H. B. No. 111* was read the third time and placed on its final passage.

H. B. No. 111 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Tippetts, Thorn and Mr. President.

Those voting in the negative were: Senators Jenkins, Reese and Watson.

H. B. No. 111 was returned to the House.

UNFINISHED BUSINESS

S. B. No. 7, being unfinished business, was before the Senate.

On motion of Senator Gibson, the Senate concurred in the House amendments to *S. B. No. 7*.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Muir.

S. B. No. 7 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

S. B. No. 4, being unfinished business, was before the Senate.

On motion of Senator Hopkin, the Senate concurred in the House amendments to *S. B. No. 4*.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Muir.

S. B. No. 4 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

S. B. No. 12, being unfinished business, was before the Senate.

On motion of Senator Hopkin, the Senate concurred in the House amendments to *S. B. No. 12*.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

S. B. No. 12 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

S. B. No. 5, being unfinished business, was before the Senate.

On motion of Senator Clegg, the Senate concurred in the House amendments to *S. B. No. 5*.

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

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Larsen.

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

With unanimous consent the following resolution was introduced:

PRESENTATION OF RESOLUTIONS

S. J. R. No. 20 By Mr. Hopkin

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 29TH LEGISLATURE OF THE STATE OF UTAH, MAKING ASSIGNMENTS OF STUDY FOR THE UTAH LEGISLATIVE COUNCIL AND REQUESTING A REPORT OF FINDINGS THIRTY DAYS PRIOR TO THE CONVENING OF THE 30TH LEGISLATURE OF THE STATE OF UTAH, was read the first time.

Senator Hopkin moved that the rules be suspended and that the Senate do now consider *S. J. R. No. 20*.

Motion carried.

On motion of Senator Tippetts, the resolution was amended as follows:

Page 2, add a new section, Section 8, as follows:

"Legislative procedure in the state with a view to more efficient and expeditious legislation."

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

Page 2, add a new section, Section 9, as follows:

"Taxation of corporations to determine if they are bearing their just share of taxation."

On motion of Senator Marthakis, the rules were suspended and *S. J. R. No. 20* was read the second and third times and placed on its final passage.

S. J. R. No. 20 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Larsen and Paxton.

S. J. R. No. 20 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 135 was read the second time.

On motion of Senator Day the rules were suspended and *H. B. No. 135* was read the third time and placed on its final passage.

H. B. No. 135 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Beal, Hopkin and Watson.

H. B. No. 135 was returned to the House.

H. B. No. 285 was read the second time.

On motion of Senator Thorn, the rules were suspended and *H. B. No. 285* was read the third time and placed on its final passage.

H. B. No. 285 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Hopkin.

H. B. No. 285 was returned to the House.

H. B. No. 286 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 286* was read the third time and placed on its final passage.

H. B. No. 286 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Mr. President.

Those voting in the negative were: Senators Brockbank, Elggren and Watson.

H. B. No. 286 was returned to the House.

On motion of Senator Paxton, it was agreed that when the Senate adjourns today that it stand adjourned until Thursday, March 8, 1951 at 9:00 A.M.

COMMUNICATIONS FROM THE HOUSE

March 7, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 255*, by Messrs. Hopkin, Reese and Gibson, entitled:

AN ACT AMENDING SECTIONS 75-12-5 AND 75-12-8 UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 80 LAWS OF UTAH 1947 TO FIX THE COST OF THE UNIFORM MINIMUM SCHOOL PROGRAM FOR ELEMENTARY SCHOOLS, INCLUDING KINDERGARTEN, AND HIGH SCHOOLS AT $3500 FOR EACH CLASSROOM UNIT, PLUS AN ADDITIONAL AMOUNT FOR TRANSPORTATION OF PUPILS IN THE SUM OF $1,000,000, AND AN ADDITIONAL AMOUNT EQUAL TO ONE-HALF THE BUDGET

OF THE STATE BOARD OF EDUCATION AS PROVIDED FOR THE BIENNIUM BY THE LEGISLATURE AND ALTERING THE STATUTORY LIMITS ON THE AMOUNT OF TAXES ON TANGIBLE PROPERTY FOR SCHOOL PROGRAMS ABOVE THE UNIFORM MINIMUM LOCAL LEVY AUTHORIZED BY LAW, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

S. B. No. 255 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 7, 1951

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. 187*, by Messrs. Tippetts, Reese, Adams, Marthakis, Watson, Ashton, Milliman, Burns, Jenkins, Beal, Clegg, Thorn, Muir, Day, Paxton, Larsen, Cannon, and Mrs. Jensen, entitled:

AN ACT AMENDING SECTION 10, CHAPTER 89, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 9, LAWS OF UTAH 1948, FIRST SPECIAL SESSION RELATING TO PUBLIC WELFARE AND ASSISTANCE TO PERSONS IN NEED, AND MAKING AN APPROPRIATION THEREFOR, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

On motion of Senator Hopkin, the Senate refused to concur in the House amendments and requested the House to recede.

REPORTS OF STANDING COMMITTEES

March 7, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 107*, by Messrs. Adams, Hopkin, Larsen and Beal, entitled:

AN ACT AMENDING 100-5-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 96, LAWS OF UTAH 1949, RELATING TO THE CONSTRUCTION AND REPAIR OF DAMS, SUBMISSION

OF PLANS TO ENGINEER FOR APPROVAL, SUPERVISION AND INSPECTION, PAYMENT OF EXPENSES, PENALTY FOR VIOLATION AND EXCEPTION, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 107 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 7, 1951

Mr. President:

Your Committee on Revision and Enrolling to which has been referred *S. B. No. 123* by Messrs. Larsen and Cannon, entitled:

AN ACT AMENDING SECTIONS 85-9-2, 85-9-5, 85-9-6 AND 85-9-24, UTAH CODE ANNOTATED 1943, RELATING TO THE BOARD OF CORRECTIONS; PROVIDING FOR ITS COMPOSITION, POWERS, DUTIES AND MEETINGS; FOR THE PAYMENT OF EXPENSES INCURRED BY ITS MEMBERS AND EXTENDING THE DUTIES OF THE PRISON 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 123 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 7, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 124*, by Messrs. Larsen and Cannon, entitled:

AN ACT REPEALING SECTIONS 67-0-1, 67-0-2, 67-0-3, 67-0-4, 67-0-5, 67-0-6, 67-0-7, 67-0-8, 67-0-9, 67-0-10, 67-0-11 AND 67-0-12 RELATING TO THE BOARD OF PARDONS AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 67-0-1, 67-0-2, 67-0-3, 67-0-4, 67-0-5, 67-0-6, 67-0-7, 67-0-8, 67-0-9, 67-0-10, 67-0-11, 67-0-12, 67-0-13, 67-0-14, 67-0-15, 67-0-16, 67-0-17, 67-0-18, 67-0-19, 67-0-20 AND 67-0-21, PROVIDING FOR THE GRANTING OF PAROLES AND

PARDONS; ESTABLISHING A STATE BOARD OF PARDONS AND DEFINING ITS COMPOSITION, POWERS AND DUTIES, 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,

EDWIN B. CANNON,
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 7, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 233*, by Messrs. Watson and Elggren, entitled:

AN ACT AMENDING SECTION 76-1-4, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS OF INDIVIDUAL MEMBERS OF THE PUBLIC SERVICE COMMISSION AND PROVIDING FOR EXAMINERS TO BE APPOINTED BY SAID COMMISSION TO CONDUCT HEARINGS AND INVESTIGATIONS AND TO MAKE RECOMMENDED FINDINGS AND ORDERS ON SUCH HEARINGS, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 233 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.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 133 was read the second time.

On motion of Senator Marthakis the rules were suspended and *H. B. No. 133* was read the third time and placed on its final passage.

H. B. No. 133 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Paxton.

H. B. No. 133 was returned to the House.

H. B. No. 224 was read the second time.

On motion of Senator Day the rules were suspended and *H. B. No. 224* was read the third time and placed on its final passage.

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

Page 1, line 21, strike the words "twenty-one" and insert in lieu thereof the word "eighteen".

H. B. No. 224 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Thorn.

Senator Hopkin moved that the rules be suspended and that *S. B. No. 256* be lifted from the Sifting Committee and that the Senate do now consider *S. B. No. 256*.

Motion carried.

S. B. No. 256 was read the second time.

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

Line 5, strike the words "AND CREATING" and insert in lieu thereof the words "FOR THE".

Line 6, strike the words "AN ADVISORY COMMITTEE TO INVESTIGATE".

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

Section 5, line 4, change the period to a comma and insert "except that equal priorities shall be given to welfare institutions and educational institutions."

On motion of Senator Day the rules were suspended and *S. B. No. 256* was read the third time and placed on its final passage.

S. B. No. 256 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President

Absent and not voting: Senator Brockbank.

S. B. No. 256 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 7, 1951

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. 287*, by Appropriations Committee entitled:

AN ACT AMENDING HOUSE BILL 279 OF THE 29TH LEGISLATURE OF THE STATE OF UTAH, AS PASSED BY BOTH HOUSES AND APPROVED, EXCEPT FOR CERTAIN ITEMS OF APPROPRIATION, BY THE GOVERNOR, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 18, MAKING APPROPRIATIONS FOR THE SUPPORT OF CERTAIN DEPARTMENTS, AGENCIES AND INSTITUTIONS OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1951 AND ENDING JUNE 30, 1953, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

H. B. No. 287 was read the first time.

Senator Hopkin moved that the rules be suspended and that the Senate do now consider *H. B. No. 287*.

Motion carried.

H. B. No. 287 was read the second time.

On motion of Senator Hopkin the rules were suspended and *H. B. No. 287* was read the third time and placed on its final passage.

H. B. No. 287 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren (explained vote), Gibson (explained vote), Hopkin, Jenkins, Jensen, Larsen, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank and Marthakis.

H. B. No. 287 was returned to the House.

In accordance with the report of the Sifting Committee, adopted on the forty-fourth legislative day, H. B. Nos. 186, 241, 242, 18, 19, 38 and 155 were referred back to the Sifting Committee.

On motion of Senator Gibson the Senate adjourned.

SIXTIETH DAY

MORNING SESSION

March 8, 1951

The Senate was called to order at 9:00 A.M. President Fowles in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

March 8, 1951

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 corrections noted on the final copy.

Respectfully,

JAMES E. BURNS,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 8, 1951

Dear Mr. President and
Members of the Senate:

With the permission of your Honorable Body, I would like to withdraw the following appointments:

MEMBERS, BOARD OF TRUSTEES, U. S. A. C.

Mrs. Fern L. Ercanbrack, Provo
Thorpe B. Isaacson, Salt Lake City
Dr. R. O. Porter, Logan
Newell V. (Hod) Sanders, Kaysville
A. V. Smoot, Corinne
B. H. Stringham, Vernal

I shall submit new appointments upon receipt of your advice.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

On motion of Senator Milliman, the Senate voted to comply with the Governor's request.

March 7, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 45*, by Messrs. Cannon, Day and Marthakis, 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; AS AMENDED BY CHAPTER 27, LAWS OF UTAH, 1949; RELATING TO COMPENSATION OF COURT REPORTERS.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 7, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved *S. B. No. 230*, and transmitted it to the Secretary of State. This bill is by Messrs. Tippetts and Muir, entitled:

AN ACT AMENDING SECTION 75-6-1, UTAH CODE ANNOTATED 1943, RELATING TO SNOW COLLEGE AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 75-6-1.10 AND 75-6-1.11,

MAKING SAID SCHOOL A BRANCH OF THE UTAH STATE AGRICULTURAL COLLEGE AND TRANSFERRING THE MANAGEMENT AND CONTROL THEREOF TO THE BOARD OF TRUSTEES OF THE UTAH STATE AGRICULTURAL COLLEGE.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 7, 1951

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. 131*, by Messrs. Tippetts and Paxton, entitled:

AN ACT AMENDING SECTION 80-9-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 109, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 81, LAWS OF UTAH 1949, RELATING TO MAXIMUM LEVIES THAT MAY BE MADE IN COUNTIES AND PROVIDING A UNIFORM GRADUATED TAX LEVY, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Marthakis, the Senate concurred in the House amendments to *S. B. No. 131*.

S. B. No. 131 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Reese, Tippetts, Thorn and Watson.

Absent and not voting: Senators Brockbank, Elggren, Fowles, Muir and Paxton.

S. B. No. 131 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 7, 1951

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. 112*, by Mr. Hopkin, entitled:

AN ACT AMENDING SECTION 30-0-47 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 44, LAWS OF UTAH 1949, DEFINING GAME ANIMALS AND SPECIFYING THE HUNTING SEASON FOR DEER, AND FURTHER PROVIDING PENALTIES FOR VIOLATION OF THIS ACT, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Gibson, the Senate concurred in the House amendments to *S. B. No. 112.*

S. B. No. 112 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Elggren, Larsen, Reese and Tippetts.

S. B. No. 112 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

March 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 255*, by Messrs. Hopkin, Reese, and Gibson, entitled:

AN ACT AMENDING SECTIONS 75-12-5 AND 75-12-8 UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 80 LAWS OF UTAH 1947 TO FIX THE COST OF THE UNIFORM MINIMUM SCHOOL PROGRAM FOR ELEMENTARY SCHOOLS, INCLUDING KINDERGARTEN, AND HIGH SCHOOLS AT $3500 FOR EACH CLASSROOM UNIT, PLUS AN ADDITIONAL AMOUNT FOR TRANSPORTATION OF PUPILS IN THE SUM OF $1,000,000, AND AN ADDITIONAL AMOUNT EQUAL TO ONE-HALF THE BUDGET OF THE STATE BOARD OF EDUCATION AS PROVIDED FOR THE BIENNIUM BY THE LEGISLATURE AND ALTERING THE STATUTORY LIMITS ON THE AMOUNT OF TAXES ON TANGIBLE

PROPERTY FOR SCHOOL PROGRAMS ABOVE THE UNIFORM MINIMUM LOCAL LEVY AUTHORIZED BY LAW, 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,

EDWIN B CANNON,
Chairman

Report filed.

S. B. No. 255 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 7, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 12*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 36-2-16.10, CHAPTER 47, LAWS OF UTAH 1949, AND SECTION 36-2-17, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 47, LAWS OF UTAH 1949, RELATING TO DISTRIBUTION OF MOTOR VEHICLE REGISTRATION FUND TO A GENERAL HIGHWAY FUND, 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,

EDWIN B. CANNON,
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 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 5*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT REPEALING SECTION 57-3a-133, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 57-3a-133 UTAH CODE ANNOTATED 1943, RELATING TO REGISTRATION OF VEHICLES AND PROVIDING THE FEES THEREFOR, AND AMENDING SECTION 57-3a-151, UTAH CODE

ANNOTATED 1943, RELATING TO THE DISPOSITION OF FEES DERIVED FROM REGISTRATIONS, 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,

EDWIN B. CANNON,
Chairman

Report filed.

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

REPORTS OF SPECIAL COMMITTEES

March 7, 1951

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 38, 186, 149, 124, 158, 106, 107, 18, 19, 241, 242, 85 and S. B. No. 183.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

H. B. Nos. 38, 186, 149, 124, 158, 106, 107, 18, 19, 241, 242, 85 and S. B. No. 183 were placed on the Second Reading Calendar.

Senator Muir moved that the rules be suspended and that the Senate reconsider its action by which it passed *H. B. No. 224* and that the Senate do now consider *H. B. No. 224*.

Motion carried.

H. B. No. 224 was before the Senate for reconsideration.

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

Page 1, line 21, strike the previous amendment.

H. B. No. 224 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Day, Gibson, Hopkin, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Thorn, Watson and Mr. President.

Absent and not voting: Senators Brockbank, Clegg, Elggren, Jenkins, Reese and Tippetts.

H. B. No. 224 was returned to the House.

On motion of Senator Muir the enacting clause in *S. B. No. 152* was struck.

On motion of Senator Hopkin the enacting clause in *H. B. No. 97, S. B. Nos. 98 and 47*, respectively, were struck.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 32 was read the third time and placed on its final passage.

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

Before line 1, add a new section as follows: "Section 1. Chapter 10, Laws of Utah 1947 and section 104-5-11(10) are hereby repealed."

Line 1, strike "Section 1" and insert in lieu thereof "Section 2" and after the word "person" insert "other than insurance organizations".

Line 9, strike "Section 2" and insert in lieu thereof "Section 3".

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

Line 1, after the words "AN ACT" insert "REPEALING CHAPTER 10 LAWS OF UTAH 1947 AND SECTION 104-5-11 (10) AND".

H. B. No. 32 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts and Thorn.

Absent and not voting: Senators Brockbank, Elggren, Fowles, Hopkin, Paxton and Watson.

H. B. No. 32 was returned to the House.

On motion of Senator Marthakis, the enacting clause in *S. C. R. No. 2* was struck.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 38 was read the second time.

On motion of Senator Jensen the rules were suspended and *H. B. No. 38* was read the third time and placed on its final passage.

H. B. No. 38 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Reese, Tippetts, Thorn and Watson.

Absent and not voting: Senators Brockbank, Fowles, Muir and and Paxton.

H. B. No. 38 was returned to the House.

H. B. No. 186 was read the second time.

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

Page 1, end of line 14, strike the House amendments.

On motion of Senator Milliman the rules were suspended and *H. B. No. 186* was read the third time and placed on its final passage.

H. B. No. 186 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Day, Elggren, Gibson, Jenkins, Jensen, Marthakis, Milliman, Muir and Watson.

Those voting in the negative were: Senators Cannon, Clegg, Larsen, Paxton, Thorn and Mr. President.

Absent and not voting: Senators Brockbank, Hopkin, Reese and Tippetts.

H. B. No. 186 was returned to the House.

H. B. No. 149 was read the second time.

On motion of Senator Marthakis the rules were suspended and *H. B. No. 149* was read the third time and placed on its final passage.

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

Page 2, line 7, strike "Sec. 1" and insert in lieu thereof "Section 2".

Page 2, line 21, strike "Section 2" and insert in lieu thereof "Section 3".

H. B. No. 149 then passed on the following roll call:

Ayes, 16; Nos, 2; Absent, 5.

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Cannon, Clegg, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Reese, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Beal and Day.

Absent and not voting: Senators Brockbank, Hopkin, Muir, Paxton and Tippetts.

H. B. No. 149 was returned to the House.

H. B. No. 124 was read the second time.

On motion of Senator Marthakis the rules were suspended and *H. B. No. 124* was read the third time and placed on its final passage.

H. B. No. 124 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Reese, Tippetts, Thorn, Watson and Mr. President..

Absent and not voting: Senators Beal, Hopkin, Muir and Paxton.

H. B. No. 124 was returned to the House.

H. B. No. 158 was read the second time.

On motion of Senator Marthakis the rules were suspended and *H. B. No. 158* was read the third time and placed on its final passage.

H. B. No. 158 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Gibson, Jenkins, Jensen, Larsen, Marthakis, Milliman, Paxton, Thorn, Watson and Mr. President.

Absent and not voting: Senators Elggren, Hopkin, Muir, Reese and Tippetts.

H. B. No. 158 was returned to the House.

H. B. No. 106 was read the second time.

On motion of Senator Milliman the rules were suspended and *H. B. No. 106* was read the third time and placed on its final passage.

H. B. No. 106 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon (explained vote), Clegg (explained vote), Elggren (explained vote), Gibson (explained vote), Jenkins, Jensen (explained vote), Larsen, Marthakis, Milliman, Paxton, Reese, Tippetts, Watson and Mr. President.

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

Absent and not voting: Senators Hopkin, Muir and Thorn.

H. B. No. 106 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 8, 1951

Mr. President:

I am directed 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. 255*, by Messrs. Hopkin, Reese, and Gibson, entitled:

AN ACT AMENDING SECTIONS 75-12-5 AND 75-12-8 UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 80 LAWS OF UTAH 1947 TO FIX THE COST OF THE UNIFORM MINIMUM SCHOOL PROGRAM FOR ELEMENTARY SCHOOLS, INCLUDING KINDERGARTEN, AND HIGH SCHOOLS AT $3500 FOR EACH CLASSROOM UNIT, PLUS AN ADDITIONAL AMOUNT FOR TRANSPORTATION OF PUPILS IN THE SUM OF $1,000,000, AND AN ADDITIONAL AMOUNT EQUAL TO ONE-HALF THE BUDGET OF THE STATE BOARD OF EDUCATION AS PROVIDED FOR THE BIENNIUM BY THE LEGISLATURE AND ALTERING THE STATUTORY LIMITS ON THE AMOUNT OF TAXES ON TANGIBLE PROPERTY FOR SCHOOL PROGRAMS ABOVE THE UNIFORM MINIMUM LOCAL LEVY AUTHORIZED BY LAW, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 255 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 184*, by Messrs. Adams, Watson, Fowles and Clegg, entitled:

AN ACT AMENDING SECTION 27-0-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 40, SECTION 1, LAWS OF UTAH 1943, RELATING TO THE CESSION OF JURISDICTION TO THE UNITED STATES IN, TO AND OVER LANDS WITHIN THIS STATE WHICH HAVE BEEN OR MAY BE HEREAFTER ACQUIRED, LEASED, USED, OR RESERVED FROM THE PUBLIC DOMAIN BY THE UNITED STATES FOR PURPOSES AUTHORIZED BY ACTS OF CONGRESS, AND AMENDING SECTION 27-0-2, UTAH

CODE ANNOTATED 1943, RELATING TO EXECUTION BY THE GOVERNOR OF PROPER CONVEYANCES IN SUCH CESSION, AND ENACTING A NEW SECTION TO RETAIN CONCURRENT JURISDICTION IN CIVIL AND CRIMINAL MATTERS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 184 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 233*, by Messrs. Watson and Elggren, entitled:

AN ACT AMENDING SECTION 76-1-4, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS OF INDIVIDUAL MEMBERS OF THE PUBLIC SERVICE COMMISSION AND PROVIDING FOR EXAMINERS TO BE APPOINTED BY SAID COMMISSION TO CONDUCT HEARINGS AND INVESTIGATIONS AND TO MAKE RECOMMENDED FINDINGS AND ORDERS ON SUCH HEARINGS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk.

Communication filed.

S. B. No. 233 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

March 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 112*, by Mr. Hopkin, entitled:

AN ACT AMENDING SECTION 30-0-47 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 44 LAWS OF UTAH 1949, DEFINING GAME ANIMALS AND SPECIFYING THE HUNTING SEASON FOR DEER, AND FURTHER PROVIDING PENAL-

TIES 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 112 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 4*, by Messrs. Fowles, Hopkin and Gibson, entitled:

AN ACT AMENDING SECTIONS 57-12-44, 57-12-46, 57-12-47, 57-12-48, 57-12-49, 57-12-50, 57-12-51, 57-12-52, 57-12-55, 57-12-57, 57-12-59, 57-12-60, 57-12-61, 57-12-62, 57-12-63, 57-12-65, 57-12-66, 57-12-67 AND 57-12-68, UTAH CODE ANNOTATED 1943, AND AMENDING SECTION 57-12-45, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 85, LAWS OF UTAH 1945, RELATING TO MOTOR FUELS; IMPOSING AN EXCISE TAX ON THE SALE OR USE OF FUEL AS DEFINED HEREIN, FOR THE PROPELLING OF VEHICLES ON THE HIGHWAYS OF THIS STATE; PROVIDING FOR THE ISSUANCE OF LICENSES AND PERMITS TO USER-DEALERS IN AND USERS OF SUCH FUEL; REVOCATION OF SUCH PERMITS AND LICENSES; PROVIDING FOR THE RIGHT OF A PERMITEE TO A HEARING BEFORE THE REVOCATION IS EFFECTIVE; REQUIRING OF A BOND TO GUARANTEE PAYMENT OF TAX; REQUIRING DISPLAY OF PERMIT WHERE NECESSARY; PROVIDING FOR LEVY ASSESSMENT AND COLLECTION OF SUCH TAX BY THE UTAH STATE TAX COMMISSION; PROVIDING DUE DATES AND DELINQUENCY DATES OF SUCH TAX AND REQUIRING MONTHLY REPORTS, MAINTENANCE OF RECORDS AND AUDITING OF SUCH RECORDS; PRESCRIBING PENALTIES FOR DELINQUENCY OF SUCH TAX AND REPORTS; PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREOF; PRESCRIBING METHODS TO BE USED IN OBTAINING AND GIVING INFORMATION; PRESCRIBING ADDITIONAL AND ARBITRARY DETERMINATION OF TAX UNDER CERTAIN CONDITIONS, PROVIDING FOR HEARINGS BEFORE THE TAX COM-

MISSION; PRESCRIBING REMEDIES FOR COLLECTION OF PAYMENTS OF OBLIGATIONS HEREUNDER; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF THE TAX; PROVIDING FOR THE REFUND OF TAXES COLLECTED THROUGH ERROR, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 57-12-47.10 AND 57-12-68.10 UTAH CODE ANNOTATED 1943, PROVIDING FOR MONTHLY REPORTS BY FUEL USERS, PROVIDING A PENALTY AND PROVIDING FOR TRANSMISSION OF INFORMATION TO ENFORCEMENT OFFICIALS, 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,

EDWIN B. CANNON
Chairman

Report filed.

S. B. No. 4 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 107 was read the second time.

On motion of Senator Marthakis the rules were suspended and *H. B. No. 107* was read the third time and placed on its final passage.

H. B. No. 107 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Reese, Watson and Mr. President.

Voting in the negative: Senator Larsen.

Absent and not voting: Senators Paxton, Tippetts and Thorn.

H. B. No. 107 was returned to the House.

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

On motion of Senator Day the rules were suspended and *H. B. No. 18* was read the third time and placed on its final passage.

H. B. No. 18 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Reese, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Larsen, Muir, Paxton and Watson.

H. B. No. 18 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 220*, by Messrs. White, Bunderson, Sevy, Patterson, Albrecht, Hurst, A. Gardner, Mrs. Cazier, and Rowberry, entitled:

AN ACT APPROPRIATING $20,000.00 FROM THE GENERAL FUND IN THE STATE TREASURY TO THE STATE BOARD OF AGRICULTURE FOR THE CONTROL OF POISONOUS AND INJURIOUS WEEDS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 220 was read the first time and referred to the Sifting Committee.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 5*, for the Legislative Council, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT REPEALING SECTION 57-3a-133, UTAH CODE ANNOTATED 1943, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 57-3a-133 UTAH CODE ANNOTATED 1943, RELATING TO REGISTRATION OF VEHICLES AND PROVIDING THE FEES THEREFOR, AND AMENDING SECTION 57-3a-151, UTAH CODE ANNOTATED 1943, RELATING TO THE DISPOSITION OF FEES DERIVED FROM REGISTRATIONS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

March 8, 1951

Mr. President:

I am directed 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 Messrs. Larsen and Cannon, entitled:

AN ACT REPEALING SECTIONS 67-0-1, 67-0-2, 67-0-3, 67-0-4, 67-0-5, 67-0-6, 67-0-7, 67-0-8, 67-0-9, 67-0-10, 67-0-11 AND 67-0-12 RELATING TO THE BOARD OF PARDONS AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 67-0-1, 67-0-2, 67-0-3, 67-0-4, 67-0-5, 67-0-6, 67-0-7, 67-0-8, 67-0-9, 67-0-10, 67-0-11, 67-0-12, 67-0-13, 67-0-14, 67-0-15, 67-0-16, 67-0-17, 67-0-18, 67-0-19, 67-0-20, AND 67-0-21, PROVIDING FOR THE GRANTING OF PAROLES AND PARDONS; ESTABLISHING A STATE BOARD OF PARDONS AND DEFINING ITS COMPOSITION, POWERS AND DUTIES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 124 was transmitted to the Governor.

COMMUNICATIONS FROM THE GOVERNOR

March 8, 1951

Dear Mr. President and Members of the Senate:

I am transmitting herewith and without my approval *Senate Bill No. 255*. I am also attaching a copy of the veto message I prepared and transmitted to your Honorable Body on *Senate Bill No. 75*.

The objections I have to *Senate Bill No. 255* are the same as those I registered in objecting to *Senate Bill No. 75*. I again propose, instead of enacting either of these bills, that the Legislature create a special Legislative Committee, similar to the Tax Study Committee that was created by the 1945 Legislature charged with the responsibility of:

1. Studying school expenditures and programs to determine where they can be reduced, and in what proportions, consistent with the State's financial ability.

2. Studying the uniform school program in relationship to the 1946 Tax Study Committee's report and present developments to determine what changes, if any, should be made.

3. Studying the State's obligation with the Utah State Teachers Retirement System and the advisability of meeting this obligation from the Uniform School Fund.

Should this Committee, after making a thorough study of these matters, determine that increases in the minimum school program should be made, I shall be willing to call a special session of the Legislature for that purpose.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

Senator Marthakis, with the aid of five Senators, requested a call of the Senate.

The Sergeant-at-Arms made his report.

Roll call showed all Senators present.

On motion of Senator Marthakis, the call was lifted.

S. B. No. 255 was before the Senate on reconsideration.

The Senate voted to over-ride the Governor's veto on *S. B. No. 255* by the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Brockbank, Burns, Clegg (explained vote), Elggren, Gibson (explained vote), Hopkin, Jenkins (explained vote), Jensen, Marthakis (explained vote), Milliman, Reese, Tippetts (explained vote), Watson and Mr. President.

Those voting in the negative were: Senators Beal (explained vote), Cannon (explained vote), Day (explained vote), Larsen (explained vote), Muir (explained vote), Paxton and Thorn (explained vote).

S. B. No. 255 was transmitted to the House.

March 8, 1951

Dear Mr. President and
Members of the Senate:

In compliance with State laws, I am submitting the following appointments to your Honorable Body for advice and consent:

MEMBERS, BOARD OF TRUSTEES, U.S.A.C.
Mrs. Fern L. Ercanbrack, Provo
Thorpe B. Isaacson, Salt Lake City
George D. Preston, Logan

Newell V. (Hod) Sanders, Kaysville
B. H. Stringham, Vernal
LeRoy D. White, Perry (Box Elder County)

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication referred to the Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day receded from its amendments and passed *S. B. No. 187*, by Messrs. Tippetts, Reese, Adams, Marthakis, Watson, Ashton, Milliman, Burns, Jenkins, Beal, Clegg, Thorn, Muir, Day, Paxton, Larsen, Cannon and Mrs. Jensen, entitled:

AN ACT AMENDING SECTION 10, CHAPTER 89, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 9, LAWS OF UTAH 1948, FIRST SPECIAL SESSION RELATING TO PUBLIC WELFARE AND ASSISTANCE TO PERSONS IN NEED, AND MAKING AN APPROPRIATION THEREFOR, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 187 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 193*, by Messrs. Jones, Larson, Thoresen, and Miller, entitled:

AN ACT APPROPRIATING TO GEORGE ZOLINTAKIS THE SUM OF $1,387.99 AND RESTORING TO HIM THE RIGHTS AND PRIVILEGES UNDER THE STATE OFFICERS AND EMPLOYEES

RETIREMENT SYSTEM OF UTAH, AS ENACTED BY CHAPTER 131, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 90, LAWS OF UTAH 1949, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 193 was read the first time and referred to the Sifting Committee.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 78*, by Messrs. Openshaw, Sheffield, Howe, and Sagers, entitled:

AN ACT AMENDING SECTIONS 80-5-3, UTAH CODE ANNOTATED 1943, AND 80-5-56, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 107, LAWS OF UTAH, 1947 RELATING TO THE ASSESSMENT OF CERTAIN PROPERTY BY THE STATE TAX COMMISSION AND COUNTY ASSESSORS AND RELATING TO ASSESSMENTS OF MINES, MAKING THE FORMULA FOR MINE ASSESSMENT THE AVERAGE NET PROCEEDS FOR THE THREE PRECEDING CALENDAR YEARS IN THE CASE OF METALLIFEROUS MINES AND PROVIDING FOR THE ASSESSMENT OF OTHER MINES AT 40% OF THEIR REASONABLE FAIR CASH VALUE, AND REPEALING CHAPTER 106, LAWS OF UTAH 1947, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 78 was read the first time and referred to the Sifting Committee.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 248*, by Messrs. E. C. Larsen, Tietjen, Woolley, and Brotherson, entitled:

AN ACT AUTHORIZING THE GOVERNOR, UPON THE ADVICE OF THE ATTORNEY GENERAL AND THE LEGISLATIVE COUNCIL PERFORMING THE DUTIES OF THE INTERSTATE COOPERATIVE COMMISSION, TO EXECUTE A COMPACT WITH

WESTERN REGIONAL STATES FOR COOPERATION IN HIGHER EDUCATION ESTABLISHING A COMMITTEE WITHIN THE COMMISSION ON INTERSTATE COOPERATION TO BE KNOWN AS THE UTAH INTERSTATE COMMISSION FOR HIGHER EDUCATION, SPECIFYING THE PERSONNEL OF SAID COMMISSION PRESCRIBING ITS DUTIES, AND APPROPRIATING $10,000.00 TO THE LEGISLATIVE COUNCIL TO CARRY OUT THE PURPOSES OF THIS ACT, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 248 was read the first time and referred to the Sifting Committee.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 179*, by Messrs. Woolley, and Larsen, entitled:

AN ACT AMENDING SECTION 36-6-28 AND 36-6-29, UTAH CODE ANNOTATED 1949, AS AMENDED BY CHAPTER 62, LAWS OF UTAH 1945, RELATING TO THE ALLOCATION AND EXPENDITURE OF CLASS B AND C ROAD FUNDS, AND PROVIDING FOR THE ENFORCEMENT OF RULES AND REGULATIONS FOR SUCH EXPENDITURE ADOPTED MUTUALLY BY THE STATE ROAD COMMISSION AND THE GOVERNING OFFICIALS OF COUNTIES, CITIES AND TOWNS, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 179 was read the first time and referred to the Sifting Committee.

March 8, 1951

Mr. President:

I am directed 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. 9*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 36-1-31, UTAH CODE ANNOTATED 1943, AS AMENDED BY THE LAWS OF UTAH 1947, CHAP-

TER 46, AND SECTION 36-1-32, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 65, LAWS OF UTAH 1949, LIMITING THE MAXIMUM WEIGHTS OF VEHICLES AND COMBINATIONS OF VEHICLES DRIVEN OR MOVED ON ANY HIGHWAY AND PROVIDING FOR ENFORCEMENT THEREOF, AND PENALTIES FOR OVERLOADING, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

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

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that on the 8th day of March, 1951, on a roll call of 15 yeas, 12 nays, absent 3, the House voted to overide the Governor's veto of *H. B. No. 1*, by Messrs. Larsen, Tietjen, and Woolley, entitled:

AN ACT REPEALING CHAPTER 79 OF THE LAWS OF UTAH 1947 AND CREATING A NEW ACT PROVIDING FOR THE APPROPRIATION TO AND EQUITABLE DISTRIBUTION AMONG THE VARIOUS JUNIOR COLLEGES, THE UNIVERSITY OF UTAH (NOT INCLUDING THE MEDICAL SCHOOL), THE UTAH STATE AGRICULTURAL COLLEGE (NOT INCLUDING THE EXPERIMENT STATION AND EXTENSION SERVICE) AND THE BRANCH AGRICULTURAL COLLEGE OF THE MONIES FOR THE COMMON COSTS OF SUCH STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION FOR INSTRUCTION, MAINTENANCE AND REPAIR OF PHYSICAL PLANTS AND GROUNDS AND ADMINISTRATION, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Gibson, *H. B. No. 1* was made a special order of business for today at 2:00 p.m.

March 8, 1951

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. 136*, by Messrs. Day, Marthakis, Fowles and Reese, entitled:

AN ACT TO BE ENTITLED THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT, PROVIDING FOR GIVING PROOF OF FINANCIAL RESPONSIBILITY BY OWNERS AND OPERATORS OF MOTOR VEHICLES VIOLATING THE MOTOR VEHICLE LAWS OF THE STATE OF UTAH OR INVOLVED IN AN ACCIDENT IN WHICH DAMAGES RESULT IN EXCESS OF $100, REQUIRING THE GIVING OF SECURITY FOR THE PAYMENT OF DAMAGES; PROVIDING FOR THE SUSPENSION OF OPERATORS LICENSES AND REGISTRATION CERTIFICATES UNTIL SUCH SECURITY IS FURNISHED; PROVIDING FOR THE APPOINTMENT OF THE SECRETARY OF THE STATE OF UTAH AS PROCESS AGENT FOR NON-RESIDENTS USING THE HIGHWAYS OF THIS STATE IN ACTIONS ARISING OUT OF ANY ACCIDENTS; PRESCRIBING THE PROCEDURE TO MAKE PROOF OF FINANCIAL RESPONSIBILITY, AND PRESCRIBING PENALTIES FOR VIOLATIONS HEREOF, AND OTHER MATTERS RELATING THERETO; AND REPEALING CHAPTER 68, LAWS OF UTAH 1943, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 136 was referred to the Committtee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

March 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 131*, by Messrs. Tippetts and Paxton, entitled:

AN ACT AMENDING SECTION 80-9-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 109, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 81, LAWS OF UTAH 1949, RELATING TO MAXIMUM LEVIES THAT MAY BE MADE IN COUNTIES AND PROVIDING A UNIFORM GRADUATED TAX LEVY, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 131 was signed by the President in open session in the presence of the Senate, and was transmitted to the House for the signature of the Speaker.

March 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 7*, by Messrs. Fowles, Gibson, and Hopkin, for the Legislative Council, entitled:

AN ACT AMENDING SECTION 57-3a-88, UTAH CODE ANNOTATED 1943, AS AMENDED BY THE LAWS OF UTAH 1943, CHAPTER 64, RELATING TO RESIDENT AND NONRESIDENT OWNERS EXEMPT FROM LICENSING AND REGISTRATION, DUTY OF OWNER, RECIPROCITY, TEMPORARY PERMIT, APPORTIONMENT OF REGISTRATION OF INTERSTATE FLEETS AND PROVIDING FOR THE DISTRIBUTION OF THE FUNDS DERIVED FROM SAID TEMPORARY PERMITS, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 7 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 19 was read the second time.

On motion of Senator Gibson *H. B. No. 19* was made a special order of business for today at 2:30 P.M.

H. B. No. 241 was read the second time.

On motion of Senator Day the rules were suspended and *H. B. No. 241* was read the third time and placed on its final passage.

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

Page 2, line 7, strike the House amendment.

H. B. No. 241 then passed on the following roll call:

Ayes, 20; Nos, 1; Absent, 2.

Those voting in the affirmative were: Senators Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative: Senator Paxton.

Absent and not voting: Senators Adams and Larsen.

H. B. No. 241 was returned to the House.

H. B. No. 242 was read the second time.

On motion of Senator Day the rules were suspended and *H. B. No. 242* was read the third time and placed on its final passage.

H. B. No. 242 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Ashton, Beal, Brockbank, Burns, Cannon, Day, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Adams, Clegg, Elggren and Larsen.

H. B. No. 242 was returned to the House.

H. B. No. 85 was read the second time.

On motion of Senator Day the rules were suspended and *H. B. No. 85* was read the third time and placed on its final passage.

H. B. No. 85 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Day, Elggren, Gibson, Jenkins, Jensen, Marthakis, Milliman, Reese, Tippetts, Thorn and Mr. President.

Those voting in the negative were: Senators Hopkin and Muir.

Absent and not voting: Senators Clegg, Larsen, Paxton and Watson.

H. B. No. 85 was returned to the House.

S. B. No. 183 was read the second time.

Committee report read and adopted.

On motion of Senator Day the rules were suspended and *S. B. No. 183* was read the third time and placed on its final passage.

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

Page 2, line 5, strike "six thousand" and insert in lieu thereof "four thousand nine hundred fifty".

S. B. No. 183 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Reese, Tippetts, Thorn and Mr. President.

Voting in the negative: Senator Burns.

Absent and not voting: Senators Larsen, Muir, Paxton and Watson.

S. B. No. 183 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 8, 1951

Mr. President:

I am directed 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. 123*, by Messrs. Larsen, and Cannon, entitled:

AN ACT AMENDING SECTIONS 85-9-2, 85-9-5, 85-9-6 AND 85-9-24, UTAH CODE ANNOTATED 1943, RELATING TO THE BOARD OF CORRECTIONS; PROVIDING FOR ITS COMPOSITION, POWERS, DUTIES AND MEETINGS; FOR THE PAYMENT OF EXPENSES INCURRED BY ITS MEMBERS AND EXTENDING THE DUTIES OF THE PRISON PHYSICIAN, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

S. B. No. 123 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 112*, by Mr. Hopkin, entitled:

AN ACT AMENDING SECTION 30-0-47 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 44 LAWS OF UTAH 1949, DEFINING GAME ANIMALS AND SPECIFYING THE HUNT-

ING SEASON FOR DEER, AND FURTHER PROVIDING PENALTIES FOR VIOLATION OF THIS ACT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

S. B. No. 112 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 107*, by Messrs. Adams, Hopkin, Larsen and Beal, entitled:

AN ACT AMENDING 100-5-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 96, LAWS OF UTAH 1949, RELATING TO THE CONSTRUCTION AND REPAIR OF DAMS, SUBMISSION OF PLANS TO ENGINEER FOR APPROVAL, SUPERVISION AND INSPECTION, PAYMENT OF EXPENSES, PENALTY FOR VIOLATION AND EXCEPTION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

S. B. No. 107 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 12*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 36-2-16.10, CHAPTER 47, LAWS OF UTAH 1949, AND SECTION 36-2-17, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 47, LAWS OF UTAH 1949, RELATING TO DISTRIBUTION OF MOTOR VEHICLE REGISTRATION FUND TO A GENERAL HIGHWAY FUND, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

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

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 8* for the Legislative Council, by Messrs. Fowles, Gibson, and Hopkin, entitled:

AN ACT AMENDING SECTION 57-3a-136, UTAH CODE ANNOTATED, 1943, RELATING TO REDUCED FEES FOR PORTION OF YEAR, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

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

March 8, 1951

Mr. President:

I am directed 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. 3*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 57-12-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 71, LAWS OF UTAH 1947; PROVIDING FOR A TAX UPON THE SALE AND USE OF MOTOR FUELS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

S. B. No. 3 was transmitted to the Governor.

REPORTS OF SPECIAL COMMITTEES

March 8, 1951

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 248, 41 and 50.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

H. B. Nos. 248, 41 and 50 were placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 248 was read the second time.

On motion of Senator Day the rules were suspended and *H. B. No. 248* was read the third time and placed on its final passage.

H. B. No. 248 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Beal, Burns, Cannon, Clegg, Day, Elggren, Jenkins, Jensen, Marthakis, Milliman, Muir, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Ashton, Brockbank, Gibson, Hopkin, Larsen, Paxton, Reese and Watson.

H. B. No. 248 was returned to the House.

H. B. No. 41 was read the second time.

On motion of Senator Elggren, the rules were suspended and *H. B. No. 41* was read the third time and placed on its final passage.

H. B. No. 41 then passed on the following roll call:

Ayes, 15; Nos, 5; Absent, 3.

Those voting in the affirmative were: Senators Adams, Ashton, Burns, Cannon, Clegg, Elggren, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Reese, Tippetts, Thorn and Mr. President.

Those voting in the negative were: Senators Beal, Day, Gibson, Muir and Paxton.

Absent and not voting: Senators Brockbank, Larsen and Watson.

H. B. No. 41 was returned to the House.

H. B. No. 50 was read the second time.

On motion of Senator Day the rules were suspended and *H. B. No. 50* was read the third time and placed on its final passage.

H. B. No. 50 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Paxton, Reese, Thorn and Mr. President.

Absent and not voting: Senators Brockbank, Larsen, Muir, Tippetts and Watson.

H. B. No. 50 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 8, 1951

Mr. President:

I am directed 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. 4* by Messrs. Fowles, Hopkin and Gibson, entitled:

AN ACT AMENDING SECTION 57-12-44, 57-12-46, 57-12-47, 57-12-48, 57-12-49, 57-12-50, 57-12-51, 57-12-52, 57-12-55, 57-12-57, 57-12-59, 57-12-60, 57-12-61, 57-12-62, 57-12-63, 57-12-65, 57-12-66, 57-12-67 AND 57-12-68, UTAH CODE ANNOTATED 1943, AND AMENDING SECTION 57-12-45, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 85, LAWS OF UTAH 1945, RELATING TO MOTOR FUELS; IMPOSING AN EXCISE TAX ON THE SALE OR USE OF FUEL AS DEFINED HEREIN, FOR THE PROPELLING OF VEHICLES ON THE HIGHWAYS OF THIS STATE; PROVIDING FOR THE ISSUANCE OF LICENSES AND PERMITS TO USER-DEALERS IN AND USERS OF SUCH FUEL; REVOCATION OF SUCH PERMITS AND LICENSES; PROVIDING FOR THE RIGHT OF A PERMITEE TO A HEARING BEFORE THE REVOCATION IS EFFECTIVE; REQUIRING OF A BOND TO GUARANTEE PAYMENT OF TAX; REQUIRING DISPLAY OF PERMIT WHERE NECESSARY PROVIDING FOR LEVY ASSESSMENT AND COLLECTION OF SUCH TAX BY THE UTAH STATE TAX COMMISSION; PROVIDING DUE DATES AND DELINQUENCY DATES OF SUCH TAX AND REQUIRING MONTHLY REPORTS, MAINTENANCE OF RECORDS AND AUDITING OF SUCH RECORDS; PRESCRIBING PENALTIES FOR DELINQUENCY OF SUCH TAX AND REPORTS; PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS HEREOF; PRESCRIBING METHODS TO BE USED IN OBTAINING AND GIVING INFORMATION; PRESCRIBING ADDITIONAL AND ARBITRARY DETERMINATION OF TAX UNDER CERTAIN CONDITIONS, PROVIDING FOR HEARINGS BEFORE THE TAX COMMISSION; PRESCRIBING REMEDIES FOR COLLECTION OF PAYMENTS OF PAYMENTS OF OBLIGATIONS HEREUNDER; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF THE TAX; PROVIDING FOR THE REFUND OF TAXES COLLECTED THROUGH ERROR, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 57-12-47.10 AND 57-12-68.10, UTAH CODE ANNOTATED 1943, PROVIDING FOR MONTHLY REPORTS BY FUEL USERS, PROVIDING A PENALTY AND PROVIDING FOR TRANSMISSION OF INFORMATION TO ENFORCE-

MENT OFFICIALS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 4 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 50* by Mr. Larsen, entitled:

AN ACT PROVIDING FOR THE ADMINISTRATION, CONTROL AND MAINTENANCE OF HISTORICAL MONUMENTS AND STATE PARKS, PLACING SUPERVISION AND CONTROL OF OLD STATE HOUSE AT FILLMORE AND CAMP FLOYD UNDER THE STATE HISTORICAL SOCIETY, AND PROVIDING FOR THE SALE OF THE OLD STATE PRISON SITE NOW DESIGNATED AS A STATE PARK, AND PLACING ALL OTHER HISTORICAL MONUMENTS AND STATE PARKS UNDER SUPERVISION AND CONTROL OF THE ENGINEERING COMMISSION, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS OF THE HISTORICAL SOCIETY AND THE ENGINEERING COMMISSION, RESPECTIVELY, WITH RELATION THERETO, MAKING AN APPROPRIATION FOR CONDEMNATION PURPOSES AND REPEALING SECTIONS 68-0-10, 68-0-11, 68-0-12, 68-0-13, 68-0-14, 68-0-15 AND 68-0-16, UTAH CODE ANNOTATED 1943, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

S. B. No. 50 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 46*, by Messrs. Chas. C. Gardner, Dalebout, Davis, Sheffield, Sagers, and Rowberry, entitled:

AN ACT APPROPRIATING TO THE STATE BOARD FOR VOCATIONAL EDUCATION THE SUM OF $37,550.00, FROM THE GENERAL FUND OF THE STATE TREASURY, FOR THE PURPOSE OF COSTS OF OPERATION OF THE SALT LAKE AREA VOCATIONAL SCHOOL DURING THE REMAINDER OF THE PRESENT BIENNIUM.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 173*, by Elizabeth Vance, Mrs. G. Cazier, Messrs. S. C. Anderson, Barton, Larson, White, Bushnell, Jarman, Bagnall, J. Johnson, Luke, Cope, V. H. Peterson, Patterson, Munk, Hinton, Russell, Thurston, Reese, Crofts, Hurst, Rowberry, Miller, Henderson, Bonacci, C. C. Gardner, Lundell, Walker, Romney, Howe, Beezley, Wood, Hopkins, Sheffield, Openshaw, Sagers, Tietjen and R. C. Anderson, entitled:

AN ACT PROVIDING FOR EXAMINATION FOR MENTAL ILLNESS BEFORE SENTENCING PERSONS CONVICTED OF CERTAIN SEX OFFENSES, FOR THE MANNER OF PROVIDING FOR SUCH EXAMINATION, AND COMPENSATION THEREFOR, FOR THE IMPOSING OF SENTENCE AFTER SUCH EXAMINATION, AND INCARCERATION, AND FOR PAROLE OF SUCH PERSONS.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of March 1951, approve and transmit to the Secretary of State, *H. B. No. 121*, by Messrs. Sheffield, Beezley, Jones, and Howe, entitled:

AN ACT AMENDING SECTION 14-2-7, UTAH CODE ANNOTATED, 1943, PROVIDING FOR JUDGMENT AGAINST FATHER OF BASTARD AND BOND FOR PAYMENT.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 120*, by Messrs. Sheffield, Beezley, Jones, and Howe, entitled:

AN ACT AMENDING SECTION 103-1-18, UTAH CODE ANNOTATED 1943, DEFINING HABITUAL CRIMINAL AND PROVIDING PUNISHMENT THEREFOR.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 94*, by Messrs. Tietjen, Larsen, White, Luke, Dalebout, C. Gardner, and Frost, entitled:

AN ACT TO AMEND SECTIONS 7-1-9, 7-1-10, 7-1-11, AND 7-1-11X, UTAH CODE ANNOTATED 1943, RELATING TO THE EXAMINATION OF, AND THE FEES PAYABLE TO THE BANK COMMISSIONER BY, FINANCIAL INSTITUTIONS UNDER THE SUPERVISION OF THE STATE BANKING DEPARTMENT, AND THE DISPOSITION TO BE MADE OF FEES SO PAID.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 112*, by Messrs. Jones, Bunderson, Bushnell, Dalebout, Beezley, Lundell, and Walker, entitled:

AN ACT AUTHORIZING THE SALE OF THE PRESENT EXISTING ARMORY, LOCATED AT 4TH EAST AND 2ND SOUTH STREETS, SALT LAKE CITY, UTAH.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 119*, entitled:

AN ACT PROVIDING FOR THE PROCEDURE IN CHARGING AND TRYING A PERSON CHARGED WITH BEING AN HABITUAL CRIMINAL.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of March 1951, approve and transmit to the Secretary of State, *H. B. No. 58*, by Messrs. Walker, Bonacci, Bushnell, and Davis, entitled:

AN ACT AMENDING SECTION 21-0-4, UTAH CODE ANNOTATED 1943, PROVIDING FOR THE COMPENSATION OF COURT REPORTERS FOR FURNISHING TRANSCRIPTS.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 93*, by Messrs. Tietjen, White, Luke, Dalebout, C. Gardner, Larsen, and Frost, entitled:

AN ACT AMENDING SECTION 7-3-6, UTAH CODE ANNOTATED, 1943, RELATING TO THE LOCATION AT WHICH THE BUSINESS OF A BANK SHALL BE CONDUCTED AND TO THE ESTABLISHMENT OF BRANCH BANKS.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 145*, by Agricultural Committee, entitled:

AN ACT RELATED TO APPLICATION OF INSECTICIDES, FUNGICIDES AND OTHER ECONOMIC POISONS; PROVIDING FOR THE LICENSING AND EXAMINATION OF OPERATORS, EMPOWERING THE BOARD OF AGRICULTURE TO REGULATE AND ENFORCE THE PROVISIONS OF THIS ACT.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 184*, by Messrs. Bonacci, Larson, Taylor, and Davis, entitled:

AN ACT AMENDING SECTION 42-2a-3, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 67, LAWS OF UTAH 1945, CHAPTER 54, LAWS OF UTAH, 1947, AND CHAPTER 53, LAWS OF UTAH, 1949; SECTIONS 42-4a-5, 42-2a-6, AND 42-2a-11, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 53, LAWS OF UTAH, 1949; SECTION 42-2a-7, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 56, LAWS OF UTAH, 1947, AND CHAPTER 53, LAWS OF UTAH, 1949; SECTION 42-2a-14, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 68, LAWS OF UTAH, 1945, AND CHAPTER 53, LAWS OF UTAH, 1949; SECTION 42-2a-16, UTAH CODE ANNOTATED 1943; AND ENACTING NEW SECTIONS 42-2a-25 AND 42-2a-26, RELATIVE TO UNEMPLOYMENT COMPENSATION; BENEFITS; ELIGIBILITY FOR BENEFITS; REQUIRED REPORTS; INELIGIBILITY FOR BENEFITS; EMPLOYER CONTRIBUTIONS; DUTIES OF INDUSTRIAL COMMISSION; MERIT RATING; PENALTIES; PERSONNEL; DEFINING TERMS; EFFECTIVE DATE.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. 127*, by Messrs. Marthakis, Thorn, Paxton, and Day, entitled:

AN ACT PROVIDING FOR THE INSTALLATION OF HEAD AND REAR LIGHTS ON TRACK MOTOR CARS OPERATED BY ANY RAILROAD WITHIN THE STATE, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

S. B. No. 127 was filed.

March 8, 1951

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. 94*, by Mr. Gibson, entitled:

AN ACT AMENDING SECTION 102-11-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 89, LAWS OF UTAH 1945, RELATING TO AND FIXING COMMISSIONS ALLOWED EXECUTORS AND ADMINISTRATORS OF ESTATES OF DECEDENTS AND PROVIDING METHODS OF DETERMINING AMOUNT OF ESTATE ACCOUNTED FOR, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

S. B. No. 94 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 83*, by Messrs. Hopkin, Marthakis, and Fowles, entitled:

AN ACT MAKING APPROPRIATIONS TO THE STATE COUNCIL OF DEFENSE, CREATED PURSUANT TO THE PRO-

VISIONS OF CHAPTER 5, TITLE 82C, UTAH CODE ANNOTATED, 1943, OR ANY SUCCESSOR COUNCIL THAT MAY BE CREATED BY THE TWENTY-NINTH LEGISLATURE, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

S. B. No. 83 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1951

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. 101*, by Messrs. Day, Cannon, Fowles, Tippetts, Adams, Watson and Elggren, entitled:

AN ACT AMENDING CHAPTER 14 TITLE 80, UTAH CODE ANNOTATED 1943, BY ADDING THERETO NEW SECTIONS TO BE NUMBERED 80-14-64.10, 80-14-64.11, 80-14-64.12, 80-14-64.13 AND 80-14-64.14, PROVIDING FOR THE IMPOSITION OF AN INCOME TAX ON CERTAIN INCOME DERIVED BY NON-RESIDENTS FROM SOURCES WITHIN THE STATE OF UTAH AND FOR A CREDIT TO UTAH RESIDENTS FOR INCOME TAXES PAID IN OTHER STATES, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

S. B. No. 101 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House requests that the Senate recede from their amendments to *H. B. No. 186*, by Messrs. Bushnell and Thoresen, entitled:

AN ACT TO AMEND CHAPTER 14, TITLE 80, UTAH CODE ANNOTATED 1943, BY ADDING THERETO NEW SECTIONS TO BE NUMBERED 80-14-65.10(a), 80-14-65.10(b) AND 80-14-65.10(c), PROVIDING FOR AN ALTERNATIVE OPTIONAL TAX (SHORT

FORM) IN CASE OF RESIDENT INDIVIDUALS HAVING A FEDERAL ADJUSTED GROSS INCOME OF LESS THAN $5,000, AND PROVIDING THAT IN LIEU OF THE TAX IMPOSED BY CHAPTER 14 TITLE 80, UTAH CODE ANNOTATED, 1943, THE TAXPAYER MAY AT HIS OPTION PAY A TAX EQUAL TO TEN PERCENT OF HIS FEDERAL TAX, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.
Chief Clerk

Communication filed.

On motion of Senator Milliman, the Senate refused to recede from its amendments to *H. B. No. 186* and the President appointed a conference committee consisting of Senators Gibson, Day and Jenkins, to confer with a like committee from the House on the above Senate amendments.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day reconsidered *H. B. No. 185*, by Mr. Munk, entitled:

AN ACT AMENDING SECTION 30-0-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, AND 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 1942, RELATING TO LICENSES FOR FISHING AND HUNTING LICENSES FOR TRAPPING FUR BEARERS; SECTION 30-0-20, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, RELATING TO NONRESIDENT LICENSE TO HUNT DEER; SECTION 30-0-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, RELATING TO LICENSE AGENTS, PRESCRIBING THEIR DUTIES AND FIXING THEIR COMPENSATION; AND REPEALING SECTION 30-0-22, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 30-0-14, 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; SECTION 30-0-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH

1947; AND SECTION 30-0-16, 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, and adopted the Conference Committee report and amended the same as returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

REPORTS OF SPECIAL COMMITTEES

March 5, 1951

Mr. President and Mr. Speaker:

We, your Joint Conference Committee, having duly considered *H. B. No. 185*, agree and recommend as follows:

1. That the combination license fee be $5.00 rather than $6.00.

2. That the out-of-state license fee for the hunting of big game animals be $40.00 rather than $30.00 or $50.00.

Respectfully,

MARL D. GIBSON,
Chairman, Senate Committee

LEE W. DALEBOUT,
Chairman, House Committee

Report filed.

On motion of Senator Gibson the report of the Joint Conference Committee on *H. B. No. 185* was adopted and the bill amended accordingly.

H. B. No. 185 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Brockbank, Cannon, and Watson.

H. B. No. 185 was returned to the House.

SPECIAL ORDER

H. B. No. 19, being a special order of business, was before the Senate.

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

Line 1, strike "Section 1. Section" and insert in lieu thereof "Section 1. Section 80-10-68.10 is enacted to read:"

Line 12, strike the word "may" and insert in lieu thereof the word "shall".

Line 13, insert a period after the word "determined" and strike the words "or by a separate action which shall not be commenced more than one year after such determination except" and insert in lieu thereof the words "If such lien is not foreclosed at the time of the determination of the invalidity of such tax title, any later action to foreclose such lien shall be forever bared, provided".*

On motion of Senator Day 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, 20; Nos, 0; Absent, 3.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn and Mr. President.

Absent and not voting: Senators Brockbank, Paxton and Watson.

H. B. No. 19 was returned to the House:

*Error in typing amendment: "bared" should be "barred".

The President recognized former State Senator Tracy R. Welling and Mrs. Welling.

On motion of Senator Gibson, the enacting clause in *S. B. No. 52* was struck.

On motion of Senator Marthakis, the Senate recessed until 2:30 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:30 P.M. President Fowles in the Chair.

Roll Call—All Senators present.

COMMUNICATIONS FROM THE HOUSE

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 163*, by Messrs. Woolley, Swenson, Larson, and Rowberry, entitled:

AN ACT RELATING TO CONSTRUCTION AND MAINTENANCE OF APPROACHES AND OTHER FACILITIES AND APPURTENANCES UPON HIGHWAY RIGHTS OF WAY; EMPOWERING THE HIGHWAY AUTHORITIES OF THE STATE, COUNTIES, CITIES, AND TOWNS TO MAKE RULES AND REGULATIONS THEREFOR; AND PRESCRIBING PROCEDURE IN CASE OF VIOLATION THEREOF, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

H. B. No. 163 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

March 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 187*, by Messrs. Tippetts, Reese, Adams, Marthakis, Watson, Ashton, Milliman, Burns, Jenkins, Beal, Clegg, Thorn, Muir, Day, Paxton, Larsen, Cannon, and Mrs. Jensen, entitled:

AN ACT AMENDING SECTION 10, CHAPTER 89, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 9, LAWS OF UTAH 1948, FIRST SPECIAL SESSION RELATING TO PUBLIC WELFARE AND ASSISTANCE TO PERSONS IN NEED, AND MAKING 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 187 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 83*, by Messrs. Hopkin, Marthakis and Fowles, entitled:

AN ACT MAKING APPROPRIATIONS TO THE STATE COUNCIL OF DEFENSE, CREATED PURSUANT TO THE PROVISIONS OF CHAPTER 5, TITLE 82C, UTAH CODE ANNOTATED, 1943, OR ANY SUCCESSOR COUNCIL THAT MAY BE CREATED BY THE TWENTY-NINTH 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 83 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SPECIAL ORDER

H. B. No. 1, being a special order of business, was before the Senate for reconsideration.

The Senate voted to over-ride the Governor's Veto on *H. B. No. 1* on the following roll call:

Ayes, 23; Nos, 0; Absent, 0.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

H. B. No. 1 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B No. 32*, by Messrs. Howe, Bushnell, Sheffield and Davis, entitled:

AN ACT REPEALING CHAPTER 10 LAWS OF UTAH 1947 AND SECTION 104-5-11(10) AND REQUIRING A NON-RESIDENT PER-

SON DOING BUSINESS IN THE STATE OF UTAH TO FILE A CERTIFICATE WITH THE SECRETARY OF STATE DESIGNATING AN AGENT UPON WHOM PROCESS CAN BE SERVED AND UPON FAILURE SO TO DO AUTHORIZING SERVICE OF PROCESS ON ANY PERSON EMPLOYED BY OR ACTING AS AGENT FOR SUCH NON-RESIDENT.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

March, 8 1951

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 Bushnell, Henderson and Gammell, to act with a like Committee from the Senate to consider *H. B. No. 186*, by Messrs. Bushnell, and Thoresen, entitled:

AN ACT TO AMEND CHAPTER 14, TITLE 80, UTAH CODE ANNOTATED, 1943, BY ADDING THERETO NEW SECTIONS TO BE NUMBERED 80-14-65.10(a), 80-14-65.10(b) AND 80-14-65.10(c), PROVIDING FOR AN ALTERNATIVE OPTIONAL TAX (SHORT FORM) IN CASE OF RESIDENT INDIVIDUALS HAVING A FEDERAL ADJUSTED GROSS INCOME OF LESS THAN $5,000, AND PROVIDING THAT IN LIEU OF THE TAX IMPOSED BY CHAPTER 14 TITLE 80, UTAH CODE ANNOTATED, 1943, THE TAXPAYER MAY AT HIS OPTION PAY A TAX EQUAL TO TEN PER CENT OF HIS FEDERAL TAX.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 8, 1951

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. 3*, by Messrs. Cannon, Ashton, Thorn, and Gibson, entitled:

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH AUTHORIZING

THE LEGISLATIVE COUNCIL AND THE STATE BOARD OF HEALTH TO FORMULATE AN APPROPRIATE CODE OF HEALTH LAWS FOR THE STATE OF UTAH, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

S. J. R. No. 3 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 256*, by Appropriations Committee, entitled:

AN ACT REPEALING CHAPTER 122, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 12, LAWS OF UTAH 1948, FIRST SPECIAL SESSION, AND CREATING A NEW ACT RELATING TO A RESERVE BUILDING FUND, PROVIDING FOR APPROPRIATIONS TO THE RESERVE BUILDING FUND AND ALLOCATIONS THEREFROM; PROVIDING A SCHEDULE OF ITEMS OF APPROPRIATIONS FOR THE PLANNING AND CONSTRUCTION OF STATE BUILDING PROJECTS BASED UPON NEED, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

S. B. No. 256 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 225*, by Messrs. Fowles, Jenkins, and Burns, entitled:

AN ACT AMENDING SECTION 100-11-14, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 95, LAWS OF UTAH 1949, RELATING TO WATER CONSERVANCY DISTRICTS AND

THE ORGANIZATION OF SUBDISTRICTS, AND PROVIDING THE METHOD FOR ORGANIZING SUCH SUBDISTRICTS, FOR THE APPOINTMENT OF THE BOARD OF DIRECTORS AND THE POWERS AND DUTIES OF SUCH BOARD, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

S. B. No. 225 was referred to the Committee on Revision and Enrollment to be enrolled and engrossed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 211*, by Mr. Gibson entitled:

AN ACT TO PROVIDE THAT THE STATE OF UTAH MAY ENTER INTO COMPACTS PROVIDING FOR THE IMPRISONMENT, SUBSISTENCE AND CARE OF WOMEN FELONS IN PENAL INSTITUTIONS LOCATED IN OTHER STATES AND RATIFYING AND CONFIRMING PREVIOUS COMPACTS WITH THE STATE OF COLORADO, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

S. B. No. 211 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 210*, by Mr. Gibson, entitled:

AN ACT ENACTING A SECTION TO BE KNOWN AS 85-9-81.10, UTAH CODE ANNOTATED 1943, AUTHORIZING THE GOVERNOR TO ENTER INTO AMENDMENTS OF COMPACTS WITH ANY OF THE UNITED STATES FOR MUTUAL HELPFULNESS IN RELATION TO CONVICTED PERSONS ON PROBATION OR PAROLE AND, SPECIFICALLY, ALLOWING OUT-OF-STATE INCARCERATION, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

S. B. No. 210 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1951

Mr President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 197*, by Messrs. Gibson and Hopkin, entitled:

AN ACT RELATING TO THE ESCHEAT TO THE STATE OF UTAH OF ALL UNCLAIMED MONEYS DEPOSITED IN THE COURTS OR WITH THE CLERKS OF THE COURTS OF THE STATE OF UTAH, AND PROVIDING METHOD OF PROCEDURE, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON JR.,
Chief Clerk

Communication filed.

S. B. No. 197 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1951

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. 155*, by Messrs. Clegg, Fowles, Brockbank, and Mrs. Jensen, entitled:

AN ACT AMENDING SECTION 82-2-6 UTAH CODE ANNOTATED 1943, AS AMENDED BY HOUSE BILL NO. 61, 29TH LEGISLATURE, RELATING TO REAL ESTATE BROKERS' LICENSES AND BONDS, PROVIDING FOR EXAMINATIONS AND QUALIFICATIONS OF APPLICANTS FOR REAL ESTATE BROKERS AND SALESMAN'S LICENSE AND ADDING A NEW SUB-SECTION (c) PROVIDING HOW A NON-RESIDENT MAY QUALIFY FOR SUCH LICENSE, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 155 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 113*, by Messrs. Clegg, Ashton, Beal, Mrs. Jensen, Tippetts and Larsen, entitled:

AN ACT AMENDING SECTION 42-2-10, UTAH CODE ANNOTATED, 1943, RELATING TO THE STATE INSURANCE FUND, PROVIDING FOR PAYMENT BY THE COMMISSION OF FINANCE OF DIVIDENDS TO POLICY HOLDERS OF THE STATE INSURANCE FUND, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 113 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1951

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. 111*, by Messrs. Clegg, Day, Thorn, and Jenkins, entitled:

AN ACT AMENDING THE STATE COUNCIL OF DEFENSE ACT WHICH WAS CHAPTER 33 OF THE LAWS OF 1941 SECOND SPECIAL SESSION AND KNOWN AS SECTIONS 82C-5-1 to 82C-5-6 INCLUSIVE AND SECTIONS 82C-5-9 AND 82C-5-10, UTAH CODE ANNOTATED 1943, AND ENACTING NEW SECTIONS 82C-5-11 TO 82C-5-20 INCLUSIVE PROVIDING DEFINITIONS OF EMERGENCIES AND THE UTILIZATION OF THE LEGISLATURE AND EXISTING STATE AND MUNICIPAL OFFICERS AND ORGANIZATIONS TO DEAL WITH PROBLEMS CREATED BY EMERGENCIES WHETHER CIVIL OR MILITARY, ESTABLISHING A STATE COUNCIL OF DEFENSE, PRESCRIBING ITS POWERS, DUTIES, AND FUNCTIONS AUTHORIZING THE MAKING OF MUTUAL ASSISTANCE PACTS WITH OTHER STATES AND BETWEEN POLITICAL SUBDIVISIONS OF THIS STATE, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Marthakis, the Senate concurred in the House amendments to *S. B. No. 111*.

S. B. No. 111 then passed on the following roll call:

Ayes, 22; Nos, 0; Absent, 1.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senator Reese.

S. B. No. 111 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 171*, by Messrs. Day, Clegg, Muir and Gibson, entitled:

AN ACT REPEALING CHAPTER 59, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 151, LAWS OF UTAH 1947, RELATING TO THE CHILDREN'S CRIPPLING DISEASES HOSPITAL AND THE CONSTRUCTION, EQUIPPING, AND MANAGEMENT THEREOF; PROVIDING FOR PLACING THE PROPERTY AND FACILITIES HERETOFORE ACQUIRED UNDER AUTHORITY OF CHAPTER 59, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 151, LAWS OF UTAH 1947, UNDER THE DIRECT MANAGEMENT AND CONTROL OF THE STATE BOARD OF HEALTH, DEFINING ITS POWERS AND DUTIES RELATING THERETO AND PROVIDING FOR THE REIMBURSEMENT AND THE METHOD OF REIMBURSEMENT OF FUNDS HERETOFORE DONATED BY ANY PRIVATE CITIZENS, CORPORATIONS, PARTNERSHIPS, UNINCORPORATED ASSOCIATIONS, OR OTHER GROUPS, AND PROVIDING FOR THE MAINTENANCE AND OPERATION OF THE FACILITIES HEREIN ABOVE REFERRED TO, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 171 was filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 178*, by Messrs. Marthakis, Muir and Reese, entitled:

AN ACT AMENDING SECTION 46-0-73, UTAH CODE ANNOTATED 1943, AS AMENDED BY SECTION 3, CHAPTER 76, LAWS OF

UTAH 1945, RELATING TO THE MAXIMUM OPERATING CAPITAL OF THE LIQUOR CONTROL COMMISSION AND PROVIDING FOR AN INCREASE IN SUCH MAXIMUM OPERATING CONTROL, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 178 was filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. B. No. 67*, by Mr. Hopkin, entitled:

AN ACT AMENDING SECTIONS 82C-2-13, 82C-2-14, 82C-2-15 AND 82C-2-12, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS AND DUTIES OF THE COMMISSION OF FINANCE TO FIX SALARY SCHEDULES FOR STATE OFFICERS, APPROVE OR DISAPPROVE REQUESTS FOR PERSONNEL, ESTABLISH MILEAGE SCHEDULES FOR STATE EMPLOYEES, AND EXAMINE REQUISITIONS AND PRE-AUDIT CLAIMS, AND PROVIDING FOR FINAL APPROVAL AND CERTIFICATION OF STATE BOARD OF EXAMINERS, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 67 was filed.

March 8, 1951

Mr. President:

I am directed 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. 131*, by Messrs. Tippetts and Paxton, entitled:

AN ACT AMENDING SECTION 80-9-5, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 109, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 81, LAWS OF UTAH 1949, RELATING TO MAXIMUM LEVIES THAT MAY BE MADE IN COUNTIES AND PROVIDING A UNIFORM GRADUATED TAX LEVY, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 131 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 7*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 57-3a-88, UTAH CODE ANNOTATED 1943, AS AMENDED BY THE LAWS OF UTAH, 1943, CHAPTER 64, RELATING TO RESIDENT AND NONRESIDENT OWNERS EXEMPT FROM LICENSING AND REGISTRATION, DUTY OF OWNER, RECIPROCITY, TEMPORARY PERMIT, APPORTIONMENT OF REGISTRATION OF INTERSTATE FLEETS AND PROVIDING FOR THE DISTRIBUTION OF THE FUNDS DERIVED FROM SAID TEMPORARY PERMITS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 7 was transmitted to the Governor.

March 8, 1951

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. 22*, by Mr. Frost, entitled:

A JOINT RESOLUTION TO THE CONGRESS OF THE UNITED STATES OPPOSING ANY INCREASE IN FEDERAL AUTOMOTIVE EXCISE TAXES, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 22 was read the first time.

On motion of Senator Milliman, the rules were suspended and *H. J. R. No. 22* was read the second and third times and placed on its final passage.

H. J. R. No. 22 then passed on the following roll call:

Ayes, 20; Nos, 0; Absent, 3.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President.

Absent and not voting: Senators Elggren, Gibson and Paxton.

H. J. R. No. 22 was returned to the House.

March 8, 1951

Mr. President:

I am directed 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. 192*, by Messrs. C. E. Peterson, Sheffield, Openshaw, A. Gardner, V. Peterson, Elizabeth Vance, and Lundell, entitled:

AN ACT AMENDING SECTIONS 85-7-7, 85-7-10, 85-7-35, 85-7-42, 85-7-43, 85-7-44, 85-7-47, AND 85-7-50, UTAH CODE ANNOTATED 1943, AND SECTIONS 85-7-11, 85-7-27, AND 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; AND REPEALING SECTIONS 85-7-15, 85-7-18, 85-7-16a, 85-7-16b, 85-7-19, 85-7-20, 85-7-21, 85-7-22, 85-7-23, 85-7-24, 85-7-25, 85-7-26, 85-7-28, 85-7-29, 85-7-30, 85-7-33, 85-7-36, 85-7-37, 85-7-38, 85-7-40, 85-7-41, 85-7-52, AND 85-7-53, UTAH CODE ANNOTATED 1943, AND SECTIONS 85-7-17, 85-7-32, AND 85-7-34, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 121, LAWS OF UTAH 1945; RELATING TO THE UTAH STATE HOSPITAL, PROVIDING FOR THE ADMISSION, CUSTODY, CARE AND RELEASE OF PATIENTS IN THE UTAH STATE HOSPITAL, FOR THE CARE OF THE MENTALLY ILL WITHIN THIS STATE, AND FOR THE PAYMENT FOR THE CARE OF VOLUNTARY AND INVOLUNTARY PATIENTS IN THE UTAH STATE HOSPITAL, AND ENACTING NEW SECTIONS TO BE KNOWN AS 85-7-55, 85-7-56, 85-7-57, 85-7-58, 85-7-59, 85-7-60, 85-7-61, 85-7-62, 85-7-63, 85-7-64, 85-7-65, 85-7-66, 85-7-67, 85-7-68, 85-7-69, 85-7-70, 85-7-71, 85-7-72, 85-7-73, 85-7-74, 85-7-75, 85-7-76, 85-7-77, 85-7-78, AND 85-7-79, RELATING TO THE PUBLIC WELFARE COMMITTEE, ITS DUTIES, AND POWERS, HOSPITAL GROUNDS, REPAIRS, ESTIMATE AND ASSESSMENT OF CARE OF INMATES, DEFINITIONS, DUTIES AND POWERS OF SUPERINTENDENT, POWERS OF PEACE OFFICERS, JUDICIAL HEARINGS, NOTICES, COMMITTMENTS, CARE OF PATIENTS BY FEDERAL AGENCY, NOTICE TO NEXT OF KIN, TRANSFER OF PATIENTS, CONDITIONAL RELEASE OF PATIENTS, CONFIDENTIAL NATURE OF REPORTS AND RECORDS, AND ADOPTION OF RULES AND REGULATIONS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 192 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 8, 1951

Mr. President

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 94*, by Mr. Gibson, entitled:

AN ACT AMENDING SECTION 102-11-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 89, LAWS OF UTAH 1945, RELATING TO AND FIXING COMMISSIONS ALLOWED EXECUTORS AND ADMINISTRATORS OF ESTATES OF DECEDENTS AND PROVIDING METHODS OF DETERMINING AMOUNT OF ESTATE ACCOUNTED FOR, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 94 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 8, 1951

Mr. President:

Your Sifting Committee reports out the following bill:

H. B. No. 243.

Respectfully,

MARL D. GIBSON,
Chairman

Report filed.

H. B. No. 243 was placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 243 was read the second time.

On motion of Senator Milliman, the rules were suspended and *H. B. No. 243* was read the third time and placed on its final passage.

H. B. No. 243 then passed on the following roll call:

Ayes, 19; Nos, 2; Absent, 2.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Tippetts, Thorn, Watson and Mr. President.

Those voting in the negative were: Senators Paxton and Reese.

Absent and not voting: Senators Elggren and Gibson.

H. B. No. 243 was returned to the House.

On motion of Senator Watson, referring to *S. J. R. No. 20*, the Senate voted to request the Legislative Council to make a study of taxes on corporations in the State of Utah.

On motion of Senator Hopkin, referring to *S. J. R. No. 20* the Senate voted to request the Legislative Council to make a study of water pollution in the State of Utah.

On motion of Senator Marthakis, the Senator voted to request the Legislative Council to make the study of education in the State of Utah its first order of business.

Senator Day moved that the following resolution be printed in the Journal.

Motion carried.

WHEREAS, a group of leading citizens of the State of Utah, complying with a request of the Governor under authority granted by the twenty-second Legislature on March 11, 1937, have labored without compensation, or expense to the State as the "This is the Place" monument commission, and

WHEREAS, through the intervening years they have planned and brought into being one of the great monuments of the world at the mouth of Emigration Canyon where President Brigham Young made his memorable statement "This is the Place", and

WHEREAS, through the diligence and efficient efforts of the Commission, the original appropriation made by the Legislature of $145,000.00., was augmented by more than $350,000.00, and

WHEREAS, the result of the efforts of this Commission has been to provide one of the great monuments of the world which has brought and will continue for many generations to bring credit and honor to the state and its citizens, and

WHEREAS, "This is the Place" monument has already taken its place as one of the principal tourist attractions of the West, more than 300,000 persons having been reported to have visited the area in 1950, and

WHEREAS, this commission in a communication to the Governor and the twenty-ninth Legislature dated February 5, 1951 has reported its labors and made certain recommendations.

NOW, THEREFORE, BE IT RESOLVED, that the report be accepted and approved and that the members of the commission be commended for their long, faithful and efficient service and that they be requested to continue their efforts until the remaining details are fully completed and that they then make a final report to the Governor and the Legislature.

On motion of Senator Elggren, the Senate extended a vote of appreciation to the Sons of Utah Pioneers for their collaboration with reference to legislation on disposition of the old prison site property.

On motion of Senator Jenkins, the Senate extended a vote of appreciation to the Chaplain for his inspiration.

On motion of Senator Marthakis, the Senate expressed its appreciation to the newspapers for their assistance in keeping the public informed on Senate activitities.

On motion of Senator Day, the Senate extended a vote of appreciation to the officers and employees of the Senate for their services.

On motion of Senator Marthakis, the Senate extended a vote of appreciation to President Fowles for his excellent work in presiding over its 29th Legislative Session.

On motion of Senator Milliman, the Senate resolved itself into Executive Session.

On motion of Senator Milliman, the Senate resolved itself into Regular Session.

Senator Milliman moved that the Senate do advise and consent to the following appointments:

MEMBERS, BOARD ON ALCOHOLISM:

Thomas F. Kearns, Salt Lake City
Seth M. Oberg, Salt Lake City
David R. Trevithick, Salt Lake City
Wendell W. Whitney, Salt Lake City
N. Blaine Winters, Salt Lake City

all for two-year terms, ending March 1, 1953.

MEMBERS, ADVISORY COUNCIL, BUSINESS REGULATION:

Chris Jouflas, Helper; for six-year term, ending March 1, 1957

Joseph Rosenblatt, Salt Lake City; for five-year term, ending March 1, 1956.

MEMBERS, UTAH STATE INSTITUTE OF FINE ARTS:

Mrs. Arthur L. Beeley, Salt Lake City
Alice Morrey Bailey, Salt Lake City
Theodore L. Cannon, Salt Lake City
Mrs. Allie Clark, Provo
Floyd Cornaby, Logan
Maude R. Hardman, Salt Lake City

all for four-year terms, ending June 30, 1955.

MEMBER, ADVISORY COUNCIL FOR THE SCHOOLS FOR THE DEAF AND BLIND:

Mrs. Ella V. Reeder, Brigham City; for five-year term, ending March 1, 1956

COMMISSIONERS, FISH AND GAME COMMISSION:

J. A. Browne, Price (District No. 2)
K. E. Bullock, Provo (District No. 3)

both for six-year terms, ending on March 1, 1957.

COMMISSIONER, STATE TAX COMMISSION:

Roscoe E. Hammond, Salt Lake City; for four-year term, ending March 1, 1955.

MEMBERS, BOARD OF TRUSTEES, UTAH STATE AGRICULTURAL COLLEGE:

Mrs. Fern L. Ercanbrack, Provo
Thorpe B. Isaacson, Salt Lake City
George D. Preston, Logan
Newell V. (Hod) Sanders, Kaysville
B. H. Stringham, Vernal
LeRoy D. White, Perry (Box Elder County)

for four-year terms, beginning July 1, 1951; ending July 1, 1955

MEMBERS, BOARD OF REGENTS, UNIVERSITY OF UTAH:

Clarence Bamberger, Salt Lake City
Albert E. Bowen, Jr., Salt Lake City
Spencer S. Eccles, Ogden
Ward C. Holbrook, Bountiful
Fullmer H. Latter, Salt Lake City
Orrice C. McShane, Richfield

all for four-year terms, beginning July 1, 1951; ending July 1, 1955.

COMMISSIONER, STATE TAX COMMISSION:

Selvoy J. Boyer, Springville; for four-year term, ending March 1, 1955.

COMMISSIONER, DEPARTMENT OF ENGINEERING:

Harley J. Corleissen, Provo; for six-year term, expiring on March 1, 1957.

COMMISSIONER, STATE INDUSTRIAL COMMISSION:

A. N. Smith, Price; for six-year term, expiring March 1, 1957.

MEMBERS, BOARD OF TRUSTEES FOR THE UTAH STATE HOSPITAL FOR POLIOMYELITIS AND OTHER CHILDREN'S CRIPPLING DISEASES:

Appointed Dr. R. Mowatt Muirhead, Salt Lake City, to succeed Dr. John A. Anderson, resigned; effective January 4, 1950, to fill unexpired term ending March 31, 1953.

Appointed Mrs. A. M. Gurnea, Salt Lake City, to succeed Mrs. George S. Ballif, Provo, term expired; effective March 31, 1950, for term ending March 31, 1957.

Appointed Dr. Sol G. Kahn, Salt Lake City, to succeed Dr. Edwin R. Murphy, resigned; effective July 11, 1950, for unexpired term ending March 31, 1955.

Appointed Dr. Charles Ruggeri, Jr., Salt Lake City, to succeed Dr. John W. Spies, resigned; effective October 18, 1950, for unexpired term ending March 31, 1954.

Mrs. Ted Kirkmeyer, Ogden; for seven-year term, ending March 31, 1958.

Motion carried.

REPORTS OF STANDING COMMITTEES

March 8, 1951

Mr. President

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 101*, by Messrs. Day, Cannon, Fowles, Tippetts, Adams, Watson and Elggren, entitled:

AN ACT AMENDING CHAPTER 14, TITLE 80, UTAH CODE ANNOTATED 1943, BY ADDING THERETO NEW SECTIONS TO BE NUMBERED 80-14-64.10, 80-14-64.11, 80-14-64.12, 80-14-64.13 AND 80-14-64.14, PROVIDING FOR THE IMPOSITION OF AN INCOME TAX ON CERTAIN INCOME DERIVED BY NON-RESIDENTS FROM

SOURCES WITHIN THE STATE OF UTAH AND FOR A CREDIT TO UTAH RESIDENTS FOR INCOME TAXES PAID IN OTHER STATES, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 101 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

March 8, 1951

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. 20*, by Mr. Hopkin, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 29TH LEGISLATURE OF THE STATE OF UTAH, MAKING ASSIGNMENTS OF STUDY FOR THE UTAH LEGISLATIVE COUNCIL AND REQUESTING A REPORT OF FINDINGS THIRTY DAYS PRIOR TO THE CONVENING OF THE 30TH LEGISLATURE OF THE STATE OF UTAH, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Gibson, the Senate concurred in the House amendments to *S. J. R. No. 20*.

S. J. R. No. 20 then passed on the following roll call:

Ayes, 23; Nos, 0; Absent, 0.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Brockbank, Burns, Cannon, Clegg, Day, Elggren, Gibson, Hopkin, Jenkins, Jensen, Larsen, Marthakis, Milliman, Muir, Paxton, Reese, Tippetts, Thorn, Watson and Mr. President.

S. J. R. No. 20 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

On motion of Senator Day the Senate recessed until 7:30 P.M.

The Senate re-assembled.

The President recognized former State Senator Stanley Child.

REPORTS OF STANDING COMMITTEES

March 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 211*, by Mr. Gibson, entitled:

AN ACT TO PROVIDE THAT THE STATE OF UTAH MAY ENTER INTO COMPACTS PROVIDING FOR THE IMPRISONMENT, SUBSISTANCE AND CARE OF WOMEN FELONS IN PENAL INSTITUTIONS LOCATED IN OTHER STATES AND RATIFYING AND CONFIRMING PREVIOUS COMPACTS WITH THE STATE OF COLORADO, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 211 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, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 113*, by Messrs. Clegg, Ashton, Beal, Mrs. Jensen, Tippetts and Larsen, entitled:

AN ACT AMENDING SECTION 42-2-10, UTAH CODE ANNOTATED, 1943, RELATING TO THE STATE INSURANCE FUND, PROVIDING FOR PAYMENT BY THE COMMISSION OF FINANCE OF DIVIDENDS TO POLICY HOLDERS OF THE STATE INSURANCE FUND, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 113 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, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 210*, by Mr. Gibson, entitled:

AN ACT ENACTING A SECTION TO BE KNOWN AS 85-9-81.10, UTAH CODE ANNOTATED 1943, AUTHORIZING THE GOVERNOR TO ENTER INTO AMENDMENTS OF COMPACTS WITH ANY OF THE UNITED STATES FOR MUTUAL HELPFULNESS IN RELATION TO CONVICTED PERSONS ON PROBATION OR PAROLE AND, SPECIFICALLY, ALLOWING OUT-OF-STATE INCARCERATION, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 210 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, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 136*, by Messrs. Day, Marthakis, Fowles and Reese, entitled:

AN ACT TO BE ENTITLED THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT, PROVIDING FOR GIVING PROOF OF FINANCIAL RESPONSIBILITY BY OWNERS AND OPERATORS OF MOTOR VEHICLES VIOLATING THE MOTOR VEHICLE LAWS OF THE STATE OF UTAH OR INVOLVED IN AN ACCIDENT IN WHICH DAMAGES RESULT IN EXCESS OF $100, REQUIRING THE GIVING OF SECURITY FOR THE PAYMENT OF DAMAGES; PROVIDING FOR THE SUSPENSION OF OPERATORS LICENSES AND REGISTRATION CERTIFICATES UNTIL SUCH SECURITY IS FURNISHED; PROVIDING FOR THE APPOINTMENT OF THE SECRETARY OF THE STATE OF UTAH AS PROCESS AGENT FOR NON-RESIDENTS USING THE HIGHWAYS OF THIS STATE IN ACTIONS ARISING OUT OF ANY ACCIDENTS; PRESCRIBING THE PROCEDURE TO MAKE PROOF OF FINANCIAL RESPONSIBILITY, AND PRESCRIBING PENALTIES FOR VIOLATIONS

HEREOF, AND OTHER MATTERS RELATING THERETO; AND REPEALING CHAPTER 68, LAWS OF UTAH 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 136 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, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 3*, by Messrs. Cannon, Ashton, Thorn and Gibson, entitled:

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH AUTHORIZING THE LEGISLATIVE COUNCIL AND THE STATE BOARD OF HEALTH TO FORMULATE AN APPROPRIATE CODE OF HEALTH LAWS FOR 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,

EDWIN B. CANNON,
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.

March 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 20*, by Mr. Hopkin, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 29TH LEGISLATURE OF THE STATE OF UTAH, MAKING ASSIGNMENTS OF STUDY FOR THE UTAH LEGISLATIVE COUNCIL AND REQUESTING A REPORT

OF FINDINGS THIRTY DAYS PRIOR TO THE CONVENING OF THE 30TH 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. J. R. No. 20 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 225*, by Messrs. Fowles, Jenkins and Burns, entitled:

AN ACT AMENDING SECTION 100-11-14, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 95, LAWS OF UTAH 1949, RELATING TO WATER CONSERVANCY DISTRICTS AND THE ORGANIZATION OF SUBDISTRICTS, AND PROVIDING THE METHOD FOR ORGANIZING SUCH SUBDISTRICTS, FOR THE APPOINTMENT OF THE BOARD OF DIRECTORS AND THE POWERS AND DUTIES OF SUCH BOARD, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 225 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 8, 1951

Mr. President:

I am directed 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. 101*, by Messrs. Day, Cannon, Fowles, Tippetts, Adams, Watson and Elggren, entitled:

AN ACT AMENDING CHAPTER 14, TITLE 80, UTAH CODE ANNOTATED 1943, BY ADDING THERETO NEW SECTIONS TO BE NUMBERED 80-14-64.10, 80-14-64.11, 80-14-64.12, 80-14-64.13 AND

80-14-64.14, PROVIDING FOR THE IMPOSITION OF AN INCOME TAX ON CERTAIN INCOME DERIVED BY NON-RESIDENTS FROM SOURCES WITHIN THE STATE OF UTAH AND FOR A CREDIT TO UTAH RESIDENTS FOR INCOME TAXES PAID IN OTHER STATES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 101 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 83*, by Messrs. Hopkin, Marthakis and Fowles, entitled:

AN ACT MAKING APPROPRIATIONS TO THE STATE COUNCIL OF DEFENSE, CREATED PURSUANT TO THE PROVISIONS OF CHAPTER 5, TITLE 82C, UTAH CODE ANNOTATED, 1943, OR ANY SUCCESSOR COUNCIL THAT MAY BE CREATED BY THE TWENTY-NINTH LEGISLATURE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 83 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 187*, by Messrs. Tippetts, Reese, Adams, Marthakis, Watson, Ashton, Milliman, Burns, Jenkins, Beal, Clegg, Thorn, Muir, Day, Paxton, Larsen, Cannon and Mrs. Jensen, entitled:

AN ACT AMENDING SECTION 10, CHAPTER 89, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 9, LAWS OF UTAH 1948, FIRST SPECIAL SESSION RELATING TO PUBLIC WELFARE AND ASSISTANCE TO PERSONS IN NEED, AND MAKING AN APPROPRIATION THEREFOR, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 187 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 94*, by Mr. Gibson, entitled:

AN ACT AMENDING SECTION 102-11-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 89, LAWS OF UTAH 1945, RELATING TO AND FIXING COMMISSIONS ALLOWED EXECUTORS AND ADMINISTRATORS OF ESTATES OF DECEDENTS AND PROVIDING METHODS OF DETERMINING AMOUNT OF ESTATE ACCOUNTED FOR, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 94 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 31*, by Messrs. Howe, Bushnell, Davis, Sheffield and Sagers, entitled:

AN ACT TO REVISE, CODIFY AND RE-ENACT INTO LAW UNDER TITLE 104 ALL OF THOSE SECTIONS OF TITLE 20, UTAH CODE ANNOTATED 1943, KNOWN AS "COURTS," AND TITLE 104, UTAH CODE ANNOTATED 1943, KNOWN AS THE "CODE OF CIVIL PROCEDURE," AND ALL SUBSEQUENT ACTS AMENDATORY THEREOF OR SUPPLEMENTAL THERETO, INCLUDING CHAPTERS 18, 19, 20, 21, 33, 34, 35, 36, LAWS OF UTAH 1943, CHAPTERS 25, 26, 39 AND 40, LAWS OF UTAH 1945; CHAPTERS 8, 9, 10, 11 AND 31, LAWS OF UTAH 1947, AND CHAPTERS 17, 26, AND 76, LAWS OF UTAH 1949, WHICH HAVE NOT BEEN SUPERSEDED BY THE UTAH RULES OF CIVIL PROCEDURE AS ADOPTED BY THE SUPREME COURT OF UTAH, SAID NEW ENACTMENT TO BE KNOWN "THE JUDICIAL CODE"; ALSO ADDING THERETO NECESSARY SECTIONS TO CARRY INTO EFFECT SAID ENACTMENT WITHOUT AFFECTING EXISTING RIGHTS OR OBLIGA-

TIONS; ALSO REPEALING TITLE 20 AND TITLE 104, UTAH CODE ANNOTATED 1943, AS AMENDED, AND CHAPTERS 19, 33 AND 34, LAWS OF UTAH 1943; CHAPTERS 8 AND 10, LAWS OF UTAH 1947; AND CHAPTER 76, LAWS OF UTAH 1949, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 31 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House on the 8th day of March, 1951, failed to obtain a vote of two-thirds of the members on the following roll call: 36 yeas, 22 nays, 2 absent on *S. B. No. 255*, by Messrs. Hopkin, Reese and Gibson, entitled:

AN ACT AMENDING SECTIONS 75-12-5 AND 75-12-8 UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 80 LAWS OF UTAH 1947 TO FIX THE COST OF THE UNIFORM MINIMUM SCHOOL PROGRAM FOR ELEMENTARY SCHOOLS, INCLUDING KINDERGARTEN, AND HIGH SCHOOLS, AT $3500 FOR EACH CLASSROOM UNIT, PLUS AN ADDITIONAL AMOUNT FOR TRANSPORTATION OF PUPILS IN THE SUM OF $1,000,000, AND AN ADDITIONAL AMOUNT EQUAL TO ONE-HALF THE BUDGET OF THE STATE BOARD OF EDUCATION AS PROVIDED FOR THE BIENNIUM BY THE LEGISLATURE AND ALTERNATING THE STATUTORY LIMITS ON THE AMOUNT OF TAXES ON TANGIBLE PROPERTY FOR SCHOOL PROGRAMS ABOVE THE UNIFORM MINIMUM LOCAL LEVY AUTHORIZED BY LAW.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 255 was filed.

With unanimous consent, the following bill was introduced:

INTRODUCTION OF BILLS

S. B. No. 257 By Committee on Rules and Contingent Expenses

AN ACT MAKING AN APPROPRIATION TO THE TWENTY-NINTH LEGISLATURE, was read the first time.

Senator Gibson moved that the rules be suspended and that the Senate do now consider *S. B. No. 257*.

Motion carried.

On motion of Senator Milliman the rules were suspended and *S. B. No. 257* was read the second and third times and placed on its final passage.

S. B. No. 257 then passed on the following roll call:

Ayes, 18; Nos, 0; Absent, 5.

Those voting in the affirmative were: Senators Adams, Ashton, Beal, Burns, Cannon, Clegg, Day, Elggren, Hopkin, Jensen, Marthakis, Milliman, Muir, Reese, Tippetts, Thorn, Watson and Mr. President..

Absent and not voting: Senators Brockbank, Gibson, Jenkins, Larsen and Paxton.

S. B. No. 257 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 55*, by Messrs. Swenson and Dalebout, entitled:

AN ACT AMENDING SECTIONS 3-13-18, UTAH CODE ANNOTATED 1943, RELATING TO SALE OF PACKAGE FOOD PRODUCTS BY WEIGHT, AND PROVIDING THAT THE BOARD OF AGRICULTURE MAY MAKE REASONABLE EXEMPTIONS IN METHOD OF MARKING SUCH WEIGHT, AND AMENDING SEC-

TION 3-13-21, UTAH CODE ANNOTATED 1943, RELATING TO SALE OF BREAD BY WEIGHT AND PROVIDING THAT THE BOARD OF AGRICULTURE MAY SPECIFY METHOD OF MARKING WEIGHT.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 68*, by Messrs. Walker and Beezley, entitled:

AN ACT AMENDING TITLE 25, CHAPTER 3, SECTION 11, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH, 1944, FIRST SPECIAL SESSION, AS AMENDED BY CHAPTER 35, LAWS OF UTAH, 1947, RELATING TO PRIMARY ELECTIONS.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

REPORTS OF STANDING COMMITTEES

March 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 197*, by Messrs. Gibson and Hopkin, entitled:

AN ACT RELATING TO THE ESCHEAT TO THE STATE OF UTAH OF ALL UNCLAIMED MONEYS DEPOSITED IN THE COURTS OR WITH THE CLERKS OF THE COURTS OF THE STATE OF UTAH, AND PROVIDING METHOD OF PROCEDURE, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 197 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 155*, by Messrs. Clegg, Fowles, Brockbank and Mrs. Jensen, entitled:

AN ACT AMENDING SECTION 82-2-6 UTAH CODE ANNOTATED 1943, AS AMENDED BY HOUSE BILL NO. 61, 29TH LEGISLATURE RELATING TO REAL ESTATE BROKERS' LICENSES AND BONDS, PROVIDING FOR EXAMINATIONS AND QUALIFICATIONS OF APPLICANTS FOR REAL ESTATE BROKER'S AND SALESMAN'S LICENSE AND ADDING A NEW SUB-SECTION (c) PROVIDING HOW A NON-RESIDENT MAY QUALIFY FOR SUCH LICENSE, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 155 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, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 256*, by Appropriations Committee, entitled:

AN ACT REPEALING CHAPTER 122, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 12, LAWS OF UTAH 1948, FIRST SPECIAL SESSION, AND CREATING A NEW ACT RELATING TO A RESERVE BUILDING FUND, PROVIDING FOR APPROPRIATIONS TO THE RESERVE BUILDING FUND AND ALLOCATIONS THEREFROM; PROVIDING A SCHEDULE OF ITEMS OF APPROPRIATIONS FOR THE 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 256 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, 1951

Mr. President:

Your Committee on Rules and Contingent Expenses, in compliance with *Senate Rule No. 80*, reports that up to and including this date, the senate has expended the sum of $48,229.37. While this includes all accounts up to this date, there will be considerable other items and accounts to pay.

Respectfully,

ALONZO F. HOPKIN,
Chairman

Report filed.

COMMUNICATIONS FROM THE HOUSE

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 90*, by Messrs. Woolley, Sheffield and Davis, entitled:

AN ACT AMENDING SECTION 35-1-1.14 UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 49, LAWS OF UTAH, 1945, RELATING TO THE STATE HEALTH COMMISSIONER; AUTHORIZING THE STATE BOARD OF EXAMINERS TO DETERMINE THE COMMISSIONER'S SALARY, AND AUTHORIZING THE STATE BOARD OF HEALTH TO APPOINT AN ACTING STATE HEALTH COMMISSIONER.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 126*, by Mr. Sheffield, entitled:

AN ACT AMENDING SECTION 79-10a-44, UTAH CODE ANNOTATED 1943, PROVIDING A PENALTY FOR VIOLATION OF NARCOTIC DRUGS ACT, AND MAKING THE VIOLATION THEREOF A FELONY.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 149*, by Messrs. Sagers, Cazier, Howe, Bushnell and Davis, entitled:

AN ACT AMENDNIG SECTION 87-1-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 97, LAWS OF UTH 1943, AS AMENDED BY CHAPTER 124, LAWS OF UTAH 1945, AND SECTIONS 87-1-3 AND 87-1-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 125, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 134, LAWS OF UTAH 1947, AND SECTION 1, CHAPTER 126, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 132, LAWS OF UTAH 1947, RELATING TO SALARIES OF STATE OFFICERS.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed 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. 211*, by Mr. Gibson, entitled:

AN ACT TO PROVIDE THAT THE STATE OF UTAH MAY ENTER INTO COMPACTS PROVIDING FOR THE IMPRISONMENT, SUBSISTENCE AND CARE OF WOMEN FELONS IN PENAL INSTITUTIONS LOCATED IN OTHER STATES AND RATIFYING AND CONFIRMING PREVIOUS COMPACTS WITH THE STATE OF COLORADO, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 211 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 210*, by Mr. Gibson, entitled:

AN ACT ENACTING A SECTION TO BE KNOWN AS 85-9-81.10, UTAH CODE ANNOTATED 1943, AUTHORIZING THE GOVERNOR TO ENTER INTO AMENDMENTS OF COMPACTS WITH ANY OF UNITED STATES FOR MUTUAL HELPFULNESS IN RELATION TO CONVICTED PERSONS ON PROBATION OR PAROLE AND, SPECIFICIALLY, ALLOWING OUT-OF-STATE INCARCERATION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 210 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 155*, by Messrs. Clegg, Fowles, Brockbank and Mrs. Jensen, entitled:

AN ACT AMENDING SECTION 82-2-6 UTAH CODE ANNOTATED 1943, AS AMENDED BY THE HOUSE BILL NO. 61, 29TH LEGISLATURE RELATING TO REAL ESTATE BROKERS' LICENSES AND BONDS, PROVIDING FOR EXAMINATIONS AND QUALIFICATIONS OF APPLICANTS FOR REAL ESTATE BROKERS' AND SALESMAN'S LICENSE AND ADDING A NEW SUB-SECTION (c) PROVIDING HOW A NON-RESIDENT MAY QUALIFY FOR SUCH LICENSE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 155 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 136*, by Messrs. Day, Marthakis, Fowles and Reese, entitled:

AN ACT TO BE ENTITLED THE MOTOR VEHICLE SAFETY RESPONSIBILITY ACT, PROVIDING FOR GIVING PROOF OF FINANCIAL RESPONSIBILITY BY OWNERS AND OPERATORS OF MOTOR VEHICLES VIOLATING THE MOTOR VEHICLE LAWS OF THE STATE OF UTAH OR INVOLVED IN AN ACCIDENT IN WHICH DAMAGES RESULT IN EXCESS OF $100, REQUIRING THE

GIVING OF SECURITY FOR THE PAYMENT OF DAMAGES; PROVIDING FOR THE SUSPENSION OF OPERATORS LICENSES AND REGISTRATION CERTIFICATES UNTIL SUCH SECURITY IS FURNISHED; PROVIDING FOR THE APPOINTMENT OF THE SECRETARY OF THE STATE OF UTAH AS PROCESS AGENT FOR NON-RESIDENTS USING THE HIGHWAYS OF THIS STATE IN ACTIONS ARISING OUT OF ANY ACCIDENTS; PRESCRIBING THE PROCEDURE TO MAKE PROOF OF FINANCIAL RESPONSIBILITY, AND PRESCRIBING PENALTIES FOR VIOLATIONS HEREOF, AND OTHER MATTERS RELATING THERETO; AND REPEALING CHAPTER 68, LAWS OF UTAH 1943, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 136 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

March 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 111*, by Messrs. Clegg, Day, Thorn and Jenkins, entitled:

AN ACT AMENDING THE STATE COUNCIL OF DEFENSE ACT WHICH WAS CHAPTER 33 OF THE LAWS OF 1941 SECOND SPECIAL SESSION AND KNOWN AS SECTIONS 82C-5-1 TO 82C-5-6 INCLUSIVE AND SECTIONS 82C-5-9 AND 82C-5-10 UTAH CODE ANNOTATED 1943, AND ENACTING NEW SECTIONS 82C-5-11 TO 82C-5-20 INCLUSIVE PROVIDING DEFINITIONS OF EMERGENCIES AND THE UTILIZATION OF THE LEGISLATURE AND EXISTING STATE AND MUNICIPAL OFFICERS AND ORGANIZATIONS TO DEAL WITH PROBLEMS CREATED BY EMERGENCIES WHETHER CIVIL OR MILITARY, ESTABLISHING A STATE COUNCIL OF DEFENSE, PRESCRIBING ITS POWERS, DUTIES, AND FUNCTIONS AUTHORIZING THE MAKING OF MUTUAL ASSISTANCE PACTS WITH OTHER STATES AND BETWEEN POLITICAL SUBDIVISIONS OF THIS STATE, 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 111 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

On motion of Senator Hopkin, the Senate resolved itself into a Committee of the Whole.

The Committee of the Whole was dissolved.

On motion of Senator Hopkin, the Senate voted to grant its employees a bonus of $20.00 each.

On motion of Senator Milliman *S. B. No. 75* was tabled.

COMMUNICATIONS FROM THE HOUSE

March 8. 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 257*, by Committee on Rules and Contingent Expenses, entitled:

AN ACT MAKING AN APPROPRIATION TO THE TWENTY-NINTH LEGISLATURE, and the same is returned herewith for your further action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 257 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, *H. B. No. 38*, by Messrs. Bushnell and Openshaw, entitled:

AN ACT DIRECTING THE BOARD OF EXAMINERS TO APPROPRIATE FROM THE RESERVE BUILDING FUND THE SUM OF $312,000.00 TO THE STATE BOARD FOR VOCATIONAL EDUCATION, FOR THE PURCHASE OF REAL PROPERTY FOR THE SALT LAKE AREA VOCATIONAL SCHOOL, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 38 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, *H. B. No. 133*, by Messrs. Hinton, L. B. Johnson, Luke, Davis, Sevy, J. Johnson and Young, entitled:

AN ACT AMENDING SECTION 100-11-16, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 95, LAWS OF UTAH 1949, RELATING TO WATER CONSERVANCY DISTRICTS AND PROVIDING FOR THE LIMITING OF TAX LEVIES, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 133 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 286*, by Messrs. Davis, W. G. Larson, Wood, E. C. Larsen and Albrecht, entitled:

A NEW ACT TO BE KNOWN AS 50-1-3A, LAWS OF UTAH 1951, PROVIDING FOR THE REDISTRICTING OF COUNTIES HAVING MORE THAN ONE REPRESENTATIVE IN THE HOUSE OF REPRESENTATIVES OF THE STATE LEGISLATURE, INTO REPRESENTATIVE DISTRICTS AND TO NUMBER THE SAME, AND PROVIDING FOR THE APPOINTMENT OF A COMMITTEE TO REDISTRICT SUCH COUNTIES AND SETTING TIME LIMITS FOR THE COMPLETION OF THIS WORK, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 286 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 32*, by Messrs. Howe, Bushnell, Sheffield and Davis, entitled:

AN ACT REPEALING CHAPTER 10 LAWS OF UTAH 1947 AND SECTION 10-5-11 (10) AND REQUIRING A NON-RESIDENT PERSON DOING BUSINESS IN THE STATE OF UTAH TO FILE A CERTIFICATE WITH THE SECRETARY OF STATE DESIGNATING AN AGENT UPON WHOM PROCESS CAN BE SERVED AND UPON FAILURE SO TO DO AUTHORIZING SERVICE OF PROCESS ON ANY PERSON EMPLOYED BY OR ACTING AS AGENT FOR SUCH NON-RESIDENT, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 32 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 124*, by Messrs. Sheffield, Rees, Walker, Larson and Miller, entitled:

AN ACT AMENDING SECTIONS 87-1-3 AND 87-1-4, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 125, LAWS OF UTAH 1945, AND AS AMENDED BY CHAPTER 134, LAWS OF UTAH, 1947, RELATING TO THE SALARIES OF JUDGES OF THE SUPREME AND DISTRICT COURTS AND THE TERM OF DISTRICT JUDGES, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 124 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 285*, by V. G. Sagers and H. R. Tietjen, entitled:

AN ACT MAKING AN APPROPRIATION FOR THE ADMINISTRATION OF THE UTAH STATE TAX COMMISSION FROM THE UNAPPROPRIATED SURPLUS IN THE MOTOR VEHICLE CONTROL FUND TO OFFSET A DEFICIT IN THE VEHICLE CONTROL FUND FOR THE PERIOD BEGINNING JULY 1, 1949 AND ENDING JUNE 30, 1951, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 285 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 287*, by Appropriations Committee, entitled:

AN ACT AMENDING HOUSE BILL 279 OF THE 29TH LEGISLATURE OF THE STATE OF UTAH, AS PASSED BY BOTH HOUSES AND APPROVED, EXCEPT FOR CERTAIN ITEMS OF APPROPRIATION, BY THE GOVERNOR, BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 18, MAKING APPROPRIATIONS FOR THE SUPPORT OF CERTAIN DEPARTMENTS, AGENCIES AND INSTITUTIONS OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1951 AND ENDING JUNE 30, 1953, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 287 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. Larson, Sheffield, Frost and Cope, entitled:

AN ACT AMENDING SECTION 2 OF CHAPTER 88, LAWS OF UTAH 1945, RELATING TO PENSIONS FOR POLICEMEN OF CITIES OF THE FIRST AND SECOND CLASS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
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 8, 1951

Mr. President:

I am directed 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. 20*, by Mr. Hopkin, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 29TH LEGISLATURE OF THE STATE OF UTAH, MAKING ASSIGNMENTS OF STUDY FOR THE UTAH LEGISLATIVE COUNCIL AND REQUESTING A REPORT OF FINDINGS THIRTY DAYS PRIOR TO THE CONVENING OF THE 30TH LEGISLATURE OF THE STATE OF UTAH, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. J. R. No. 20 was transmitted to the Secretary of State.

March 8, 1951

Mr. President:

I am directed 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. Cannon, Ashton, Thorn and Gibson, entitled:

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH AUTHORIZING

THE LEGISLATIVE COUNCIL AND THE STATE BOARD OF HEALTH TO FORMULATE AN APPROPRIATE CODE OF HEALTH LAWS FOR THE STATE OF UTAH, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. J. R. No. 3 was transmitted to the Secretary of State.

March 8, 1951

Mr. President:

I am directed 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. 225*, by Messrs. Fowles, Jenkins and Burns, entitled:

AN ACT AMENDING SECTION 100-11-14, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 95, LAWS OF UTAH 1949, RELATING TO WATER CONSERVANCY DISTRICTS AND THE ORGANIZATION OF SUBDISTRICTS, AND PROVIDING THE METHOD FOR ORGANIZING SUCH SUBDISTRICTS, FOR THE APPOINTMENT OF THE BOARD OF DIRECTORS AND THE POWERS AND DUTIES OF SUCH BOARD, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 225 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 197*, by Messrs. Gibson and Hopkin, entitled:

AN ACT RELATING TO THE ESCHEAT TO THE STATE OF UTAH OF ALL UNCLAIMED MONEYS DEPOSITED IN THE COURTS OR WITH THE CLERKS OF THE COURTS OF THE STATE OF UTAH, AND PROVIDING METHOD OF PROCEDURE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 197 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 113*, by Messrs. Clegg, Ashton, Beal, Mrs. Jensen, Tippetts and Larsen, entitled:

AN ACT AMENDING SECTION 42-2-10, UTAH CODE ANNOTATED, 1943, RELATING TO THE STATE INSURANCE FUND, PROVIDING FOR PAYMENT BY THE COMMISSION OF FINANCE OF DIVIDENDS TO POLICY HOLDERS OF THE STATE INSURANCE FUND, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 113 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 111*, by Messrs. Clegg, Day, Thorn and Jenkins, entitled:

AN ACT AMENDING THE STATE COUNCIL OF DEFENSE ACT WHICH WAS CHAPTER 33 OF THE LAWS OF 1941 SECOND SPECIAL SESSION AND KNOWN AS SECTIONS 82C-5-1 TO 82C-5-6 INCLUSIVE AND SECTIONS 82C-5-9 AND 82C-5-10 UTAH CODE ANNOTATED 1943 AND ENACTING NEW SECTIONS 82C-5-11 TO 82C-5-20 INCLUSIVE PROVIDING DEFINITIONS OF EMERGENCIES AND THE UTILIZATION OF THE LEGISLATURE AND EXISTING STATE AND MUNICIPAL OFFICERS AND ORGANIZATIONS TO DEAL WITH PROBLEMS CREATED BY EMERGENCIES WHETHER CIVIL OR MILITARY, ESTABLISHING A STATE COUNCIL OF DEFENSE, PRESCRIBING ITS POWERS, DUTIES, AND FUNCTIONS AUTHORIZING THE MAKING OF MUTUAL ASSISTANCE PACTS WITH OTHER STATES AND BETWEEN POLITICAL SUBDIVISIONS OF THIS STATE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 111 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 241*, by Messrs. Bonacci, W. G. Larson, Davis, Taylor, Mrs. Gerald Cazier, and Elizabeth Vance, entitled:

AN ACT AMENDING SECTION 14-6-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 15, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 20, LAWS OF UTAH 1945, RELATING TO EMPLOYMENT OF MINORS IN AGRICULTURE, AND, TO MAKE IT LAWFUL DURING PERIODS OF CRITICAL LABOR SHORTAGE TO EMPLOY MINORS OF FOURTEEN YEARS OF AGE OF OVER IN THE FIRST PROCESSING OF AGRICULTURAL PRODUCTS AND OTHER NON-HAZARDOUS INDUSTRIES.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

REPORTS OF STANDING COMMITTEES

March 8, 1951

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 257*, by Committee on Rules and Contingent Expenses, entitled:

AN ACT MAKING AN APPROPRIATION TO THE TWENTY-NINTH 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,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 257 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 8, 1951

On motion of Senator Gibson, Chairman of the Sifting Committee, the enacting clause was struck on the following House bills:

H. B. Nos. 62, 67, 78, 84, 108, 134, 155, 156, 159, 163, 168, 171, 179, 190, 193, 196, 199, 203, 204, 205, 206, 207, 208, 209, 220, 258, 260, 281, 282, 283 and 284.

On motion of Senator Gibson, Chairman of the Sifting Committee, the enacting clause was struck on S. B. Nos. 16, 17, 33, 34, 37, 40, 41, 53, 54, 55, 61, 63, 64, 66, 68, 69, 71, 72, 76, 77, 79, 80, 82, 87, 91, 95, 97, 99, 100, 106, 108, 109, 115, 116, 119, 120, 122, 125, 126, 128, 129, 130, 132, 133, 134, 135, 137, 138, 140, 143, 145, 146, 147, 148, 149, 150, 151, 156, 157, 159, 160, 161, 162, 163, 164, 165, 167, 170, 172, 173, 174, 175, 176, 177, 179, 180, 181, 182, 185, 188, 189, 191, 192, 193, 194, 195, 196, 198, 199, 200, 202, 203, 204, 206, 207, 208, 209, 212, 213, 214, 215, 217, 218, 219, 220, 223, 224, 228, 229, 231, 232, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253 and 254; S. J. R. Nos 2, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, which had been referred to the Sifting Committee and not considered by the Senate to date.

On motion of Senator Milliman the Senate resolved itself into Executive Session.

On motion of Senator Milliman the Senate resolved itself into Regular Session.

Senator Milliman moved that the Senate do advise and consent to the following appointment:

FOR COMMISSIONER, DEPARTMENT OF BUSINESS REGULATION:

Stewart M. Hansen, 1524 Arlington Drive, Salt Lake City; for six-year term, ending March 1, 1957.

Motion carried.

COMMUNICATIONS FROM THE HOUSE

March 8, 1951

Mr. President:

I am directed 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. 158*, by Mr. C. E. Peterson, entitled:

AN ACT APPROPRIATING TO PROVO CITY, FOR THE UPKEEP OF THE STATE BURIAL LOTS IN PROVO CITY CEMETERY, THE SUM OF $7,225.00, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 158 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 224*, by Mrs. Gerald Cazier, Elizabeth Vance, Messrs. L. B. Johnson, V. H. Peterson, Hurst and Hinton, entitled:

AN ACT TO REQUIRE THE REGISTRATION OF PERSONS ENGAGED IN CERTAIN OCCUPATIONS, TRADES AND PROFESSIONS, RELATING TO THE CARE OF OTHERS, TO REGISTER WITH THE DEPARTMENT OF REGISTRATION; AND TO PROVIDE FOR A BOARD OF EXAMINERS; QUALIFICATIONS, PENALTIES, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 224 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 181*, by Messrs. White, Patterson, Sevy, Bunderson, Bagnall and Young, entitled:

AN ACT AMENDING SECTIONS 3-5-114, 3-5-129, 3-5-130, 3-5-131, 3-5-144, 3-5-147, 3-5-150, 3-5-151, 3-5-152, 3-5-153, 3-5-154, 3-5-158, 3-5-166, 3-5-170, AND 3-5-175 UTAH CODE ANNOTATED 1943, RELATING TO THE DEFINITION OF LIVESTOCK, LIVESTOCK AUCTION SALES RING, AND CARCASSES; ELIMINATING CERTAIN REQUIREMENTS INCIDENT TO BILLS OF SALE; REQUIRING POSSESSION OF A BILL OF SALE FOR CARCASSES; DIRECTING THE DISPOSITION OF ESTRAYS; REQUIRING LIVESTOCK AUCTION SALES RINGS, IN LIEU OF LIVESTOCK SALES RINGS, TO BE LICENSED; REQUIRING CATTLE AND HORSES TO BE BRAND INSPECTED BEFORE OFFERED FOR SALE IN SALE RINGS; SUBSTITUTING THE WORD "LIVESTOCK" FOR THE THE WORD "CATTLE"; PROVIDING FOR SLAUGHTERHOUSES AND THAT ALL MEAT FOR RESALE SHALL BE PROCESSED BY SLAUGHTERHOUSES; PROVIDING FOR 4½ MILL LEVY UPON THE ASSESSED VALUATION OF HORSES, MULES, AND CATTLE

AND A ONE-HALF MILL LEVY UPON SHEEP AND GOATS; AND PROVIDING AUTHORITY TO STATE BRAND INSPECTORS TO INSPECT AND SEARCH VEHICLES TRANSPORTING LIVESTOCK AND LIVESTOCK PRODUCTS, AND PROVIDING FOR LICENSED AND BONDED WEIGHMASTERS AT AUCTION RINGS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 181 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 256*, by Appropriations Committee, entitled:

AN ACT REPEALING CHAPTER 122, LAWS OF UTAH 1947, AS AMENDED BY CHAPTER 12, LAWS OF UTAH 1948, FIRST SPECIAL SESSION, AND CREATING A NEW ACT RELATING TO A RESERVE BUILDING FUND, PROVIDING FOR APPROPRIATIONS TO THE RESERVE BUILDING FUND AND ALLOCATIONS THEREFROM; PROVIDING A SCHEDULE OF ITEMS OF APPROPRIATIONS FOR THE PLANNING AND CONSTRUCTION OF STATE BUILDING PROJECTS BASED UPON NEED, and the same is transmitted herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 256 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House, has this day signed in open session, in the presence of the House, *H. B. No. 85*, by Messrs. Sheffield, Larson, Beezley, Jones, Walker and Davis, entitled:

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, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 85 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 241*, by Messrs. Bonacci, W. G. Larson, Davis, Taylor, Mrs. Gerald Cazier and Elizabeth Vance, entitled:

AN ACT AMENDING SECTION 14-6-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 15, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 20, LAWS OF UTAH 1945, RELATING TO EMPLOYMENT OF MINORS IN AGRICULTURE, AND, TO MAKE IT LAWFUL DURING PERIODS OF CRITICAL LABOR SHORTAGE TO EMPLOY MINORS OF FOURTEEN YEARS OF AGE OR OVER IN THE FIRST PROCESSING OF AGRICULTURAL PRODUCTS AND OTHER NON-HAZARDOUS INDUSTRIES, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 241 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Joint Conference Committee report as of the 8th day of March, 1951, *H. B. No. 186*, by Messrs. Bushnell and Thoresen, entitled:

AN ACT TO AMEND CHAPTER 14, TITLE 80, UTAH CODE ANNOTATED 1943, BY ADDING THERETO NEW SECTIONS TO BE NUMBERED 80-14-65.10(a), 80-14-65.10(b) AND 80-14-65.10(c), PROVIDING FOR AN ALTERNATIVE OPTIONAL TAX (SHORT

FORM) IN CASE OF RESIDENT INDIVIDUALS HAVING A FEDERAL ADJUSTED GROSS INCOME OF LESS THAN $5,000, AND PROVIDING THAT IN LIEU OF THE TAX IMPOSED BY CHAPTER 14 TITLE 80, UTAH CODE ANNOTATED, 1943, THE TAXPAYER MAY AT HIS OPTION PAY A TAX EQUAL TO TEN PER CENT OF HIS FEDERAL TAX, and the same is transmitted herewith for your action.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

REPORTS OF SPECIAL COMMITTEES

March 8, 1951

Mr. President and Mr. Speaker:

Your Conference Committee, to which was referred *H. B. No. 186*, by Messrs. Bushnell and Thoresen, begs leave to report as follows:

That the House recede from its amendment to *H. B. No. 186* on page 1, following line 14, and in lieu thereof insert the following: "In the event the federal tax rate is increased or decreased it shall be mandatory for the state tax commission to so adjust the rate of tax to be paid to the state that such increase or decrease in the federal tax rate shall not change the amount of the state tax paid by an individual".

We recommend that both the House and the Senate accept the above report and that the bill be passed in the form herein recommended.

Respectfully,

MARL D. GIBSON,
Chairman Senate Committee

DAN S. BUSHNELL,
Chairman House Committee

Report filed.

On motion of Senator Gibson, the report of the Conference Committee with respect to *H. B. No. 186* was adopted.

H. B. No. 186 then passed on the following roll call:

Ayes, 18; Nos, 1; Absent, 4.

Those voting in the affirmative were: Senators Ashton, Beal, Burns, Cannon, Clegg, Day, Gibson, Hopkin, Jenkins, Jensen, Marthakis, Milliman, Muir, Paxton, Tippetts, Thorn, Watson and Mr. President.

Voting in the negative: Senator Adams.

Absent and not voting: Senators Brockbank, Elggren, Larsen and Reese.

H. B. No. 186 was returned to the House.

March 8, 1951

Mr. President:

I am directed 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. 257*, by Committee on Rules and Contingent Expenses, entitled:

AN ACT MAKING AN APPROPRIATION TO THE TWENTY-NINTH LEGISLATURE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

S. B. No. 257 was transmitted to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 111*, by Mr. Beezley, entitled:

AN ACT CARRYING INTO EFFECT SECTION 3, ARTICLE VIII OF THE CONSTITUTION BY AMENDING SECTION 25-3-10, UTAH CODE ANNOTATED 1943, AS AMENDED BY 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 A NEW SECTION PROVIDING FOR THE NOMINATION OF JUDGES BY DIRECT PRIMARIES; AND THE ELIMINATION OF JUDICIAL NOMINATIONS AT POLITICAL CONVENTIONS; THE USE OF A HEADLESS BALLOT AT BOTH PRIMARY AND GENERAL ELECTIONS; PROHIBITING CANDIDATES FOR SUCH JUDICIAL OFFICES FROM ENGAGING IN PARTISAN POLITICAL ACTIVITIES AND ACCEPTING CERTAIN OFFICES; AND REPEALING ANY ACTS OR PARTS OF ACTS INCONSISTENT HEREWITH, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 111 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House, has this day signed in open session, in the presence of the House, *H. B. No. 107*, by Mr. Larsen, entitled:

AN ACT AMENDING SECTION 19-13-15 UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 30, LAWS OF UTAH, 1943, AS AMENDED BY CHAPTER 35, LAWS OF UTAH, 1945, AS AMENDED BY CHAPTER 23, LAWS OF UTAH, 1947, AS AMENDED BY CHAPTER 1, LAWS OF UTAH, 1948 (SPECIAL SESSION) AS AMENDED BY CHAPTER 25, LAWS OF UTAH, 1949, RELATING TO SALARIES OF COUNTY OFFICERS AND AUTHORIZING COUNTY COMMISSIONERS TO INCREASE SUCH SALARIES TEMPORARILY, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 107 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 243*, by Mr. Sheffield, entitled:

AN ACT AMENDING SECTION 46-0-115, UTAH CODE ANNOTATED, 1943, RELATING TO INTOXICATING LIQUORS, PROVIDING FOR LICENSE TO MANUFACTURE, SELL, AND EXPORT WINE, ALCOHOL AND LIQUOR, AND TO PROVIDE FOR THE SALE IN THE STATE OF ALCOHOL FOR INDUSTRIAL PURPOSES, AND TO THE ADVERTISEMENT OF AND THE CANVASSING OF, AND THE SOLICITATION OF ORDERS FOR INDUSTRIAL ALCOHOL, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 243 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 21*, by Mrs. Cazier, Messrs. Albert C. Cope and T. M. Rees, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF REPRESENTATIVE W. G. LARSON, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. 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 Secretary of State.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 41*, by Messrs. Larsen, Frost, Elswood and Elizabeth Vance, entitled:

AN ACT AMENDING SECTION 31, CHAPTER 9, LAWS OF UTAH 1948, FIRST SPECIAL SESSION, RELATING TO RESIDENCE REQUIREMENTS FOR PUBLIC ASSISTANCE, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 41 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 135*, by Mr. Beezley, entitled:

AN ACT AMENDING SECTION 20-4-2, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 35, LAWS OF UTAH 1943, AS RE-ENACTED BY SECTION 104-4-2 OF HOUSE BILL 31,

29th LEGISLATIVE SESSION, RELATING TO CITY JUDGES—NUMBER, ELECTION, AND TERM OF OFFICE; AMENDING SECTION 20-4-3, UTAH CODE ANNOTATED 1943 AS RE-ENACTED BY SECTION 104-4-3 OF HOUSE BILL 31, 29th LEGISLATIVE SESSION, RELATING TO CITY JUDGES APPOINTMENT BY MAYOR PENDING ELECTION; AND ENACTING NEW SECTIONS PROVIDING FOR A NON-PARTISAN METHOD OF SELECTING JUDGES OF THE CITY COURTS; PROHIBITING INCUMBENTS OF AND CANDIDATES FOR THE OFFICE OF JUDGE OF THE CITY COURTS 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 the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 135 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 106*, by Mr. Larson, entitled:

AN ACT AMENDING SECTION 19-13-14, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 34, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 25, LAWS OF UTAH 1949, RELATING TO SALARIES OF COUNTY OFFICERS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 106 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 18*, by Messrs. Davis, Sheffield and Bushnell, entitled:

AN ACT AMENDING SECTIONS 104-2-5, UTAH CODE ANNOTATED 1943 AS AMENDED BY CHAPTER 18, LAWS OF UTAH 1943; 104-2-7 UTAH CODE ANNOTATED 1943 AND 104-2-12, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 104-2-5.10, AS AMENDED BY CHAPTER 19, LAWS OF UTAH 1943 AS AMENDED BY CHAPTER 8 LAWS OF UTAH 1947, AND ENACTING NEW LAWS TO BE KNOWN AS SECTIONS 104-2-5.10 AND 104-2-5.11, LIMITING THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR RECOVERY OF REAL PROPERTY SOLD AND CONVEYED TO THE COUNTY UNDER TAX DEED OR FOR THE POSSESSION THEREOF, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 18 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 149*, by Messrs. Sagers, Cazier, Howe, Bushnell and Davis, entitled:

AN ACT AMENDING SECTION 87-1-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 97, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 124, LAWS OF UTAH 1945, AND SECTIONS 87-1-3 AND 87-1-4, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 125, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 134, LAWS OF UTAH 1947, AND SECTION 1, CHAPTER 126, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 132, LAWS OF UTAH 1947, RELATING TO SALARIES OF STATE OFFICERS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 149 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 19*, by Messrs. Davis, Sheffield, and Bushnell, entitled:

AN ACT PROVIDING THAT THE PURCHASER OF TAX DEED PROPERTY FROM THE COUNTY SHALL HAVE A LIEN AGAINST THE PROPERTY SO PURCHASED FOR THE RECOVERY OF THE PURCHASE PRICE SO PAID FOR INTEREST AND SUBSEQUENT TAXES PAID BY THE PURCHASER THEREON AND PROVIDING FOR TIME WITHIN WHICH SUCH LIEN MAY BE FORECLOSED, TO BE KNOWN AS SECTION 80-10-68.1.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed 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 Messrs. Davis, Sheffield and Bushnell, entitled:

AN ACT PROVIDING THAT THE PURCHASER OF TAX DEED PROPERTY FROM THE COUNTY SHALL HAVE A LIEN AGAINST THE PROPERTY SO PURCHASED FOR THE RECOVERY OF THE PURCHASE PRICE SO PAID FOR INTEREST AND SUBSEQUENT TAXES PAID BY THE PURCHASER THEREON AND PROVIDING FOR TIME WITHIN WHICH SUCH LIEN MAY BE FORECLOSED, TO BE KNOWN AS SECTION 80-10-68.1, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
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.

March 8, 1951

Mr. President:

I am directed 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. 242*, by Messrs. Bonacci, W. G. Larson, Davis and Taylor, entitled:

AN ACT AMENDING SECTION 49-4-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 58, LAWS OF UTAH 1943 AND CHAPTER 78, LAWS OF UTAH 1945, RELATING TO EMPLOYMENT OF MINORS AND FEMALES, AND MAKING IT LAWFUL DURING PERIODS OF CRITICAL LABOR SHORTAGES TO EMPLOY FEMALES OF EIGHTEEN YEARS OR OVER AT MINES AND SMELTERS IN OTHER THAN UNDERGROUND WORK, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 242 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 50*, by Messrs. Elswood, Cope, Jones, Gammell and Openshaw, entitled:

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 AND SECOND CLASS, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 50 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 248*, by Messrs. E. C. Larsen, Tietjen, Woolley and Brotherson, entitled:

AN ACT AUTHORIZING THE GOVERNOR, UPON THE ADVICE OF THE ATTORNEY GENERAL AND THE LEGISLATIVE COUNCIL PERFORMING THE DUTIES OF THE INTERSTATE COOPERA-

TIVE COMMISSION, TO EXECUTE A COMPACT WITH WESTERN REGIONAL STATES FOR COOPERATION IN HIGHER EDUCATION, ESTABLISHING A COMMITTEE WITHIN THE COMMISSION ON INTERSTATE COOPERATION TO BE KNOWN AS THE UTAH INTERSTATE COMMISSION FOR HIGHER EDUCATION, SPECIFYING THE PERSONNEL OF SAID COMMISSION PRESCRIBING ITS DUTIES, AND APPROPRIATING $10,000.00 TO THE LEGISLATIVE COUNCIL TO CARRY OUT THE PURPOSES OF THIS ACT, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 248 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 186*, by Messrs. Bushnell and Thoresen, entitled:

AN ACT TO AMEND CHAPTER 14, TITLE 80, UTAH CODE ANNOTATED 1943, BY ADDING THERETO NEW SECTIONS TO BE NUMBERED 80-14-65.10(a), 80-14-65.10(b), AND 80-14-65.10(c), PROVIDING FOR AN ALTERNATIVE OPTIONAL TAX (SHORT FORM) IN CASE OF RESIDENT INDIVIDUALS HAVING A FEDERAL ADJUSTED GROSS INCOME OF LESS THAN $5,000, AND PROVIDING THAT IN LIEU OF THE TAX IMPOSED BY CHAPTER 14 TITLE 80, UTAH CODE ANNOTATED, 1943, THE TAXPAYER MAY AT HIS OPTION PAY A TAX EQUAL TO TEN PER CENT OF HIS FEDERAL TAX, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 186 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 185*, by Mr. Munk, entitled:

AN ACT AMENDING SECTION 30-0-12, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 45, LAWS OF UTAH 1945, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, AND 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 1942, RELATING TO LICENSES FOR FISHING AND HUNTING LICENSES FOR TRAPPING FUR BEARERS; SECTION 30-0-20, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947, RELATING TO NON-RESIDENT LICENSES TO HUNT DEER; SECTION 30-0-25, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, RELATING TO LICENSE AGENTS, PRESCRIBING THEIR DUTIES AND FIXING THEIR COMPENSATION; AND REPEALING SECTION 30-0-22, UTAH CODE ANNOTATED 1943, AND REPEALING SECTION 30-0-14, 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; SECTION 30-0-15, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 43, LAWS OF UTAH 1943, AS AMENDED BY CHAPTER 42, LAWS OF UTAH 1947; AND SECTION 30-0-16, 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, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. B. No. 185 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 8, 1951

Mr. President:

I am directed 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. 22*, by Mr. Frost, entitled:

A JOINT RESOLUTION TO THE CONGRESS OF THE UNITED STATES OPPOSING ANY INCREASE IN FEDERAL AUTOMOTIVE EXCISE TAXES, and the same is transmitted herewith for the signature of the President.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

H. J. R. No. 22 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

COMMUNICATIONS FROM THE GOVERNOR

March 8, 1951

Dear Mr. President and
Members of the Senate:

This is to advise that I have approved and transmitted to the Secretary of State *S. B. No. 9*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 36-1-31, UTAH CODE ANNOTATED, 1943, AS AMENDED BY THE LAWS OF UTAH, 1947, CHAPTER 46, AND SECTION 36-1-32, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 65, LAWS OF UTAH, 1949, LIMITING THE MAXIMUM WEIGHTS OF VEHICLES AND COMBINATIONS OF VEHICLES DRIVEN OR MOVED ON ANY HIGHWAY AND PROVIDING FOR ENFORCEMENT THEREOF, AND PENALTIES FOR OVERLOADING.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 8, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 12*, by Messrs. Fowles, Gibson and Hopkin, entitled:

AN ACT AMENDING SECTION 36-2-16.10, CHAPTER 47, LAWS OF UTAH, 1949, AND SECTION 36-2-17, UTAH CODE ANNOTATED, 1943, AS AMENDED BY CHAPTER 47, LAWS OF UTAH, 1949, RELATING TO DISTRIBUTION OF MOTOR VEHICLE REGISTRATION FUND TO A GENERAL HIGHWAY FUND.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 8, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 184*, by Messrs. Adams, Watson, Fowles and Clegg, entitled:

AN ACT AMENDING SECTION 27-0-1, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 40, SECTION 1, LAWS OF UTAH, 1943, RELATING TO THE CESSION OF JURISDICTION TO THE UNITED STATES IN, TO, AND OVER LANDS WITHIN THIS STATE WHICH HAVE BEEN OR MAY BE HEREAFTER ACQUIRED, LEASED, USED, OR RESERVED FROM THE PUBLIC DOMAIN BY THE UNITED STATES FOR PURPOSES AUTHORIZED BY ACTS OF CONGRESS, AND AMENDING SECTION 27-0-2, UTAH CODE ANNOTATED 1943, RELATING TO EXECUTION BY THE GOVERNOR OF PROPER CONVEYANCES IN SUCH CESSION, AND ENACTING A NEW SECTION TO RETAIN CONCURRENT JURISDICTION IN CIVIL AND CRIMINAL MATTERS.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

March 8, 1951

Dear Mr. President and
Members of the Senate:

This is to advise you that I have approved and transmitted to the Secretary of State, *S. B. No. 233*, by Messrs. Watson and Elggren, entitled:

AN ACT AMENDING SECTION 76-1-4, UTAH CODE ANNOTATED 1943, RELATING TO THE POWERS OF INDIVIDUAL MEMBERS OF THE PUBLIC SERVICE COMMISSION AND PROVIDING FOR EXAMINERS TO BE APPOINTED BY SAID COMMISSION TO CONDUCT HEARINGS AND INVESTIGATIONS AND TO MAKE RECOMMENDED FINDINGS AND ORDERS ON SUCH HEARINGS.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that on motion of Chairman Luke of the House Sifting Committee, the House ordered that the enacting clause be struck from the following Senate Bills and Senate Resolutions, which are returned herewith for your files:

S. J. R. Nos. 6 and 19, and S. B. Nos. 6, 10, 25, 30, 31, 35, 48, 58, 73, 102, 103, 104, 141, 153, 154, 183, 190, 201, 205, 216, 221 and 222.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8 day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 2*, by Messrs. Larsen, Tietjen, and Woolley, for the Utah Legislative Council, entitled:

AN ACT AMENDING SECTIONS 2, 3, 4, 5, 6, 9, 10, 11, AND 14, CHAPTER 131, LAWS OF UTAH, 1947, AS AMENDED BY CHAPTER 90, LAWS OF UTAH, 1949, AND AMENDING SECTIONS 15.1, 15.2, 15.3, AND 19, CHAPTER 90, LAWS OF UTAH, 1949, RELATING TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM OF THE STATE OF UTAH AND POLITICAL SUBDIVISIONS THEREOF; ESTABLISHING ELIGIBILITY FOR MEMBERSHIP AND PARTICIPATION IN THE RETIREMENT SYSTEM; PROVIDING FOR CONTRIBUTIONS BY EMPLOYEES AND APPROPRIATIONS TO MAINTAIN A RETIREMENT FUND AND ESTABLISHING A BOARD OF ADMINISTRATION.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 32*, by Messrs. Howe, Bushnell, Sheffield, and Davis, entitled:

AN ACT REPEALING CHAPTER 10 LAWS OF UTAH 1947, AND SECTION 10-5-11 (10) AND REQUIRING A NON-RESIDENT PERSON DOING BUSINESS IN THE STATE OF UTAH TO FILE A CERTIFICATE WITH THE SECRETARY OF STATE DESIGNATING AN AGENT UPON WHOM PROCESS CAN BE SERVED AND UPON FAILURE SO TO DO AUTHORIZING SERVICE OF PROCESS ON ANY PERSON EMPLOYED BY OR ACTING AS AGENT FOR SUCH NON-RESIDENT.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 69*, by Messrs. Walker, Beezley, Tietjen and Young, entitled:

AN ACT AMENDING SECTION 25-2-6, UTAH CODE ANNOTATED 1943, AS AMENDED BY CHAPTER 2, LAWS OF UTAH 1944 FIRST SPECIAL SESSION, DESIGNATING REGISTRATION DATES

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 148*, for the Utah Legislative Council, by Messrs. Larsen, L. B. Johnson, Tietjen, Woolley, J. H. Johnson, Hurst, Hinton, Luke, Albrecht, C. C. Gardner and Crofts, entitled:

AN ACT AMENDING SECTION 75-13-12, UTAH CODE ANNOTATED 1943, RELATING TO THE LIMITATION OF BONDING AUTHORITY OF SCHOOL DISTRICTS FOR SCHOOL BUILDING PURPOSES; PROVIDING FOR THE CANVAS OF BOND ELECTIONS AND THE REPORTING OF SUCH ELECTIONS.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

March 8, 1951

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8th day of March, 1951, approve and transmit to the Secretary of State, *H. B. No. 285*, by Messrs. V. G. Sagers and H. R. Tietjen, entitled:

AN ACT MAKING AN APPROPRIATION FOR THE ADMINISTRATION OF THE UTAH STATE TAX COMMISSION FROM THE UNAPPROPRIATED SURPLUS IN THE MOTOR VEHICLE CONTROL FUND TO OFF-SET A DEFICIT IN THE VEHICLE CONTROL FUND FOR THE PERIOD BEGINNING JULY 1, 1949 AND ENDING JUNE 30, 1951.

Respectfully,

QUAYLE CANNON, JR.,
Chief Clerk

Communication filed.

On motion of Senator Milliman, the Secretary was instructed to send a letter of thanks and appreciation to all organizations and individuals who contributed to the party and dance of the Twenty-ninth Legislature for the members and employees of the Senate and their partners.

On motion of Senator Jensen, the President appointed Senators Hopkin, Marthakis and Cannon a committee to notify the House that the Senate has concluded its business and is ready to adjourn sine die.

On motion of Senator Hopkin, the President appointed Senators Paxton, Day and Ashton to act with a like committee from the House and wait upon the Governor to ascertain whether he had any further business to bring before the Legislature.

A committee from the House, Representatives Cazier, Vance and Sunday C. Anderson, notified the Senate that the House had concluded its business and was ready to adjourn sine die.

Senator Hopkin reported that the Senate Committee had notified the House.

Senator Paxton reported that his committee, with a like committee from the House, had notified the Governor who then requested that the committee convey the following message to the Senate:

COMMUNICATIONS FROM THE GOVERNOR

March 8, 1951

Dear Mr. President and
Members of the Senate:

As this 29th Utah Legislative Session draws to a close, I wish to advise you that I have no further business to present to your Honorable Body prior to adjournment.

The national emergency, with its many ramifications and effects, has presented this Legislative session with numerous pressing and difficult problems. As a result, I believe I am safe in saying that this has been one of the most strenuous sessions in the history of the State.

It is unfortunate that this situation, further enhanced by the activities of minority groups, has prevailed, since it has been a decided handicap in the enactment of legislation to benefit the general welfare.

I certainly am aware of the tremendous handicaps that have confronted you, but I am sure it must be difficult for the average layman to understand the pressure and strain under which you have labored.

It is to be hoped that in future years those individuals and groups who are interested in legislation which is of concern primarily to themselves, will recognize the handicaps and, after presenting their problems, will permit the members of the Legislature to deliberate, debate, and decide these problems without undue pressure or strain.

As Governor, I have tried to administer the laws of this State fairly and impartially, and to the best of my ability. You may be assured that I shall continue to conduct the business of my office the same in the future. My office will be open to you at all times, and I shall welcome your suggestions and advice.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

On motion of Senator Burns, the Twenty-ninth Session of the Utah State Senate adjourned sine die.

PG.868

PJ869

GENERAL INDEX

PJ 870

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
Adams	+				+			+		C			+			
Ashton			+			+	+	+				C				+
Beal	+		+			+							+		+	
Brockbank			+			+		+					+			
Burns	+						+				+				+	C
Cannon		+		+		+		+				+	C			
Clegg			+	+					+	+						+
Day				+	C			+			+	+			+	
Elggren		+		+							C	+				+
Gibson		+	+		+			C								+
Hopkin		C			+									C		
Jenkins		+		C								+				
Jensen			C			+			+	+						
Larsen		+					+		+	+		+				+
Marthakis				+		C			+	+			+		+	
Milliman		+				+			C	+	+				+	
Muir	+	+			+						+			+	+	
Paxton	+	+			+		+					+				
Reese		+			+		C					+				
Thorn		+					+				+	+				+
Tippetts	+		+	+							+				C	
Watson	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	Fowles, et al.—Fed. Social Sec.; State Employees etc.	51		145	159	177	177	309	309	333	368	410	
2	Fowles, et al.—Compilation of Utah Statutes	51		75	87	97	97	383	383	400	424	469	
3	Fowles, et al.—Motor Fuel Tax	51		124	271	391	391	739	740	748	796		155X - 221X
4	Fowles, et al.—Motor Fuel Tax Procedure	51		215	361	391	392	751	762	782	798		221X - 304 - Approv. 3-12)
5	Fowles, et al.—Motor Vehicle Registration Fees	52		170	289	392	392	760	763	775	784		221X - (Veto 3-15)
6	Fowles, et al.—Motor Fuel Evaporation Allowance	52		215	291	392	392						221X - 864F
7	Fowles, et al.—Truck Fleet Registration; Fee Apportionment	52		171	362	393	393	750	762	792	818		221X - 304 - (Veto 3-15)
8	Fowles, et al.—Truck License Fees; Quarterly Basis	53		171	362	393	393	738		749	796		221X - 304 - (Approv. 3-12)
9	Fowles, et al.—Truck Weight Limitations	53		266	363	394	395	752		761	789	862	267X - 304
10	Fowles, et al.—General Highway Fund	53		215	363	393	394						221X - 304 - 864F
11	Fowles, et al.—Driver License Fees	53		75	87	97 119	120	513		528	608	616	97X
12	Fowles, et al.—B and C Road Funds	53		277	374	394	394	750	762	775	795	862	277X - 304
13	Fowles, et al.—Fire Protection Districts	54		85	98	107	108 282	160	160 238 282	332	369	468	238 - 307
14	Elggren, et al.—Legislators; Compensation	54			64	64	64	67		68	68	89	
15	Day, et al.—Department of Veterans Affairs	54		74	78	98	98	310					87X - 310 failed
16	Tippetts, et al.—Discrimination in Employment	54	74	220									640 - 848F
17	Watson—Taxation of Corporations	55	73	199									221 - 848F
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
18	Watson—Motor Fuel Evaporation Allowance	55											withdrawn - 55
19	Clegg, et al.—District Judges; Number	55	73	105	118	141	141	513		527	536	626	
20	Day, et al.—Non-Partisan Judiciary	55	81	156	179 190	205 222	223	399					205X - 399 failed
21	Fowles, et al.—Firemen Pension Fund	55	93	145	177	191	191	411		428	471	570	O - 571T - 613 - 614
22	Marthakis, et al.—Improvement Districts	56	81	123	154	158	158	309	309	359	369	469	
23	Muir, et al.—Sales Tax; Collection Costs	56	85	141	155	155	155	222		226	253	272	O - 273X - 289 failed
24	Muir, et al.—Unfair Practices Act; Costs Defined	56	91	169	206	223	223	307	308 344	358	370	410	
25	Marthakis, et al.—Old Prison Site; Sale, etc.	57	82	216	257	304 375	376						68 - 259X - 304X - 326 - 357X - 518 - 525 - 864F
26	Milliman—Highway Speed Restrictions	57	82	171	241	241	241	514		529	555	585	
27	Milliman—Public Assistance Payments	57	82	115	142	153 177	177	312	312	334	370	396	153X
28	Milliman-Burns—Divorces; Findings and Decree	57	83	106	119 153								119X - 153 failed
29	Burns, et al.—Divorces; Investigations	57	103	173	242								242 failed
30	Cannon, et al.—Code of Ethics;Attorneys and Judges	57	84	106	120	141	142						864F
31	Cannon, et al.—Witness Fees and Mileage; City Courts	58	74	106	120	142	142						864F
32	Cannon, et al.—The Judicial Code	58	149	299									584F
33	Day, et al.—School Districts; Bond Limits	58	84	220									848F
34	Elggren, et al—Welfare Lien Law; Repeal	58	83	144 598									68 - 159 - 305 - 848F
35	Cannon, et al—Non-resident Agents	65	91	173	256	460	460						848F
36	Cannon, et al.—Courts; Supervision by Supreme Court	65	104	171	241	255	256	384					384 failed
37	Day, et al.—City Judges; Non-partisan Selection	65	91	356									848F
38	Milliman-Cannon—Aeronautics Commission	66	92	123	154 374	461 463							154X - 205X - 287X - 348-463 failed
39	Watson—Pre-marital Examinations	66	92	158	205	205	205	237		246	271	285	
40	Watson—Optometrists; Qualifications	67	92	250									848F

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
41	Jensen, et al.—Vocational School; Purchase	75	93	218 598									848F
42	Larsen, et al.—Occupational Disease Law; Benefits	76	193	439	447	447	447	522	522	546	560	585	
43	Larsen, et al.—Workman's Compensation Act; Benefits	76	104	448	454	454	454	523	523	547	561	586	453
44	Jensen, et al.—Income Tax Returns; Oaths	76	92	140	155	155	155	254	255	260	285	292	
45	Cannon, et al.—Court Reporters; Compensation	76	105	180	256	460	460	698		719	747	772	
46	Day, et al.—Court Reporters; Fees	77	105	220									625F
47	Larsen, et al.—State Legislature; Reapportionment	77	103	230	635								205 - 640X - 726T - 777F
48	Larsen, et al.—Department of Resources Development	77	140	201 234	345	463	465						257X - 326X - 864F
49	Larsen—State Land Board; Relics	77	103	228	378	465	465	594		612	671	683	257X - 326X
50	Larsen—Old Prison Site; Monument Park Site	77	104	229	379	465 541 581 620	624	736		748	799		257X - 326X - 466X - 485X - 503X - 544X 582X - 615 - (Approv. 3-14)
51	Larsen—Utah State Fair Association	78	114	199	379	466	466	611	611	630	670	683	257X - 326X
52	Day, et al.—Tax Title Property; Purchasers' Lien	78	114	402	678								678X - 707X - 808F
53	Day, et al.—Tax Title Property; Limitation of Actions	78	137	402									848F
54	Fowles-Jenkins—Deaf and Blind School; Approp.	86	114	201	234								848F
55	Clegg, et al.—Central Utah Vocational School; Approp.	86	113	201	234								848F
56	Burns, et al.—Aid to the Blind	86	102	169	207	223	224	313	313	333	371	396	
57	Marthakis, et al.—Sanitarians; Licensing	86	139	217									304F
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
58	Day, et al.—Utah State Board on Alcoholism	87	163	276	568	573	573						864F
59	Day-Thorn—Public Works Contracts; Emergency Termination	94	184	231									382F
60	Day, et al.—Real Estate Brokers and Salesmen	94	138	402									421F
61	Watson—State Employees in Reserve Units; Vacations	94	138	228									848F
62	Watson—Irrigation Districts	95	138	180	344	461	461	594		612	670	709	256X - 305X
63	Marthakis, et al.—State Teachers Retirement; Withdrawals	95	165	219									567 - 848F
64	Marthakis, et al.—Annuities; Colleges	95	185	219									848F
65	Gibson—National Banks; Mergers and Conversions	96	139	169	206	223	223	306		333	371	396	
66	Day, et al.—Salt Lake Area Vocational School; Approp.	96	140	170 265									848F
67	Hopkin—State Salary Schedules	96	164	231	565	565 569	569	817					565 failed - 568 - 817 failed
68	Reese-Jenkins—Drivers Licenses; Susp. or Revocation	96	148	642									848F
69	Fowles, et al.—Water Rights	96	147	297									848F
70	Adams, et al—State Income Tax; Residents and Non-residents	97	147	321									554F
71	Day, et al.—Sales Tax; Exemptions	100	147	229									848F
72	Day, et al.—Income Tax; Exemptions	100	137	321									848F
73	Day, et al.—Support Act; Reciprocal Enforcement	100	145	355	678	700 701	701						864F
74	Muir, et al.—Registration Plates	101	139	170	241	255	255	514		529	555	586	
75	Jenkins, et al.—Uniform Minimum School Program	107	148	170	224	239	239	487	492	496	508	626	O; -- 153 - 629X - 639 682 - 785 - 840T
76	Watson—Justices of the Peace; Fees	107	163	321									848F
77	Day—Marriages; Validation When Void	107	165	642									848F
78	Reese-Paxton—Motor Fuel Tax; Exemptions	115	163	218	533	533	533	637		674	688	731	
79	Jensen, et al.—Oil and Gas Conservation Commission	115	162	360									848F
80	Day, et al.—Operators and Chauffeurs Licenses	116	162	318									848F
81	Day-Muir—Coop. Fish Restoration Projects	116	185	232	534	534	534	616		637	688	731	
82	Paxton-Day—Fish and Game Commission; Powers	116	186	265									848F
83	Hopkin, et al.—State Council of Defense; Approp.	117	167	217	521	521 676	677	804		810	830		532 - 533X - 544X
84	Hopkin, et al.—State and Local Councils of Defense	117	209	279 337	521								521X - 532 - 544X - 662F

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
85	Thorn-Watson—Public Buildings; Plans and Specs.	117	328	417	448								448F - 448X - 465F
86	Thorn-Watson—Architecture; Practice of	117	168	199	447								257X - 304X - 344X - 448F - 448X - 465F
87	Fowles-Jenkins—Cemetery Maintenance Districts	124	149	281									848F
88	Comm. on Rules and Cont. Exp.—29th Leg.; Approp.	124	146		147	147	147	157		161	184	192	
89	Comm. on Rules and Cont. Exp.—28th Leg.; Approp	124	148		149	149	149	157		161	184	192	
90	Jenkins-Reese—State Historical Society; Functions	124	166	199	256	460	461	619	620	641	689	731	
91	Muir—Small Claims Courts; Jurisdiction	125	146	339									848F
92	Day—Fishing and Hunting Licenses	135	186	266									534 - 579F
93	Marthakis, et al.—Police Pensions	136	146	218									757F
94	Gibson—Estates; Administrators and Executors	136	187	267	567	567	568	804		820	831		(Approv. 3-9)
95	Cannon, et al.—State Board of Health	136	167	230									848F
96	Day, et al—State Department of Veterans Affairs	136	164	201	202	202	202	311 423	424	457	472	488	311 failed - 410
97	Day-Muir—Big Game Animals	137	187	232									848F
98	Marthakis, et al.—State Legislature; Reapportionment	150	163	230									205 - 640X - 726T - 777F
99	Muir, et al.—Predatory Birds	150	187	233	635								848F
100	Day-Muir—State Game Refuge Committee	150	188	266									848F
101	Day, et al.—Income Tax; Non-residents	150	168	320	535	549 569	570	805		824	829		551 - 569 - (Approv. 3-12)
102	Adams-Reese—Motor Vehicles; Damage Reports	150	194	277	647	647	647						864F
103	Adams-Reese—Motor Vehicles; Anti-theft Laws	151	194	278	648	648	648						864F
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
104	Adams-Reese—Motor Vehicles; Registration	151	195	278	648	648	648						864F
105	Jensen-Reese—Public Funds; Investments	151	188	250	520	520	520	617		631	669	684	
106	Hopkin—Utah Water and Power Board; Approp.	151	164	228									848F
				264									
107	Adams, et al.—Dams: Construction and Repairs	157	195	316	551	551	552	759	759	766	795		(Approv. 3-12)
108	Day—Civil Service Commission	157	195	602									848F
109	Gibson—Ambulances-Hearses; Operations	174	209	277									848F
110	Larsen—State Insurance Fund; Dividend Payments	174											174 withdrawn
111	Clegg, et al.—State Council of Defense	174	210	280	521	544	676	815	815	839	846		532 - 544X - 675 -
				337	532	652							(Approv. 3-14)
						675							
112	Hopkin—Deer Hunting Season	175	188	233	580	580	580	773	774	781	794		534 - (Approv. 3-12)
113	Clegg, et al.—State Insurance Fund; Dividend Payments	175	188	250	706	706	706	814		826	846		(Approv. 3-9)
114	Day et al.—Liquor Permit Identification Cards	175	195	232	534	534	534	617		631	671	684	
115	Adams—Utah Water and Power Board	175	196	317									848F
116	Adams—Utah Water and Power Board; State Engineer	176	196	317									848F
117	Muir, et al.—Engineering Course; U.S.A.C.	176	189	219	533	533	533	546		553	593	626	
118	Milliman-Jensen—State Armory; Sale	176	189	265									603F
119	Day—Recorders' Offices; Microfilming of Records	181	197	229									848F
120	Day—Old Age Pensioners; Children's Liability	181	210	249									848F
121	Watson-Hopkin—Mineral Leases; State Lands	181	211	279	566	566	566	618		638	690	730	
122	Larsen—Old Prison Site; Sale	182	211	632									848F
123	Larsen-Cannon—Board of Corrections: Membership	182	227	319	540	540	541	758		767	794		571 - (Approv. 3-9)
124	Larsen-Cannon—Board of Pardons; Membership	182	211	319	566	566	566	759		767	785		571 - (Approv. 3-9)
125	Larsen-Muir—Board of Regents U of U; Membership	182	197	336									848F
126	Larsen—Taxation; Exemption of Homesteads	182	198	281									848F
127	Marthakis, et al.—Track Motor Cars; Lights	183	212	278	550	550	550	803					803 failed
128	Marthakis, et al.—State Teachers Retirement Fund; Approp.	183	198	336									848F
				389									
129	Day—Elections; Corrupt Practices Act	183	198	232									848F
130	Day—Elections; Candidates Expense Statements	183	198	231									848F

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
131	Tippetts-Paxton—County Taxes; Maximum Levies	183	212	281	552	573 580 604	604	773	773	791	817		573X - 580X - (Approv. 3-9)
132	Marthakis, et al.—City Judges; Salaries	183	212	356 433									848F
133	Elggren, et al.—Medical-Surgical Bldg.; State Hospital	202	213	298									848F
134	Day, et al.—Interstate Cooperation; Agent	202	213	280									848F
135	Marthakis-Jensen— Rape; Penalty	202	213	299									848F
136	Day, et al.—Motorists Financial Responsibility	204	227	355	727	728	728	790		827	838		(Approv. 3-15)
137	Day—Murder; Commutation of Sentence	204	227	280									848F
138	Marthakis, et al.—Scientific Laboratory Bldg.; U of U	204	227	336 386									848F
139	Watson—Utah Rural Rehab. Adm.; Assets	221	246	280	486	492	492	595		613	669	684	
140	Gibson—Municipalities; Taxes and License Fees	221	261	320									848F
141	Day—Adoption; Consent of Parents	235	247	267	550	550	550						864F
142	Day—Insanity; Investigations and Reports	235	247	276									603F
143	Elggren, et al.—Utilities; Franchises	235	264	322									848F
144	Marthakis, et al.—Revenue Bonds; U of U and U.S.A.C.	236	247	335	520	520	520	595		637	668	685	
145	Reese-Watson—Motor Vehicle Dept.; Microfilming of Records	236	248	319									848F
146	Marthakis, et al.—Supreme and District Court Judges; Salaries	236	248	350 434	649 (To Sift. Com)								848F
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
147	Marthakis, et al—Supreme Court Judges; Salaries	236	248	350 434									848F
148	Reese-Milliman—Drivers License Div.; Microfilming of Records	236	249	319									848F
149	Brockbank-Day—Cities; Rewards for Appren. of Criminals	251	261	402									848F
150	Day-Brockbank—Counties; Rewards for Appren. of Criminals	251	261	401									848F
151	Marthakis, et al.—State Water Pollution Control Board	252	275	367									848F
152	Burns, et al.—Nursing Homes; Registration	252	262	318									777F
153	Reese-Jenkins—Mosquito Abatement Districts	252	262	367	678	678	678						864F
154	Day—Elk and Antelope Permits	252	263	317	647	647	647						864F
155	Clegg, et al.—Real Estate Brokers and Salesmen	252	263	320	677	677 699	700	814		835	838		677 failed - 699 - (Approv. 3-15)
156	Day-Burns—Industrial Accident Claims	268	313	483									848F
157	Day—Industrial Commission; Mediation Division	268	294	483									848F
158	Day-Cannon—Corporations; Redemption of Stock	269	294										294 withdrawn
159	Larsen-Cannon—Civilian Defense and Disaster Fund	269	275	334									848F
160	Larsen-Cannon—Reserve Building Fund	269	276	336									848F
161	Clegg, et al.—State Employees; Civil Service	269	314	432									848F
162	Tippetts—Teachers Retirement Act	269	329	388									848F
163	Watson—Board of Regents U of U; Membership	270	294	335									848F
164	Watson—Board of Trustees U.S.A.C.; Membership	270	295	335									848F
165	Watson—State Training School; Control	270	295	335									848F
166	Larsen, et al.—City and Town Ordinances; Fines	282	296	401	644								644 failed
167	Beal—Branch Agricultural College; Approp.	283	296	418 599									848F
168	Gibson, et al.—State Board of Health; Rules	283	297	432	535	535	535	618		631	668	686	
169	Paxton, et al.—Motor Fuels; Posted Prices	283	314	430	584	584	584	636		673	690	730	
170	Watson—Corporation Franchise Taxes	283	314	418									848F
171	Clegg, et al.—Children's Crippling Diseases Hospital	284	315	484	701	705	705	816					816 failed
172	Day-Brockbank—Income Tax Returns	284	315	367									848F
173	Day, et al.—Corp. Franchise Tax Returns	284	315	368									848F
174	Day, et al.—Income Tax Assessments; Limitations	284	316	368									848F
175	Day, et al.—Corp. Franchise Tax Assessments; Limitations	285	316	368									848F

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
176	Jenkins, et al.—School Lunch Fund	300	329	388									848F
177	Larsen—Television in Motor Vehicles	300	329	367									848F
178	Marthakis, et al.—Liquor Control Comm.; Operating Capital	300	330	432	567	567	567	816					816 failed
179	Marthakis, et al.—State Board of Pharmacy	300	350	389									848F
180	Marthakis, et al.—Drugs; Manufacture and Sale	301	364	481									848F
181	Marthakis—Board of Pharmacy; Rules and Regulations	301	351	389									848F
182	Marthakis—Narcotic Drugs; Use and Sale	301	365	389									848F
183	Reese-Larsen—State Department of Public Safety	301	365	417	793	793	794						864F
184	Adams, et al.—State Lands; Use by Federal Govt.	302	330	403	566	566	567	739	739	749	780	863	
185	Jenkins, et al.—State Supt. of Pub. Instr.; Appointment	302	351	400									848F
186	Jenkins, et al.—State Bd. of Education; Membership	302	366	401	586								589 - 590F
187	Tippetts, et al.—Public Assistance; Increase in Grants	303	352	377	487 493	493 503 519	520	766		809	830		501X - 506X - 535 - 787 - (Approv. 3-15)
188	Milliman, et al—State Training School; Approp. for Bldg.	324	352	599									848F
189	Hopkin—State Parks Commission	324	330	431									848F
190	Day—Contractors; Licenses and Bonds	324	331	403	678	678	678						864F
191	Day, et al.—State Retirement System; Liquidation	324	331	433									848F
192	Day, et al.—State Historical Society; Appt of Board	325	385	523									848F
193	Day, et al—Governor's Mansion; Disposition	325	331	620									848F
194	Day, et al.—Grand Jury	325	332	403									848F
195	Cannon-Marthakis—Highway Speed Restrictions	325	353	417									848F
196	Jenkins—Life Insurance Agents	325	353	430									848F
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
197	Gibson-Hopkin—Unclaimed Court Deposits; Escheat	339	353	403	551	551	551	814		834	845		(Approv. 3-8)
198	Gibson—Social Clubs; Incorporation	340	354	642									848F
199	Marthakis, et al.—Beer Containers and Labels	340	354	430									848F
200	Watson, et al.—State Hospital; Management and Control	340	354	458									848F
201	Marthakis, et al.—Liquors and Wines; Mark-up	340	355	432	645	645	646						864F
202	Jenkins-Fowles—Weber College; Sale of Property	341	366	401									848F
203	Day, et al.—Beer; Sale on Sunday	341	355	430									848F
204	Ashton, et al.—State Commissioners; Salaries	357											422 - withdrawn; 593 - 848F
205	Reese, et al.—Driver Instruction	357	385	418	677	677	677						864F
206	Watson—Damage Claims; Responsibility	360	386	642									848F
207	Day—Refrigeration and Air Conditioning; Licenses	361	476	599									**848F**
208	Day-Elggren—Funeral Directors; Unprofessional Conduct	377	415	482									**848F**
209	Fowles-Burns—State Officials and Judges; Salaries	377	416	602									848F
210	Gibson—Parolees and Probationers; State Compacts	378	416	642	728	728	729	813		827	837		(Approv. 3-9)
211	Gibson—Women Felons; Incarceration	378	416	524	729	729	729	813		826	837		(Approv. 3-9)
212	Day—Alcoholic Beverages in Private Clubs	378	425	642									848F
213	Day-Jenkins—Prostitution	404	425	642									848F
214	Ashton, et al.—Excise Tax on Beer	404	477	500									848F
215	Jensen, et al.—Welfare Grants	404	426	482									848F
216	Larsen-Muir—Storage and Service Garage	405	426	482	634	644 645	645						634X - 864F
217	Muir, et al.—Junior Colleges; Disposition	405	426	674									848F
218	Muir, et al.—Carbon Junior College	405	426	499									848F
219	Reese-Jenkins—State Road Comm.; Acqui. of Property	405	473	517									848F
220	Reese-Jenkins—State Road Comm.; Claims	406	427	524									848F
221	Larsen,et al.—State Board of Education; Membership	406	427	499	583	589	590						864F
222	Larsen, et al.—State Supt. of Pub. Instr.; Appointment	406	427	500	583	590	590						864F
223	Day, et al.—Judicial Council	406	427	642									848F
224	Clegg-Day—Motor Damage to Animals	407	428	481									848F
225	Fowles, et al.—Water Conservancy Districts; Subdistricts	419	473	600	726	726	726	812		829	845		(Approv. 3-8)
226	Gibson, et al.—State Industrial Comm.; Advisory Council	419	416	454	454	454	454	515		527	552	587	

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
227	Gibson, et al.—State Industrial Comm.; Medical Panel	419	417	455	455	455	455	515		528	552	587	
228	Muir-Milliman—State Teachers Retirement System	419	474	500									848F
229	Marthakis, et al.—Cooperative Insurance Assns.	419	474	518									848F
230	Tippetts—Snow Junior College	419	474	548	549	573	573	736		741	747	772	
231	Marthakis, et al—State Lands, Oil and Mineral Leases	420	475	554									848F
232	Thorn, et al.—Elections; Direct Primaries	420	477	642									848F
233	Watson-Elggren—Public Service Commission; Examiners	421	478	600	634	634	634	758		768	781	863	
234	Cannon-Jensen—Monument Commission; Suits on Contracts	435	479	642									848F
235	Day—Spanish War Veterans' Fund	435	479	600									848F
236	Reese-Day—Fishing and Hunting Licenses; Indians	435	496	554									848F
237	Day—Fireworks and Explosives	435	497	642									848F
238	Beal—Dixie Junior College; Approp.	436	479	500									848F
239	Larsen-Milliman—State Water and Power Board; Loans	436	480	600									848F
240	Elggren, et al.—Utah Legislative Council; Membership	436	531	601									848F
241	Jensen, et al.—Certified Public Accountants	436	497	602									848F
242	Burns-Day—Divorce Actions	436	497	642									848F
243	Marthakis-Clegg—Motor Vehicles; Operation by Minors	437	480	517									848F
244	Marthakis-Clegg—Drivers Licenses; Issuance to Minors	437	498	532									848F
245	Elggren, et al.—State Park at Old Prison Site	437	480	601									848F
246	Paxton, et al.—Public Health Laboratory	437	498	599									848F
247	Clegg, et al.—Livestock Auctions	437	531	601									848F
248	Marthakis-Gibson—Personal Injury Actions; Survival	438	499	642									848F
249	Elggren, et al.—Occupation Tax; Cities	438	530	564									848F
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
250	Tippetts—State Roads	438	538	S.									848F
251	Watson—Lewis Brothers Stages	438	530	564									848F
252	Comm. on Approp. and Claims—1951 Appropriations Act	525	538	S.									848F
253	Marthakis, et al.—Coal Logs, Inc.	565		S.									221 - 698 - 848F
254	Larson—Port-of-Entry Station at Kanab	565		S.									848F
255	Hopkin, et al.—Uniform Minimum School Program	639			640	640	640 786	765		774	780	785	O; 682 - 786 - 832 failed
256	Hopkin, et al.—State Building Construction; Priorities	720		S.	769	769	769	812		835	850		(Approv. 3-10)
257	Comm. on Rules and Cont. Exps.—29th Leg.; Approp.	833			833	833	833	840		847	853		(Approv. 3-9)

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	Day-Marthakis—Condolence to Family of Sen. Lynn Orser	63			63	63	64	79		80	102	135	
2	Paxton-Hopkin—Bi-partisan Foreign Policy	86	93	123	154								154T - 777F

SENATE JOINT RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Third Time	Read Second 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	Comm. on Rules and Ct. Exps.—Legislative Employees; Comp.	93			94	94	94	99		102	118	118	
2	Larsen-Hopkin—Federal Taxing Power; Limitation	106	149	233									848F
3	Cannon, et al.—State Health Code	135	162	229	584	584	584	811		828	844	844	571
4	Paxton, et al.—President of U. S.; Term of Office	181	213	268									848F
5	Fowles-Thorn—Kennecott Copper Corporation	189			190	190	190	203		214	226	226	
6	Fowles-Jensen—Blue-Star Memorial Highways	204	214	278	550	550	550						864F
7	Thorn-Day—State Legislature; Reapportionment	235	246	299									848F
8	Day, et al.—City-County Governments	251	260	323									848F
9	Day—Hoover Reorganization Plans	356	384	431									848F
10	Paxton-Day—State Revenues and Expenditures	357	415	462									848F
11	Day-Jenkins—Navajo Indian Treaty	360	385	431									848F
12	Thorn, et al.—City Manager Form of Government	360	385	483									848F
13	Day—Inmates of State Institutions; Support	404	425	524									848F
14	Watson-Day—Water Rights; Adjudication	418	473	642									848F
15	Cannon-Ashton—Legislative Sessions	434	475	642									848F
16	Larsen-Muir—Unsurveyed Public Lands; Mineral Leases	434	475	601									848F
17	Jenkins, et al.—U of U and U.S.A.C.; Governing Board	435	476	499									848F
18	Muir, et al.—Condolence to Family of Wm. H. Griffin, Jr.	463			463	463	463	463	486	491	526	526	
19	Day-Marthakis—Labor-Industry Differences; Settlement	525	544		544	544	545						864F
20	Day-Marthakis—Utah Legislative Council; Study Assignmt.	763			764	764	764	825	825	828	844	844	821 - 821

HOUSE BILLS

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1	Larsen, et al.—Higher Educational Institutions; Basic Budget	221	250	327	381	381	508	629	O; 423 concur - 790X - 810 (override veto)
2	Larsen, et al.—Public Employees' Retirement System	349	431	501	501	501	609	864	515 concur
3	Cope—County Surveyors	100	172	191	191	191	254	293	
4	Lundell—Cemetery Maintenance Districts	99	200	240	241	241	342	412	
10	White-Swenson—Municipal Officials; Terms of Office	112	200	239	239	240	342	413	
11	Peterson, et al.—Fire Protection Districts	112				448			448F
12	Davis, et al—Sanatarians; Licensing	259		304	326	326	509	608	
13	White-Swenson—City Recorders; 3rd Class Cities	111	200	240	240	240	342	413	
14	White-Swenson—Municipal Govt.; 3rd Class Cities	113	200	239	240	240	342	413	
16	Openshaw, et al.—Fire Fighting Equipment; Standardization	208	249	327	380	380	510	562	
18	Davis, et al.—Tax Title Property; Limitation of Actions	743	S.	783	783	784	856		
19	Davis, et al.—Tax Title Property; Purchasers' Lien	744	S.	792 808	808	808	858		792X - 858 concur
20	Bonacci—Ambulances-Hearses; Operations	259	318	408	466	466	575	666	
25	Howe, et al.—State Bar Association; Investigations	122	172	178	178	178	254	293	
31	Howe, et al.—The Judicial Code	470		501	512	512	831		
32	Howe, et al.—Non-resident Agents	470	642	729	777	777	842	864	756 - 810 concur
33	Howe, et al.—Witness Fees and Mileage	122	173	178	178	178	253	293	209
34	Openshaw, et al.—Voting Machines	193	231	304	326	326			326 failed
37	Davis, et al.—Medical Service Plans	225	318	408	466 485	486			466X - 486 failed
38	Bushnell-Openshaw—Vocational School; Purchase	698	S.	777	777	778	840		
40	Young, et al.—Dairy Products; Inspection	203	297	382	407	407	557		456 concur
1	2	3	4	5	6	7	8	9	10

HOUSE BILLS *(Continued)*

Number	AUTHOR — TITLE (Abbrev.)	Received from House Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by President	Signed by Governor	References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
41	Larsen, et al.—Welfare Payments; Residence Requirements	563	S.	797	797	797	855		587 - 630
42	Bagnall, et al.—Motor Fuel Tax; Refunds	179	338	458	467	467 539	691		422X - 455X - 494 confer - 539
43	Postma, et al.—Motor Fuel Tax Allocation	208	339 387	459	467	468 540	694		422X - 455X - 507 confer - 540
45	Elswood, et al—Small Claims Courts; Fees	245	268	327	381	381	510	563	
46	Gardner, et al.—Salt Lake Area Vocational School; Approp.	490	S.	592	592	592	693	799	
47	Davis, et al—Corporations; Dividends and Stock Redemptions	244	322	421	467	467	576	665	489 concur
48	Young, et al.—Bang's Disease	414	429	591	591	591	738		610 concur
49	Openshaw, et al.—Public Works Contracts; Emergency Termination	244	279	381	407	407	557	668	457 concur
50	Elswood, et al.—City Officials; Salaries	672	S.	797	797	797	859		
51	Tietjen, et al.—Fiduciaries; Investments	225	298	390	407	407	558	665	
52	Tietjen, et al,—Fiduciaries; Banks and Trust Cos.	243	298	390	408	408	558	667	
53	Tietjen, et al.—Common Trust Funds; Taxation	237	299	390	408	408	559	666	
55	Swenson-Dalebout—Packaged Food Products; Labels	273	338	625	638	639	755	833	
58	Walker, et al—Court Reporters; Fees	245	339	624	624	625	719	802	
59	Larson-Openshaw—Employees' Pay Days	341	483	502	502	502	576	667	
61	Lundell, et al.—Real Estate Brokers and Salesmen	286	320	421	467	467	577	732	489 concur
62	Bushnell, et al.—Civil Service Commission	341	433						847F
67	Beezley, et al.—Witnesses; Examination	470	642						847F
68	Walker-Beezley—Primary Elections	274	323	604	614 643	643	746	834	614X
69	Walker, et al.—Elections; Registration Dates	274	323	605	643	644	718	865	614X
1	2	3	4	5	6	7	8	9	10

HOUSE BILLS *(Continued)*

1	2	3	4	5	6	7	8	9	10
70	Walker-Beezley—General Elections; Closing of Polls	275	323	605	605	605			614 - 652 - 652F
78	Openshaw, et al.—Mines; Assessment	788	S.						847F
80	Larson, et al—Police Pensions	553	S.	742	757	757	844		757
84	Lundell, et al—Cemetery Maintenance Districts	559	S.						847F
85	Sheffield, et al.—City Judges; Salaries	672	S.	793	793	793	850		
88	Sheffield, et al.—Traffic Semaphore Signals	286	322	502	502	502	609	688	
90	Woolley, et al.—State Board of Health; Commissioner's Salary	559	S.	648	648	649	745	836	687 concur
93	Tietjen, et al.—Branch Banks	373	429	591	591	591	718	802	
94	Tietjen, et al.—Banks; Examination Fees	373	429	592	592	592	693	801	
97	Young, et al.—State Legislature; Reapportionment	372	399 517	634					383 - 640X - 726T - 777F
106	Larson—County Officials; Salaries	697	S.	779	779	779	856		
107	Larson—County Officials; Salary Increases	697	S.	783	783	783	854		
108	Sheffield—Group Disability Insurance	710	S.						847F
111	Beezley—Non-partisan Judiciary	734	S.	761	761	762	853		
112	Jones, et al.—State Armory; Sale	516	S.	602	602	603	718	802	
119	Sheffield, et al.—Habitual Criminals; Trials	596	S.	633	633	633	717	801	
120	Sheffield, et al.—Habitual Criminals; Punishment	596	S.	633	633	633	717	801	
121	Sheffield, et al.—Bastards; Support	596	S.	633	633	633	716	800	
124	Sheffield, et al—Supreme and District Court Judges; Salaries	696	S.	779	779	779	842		
126	Sheffield—Narcotic Drugs	516	S.	625	639	639	745	836	
133	Hinton, et al.—Water Conservancy Districts	546	S.	768	768	769	841		
134	Sheffield, et al.—Indictments, Informations and Complaints	597	S.						847F
135	Beezley—City Judges; Non-partisan Selection	735	S.	764	764	764	855		
142	Agricultural Comm.—Economic Poisons; Traffic in	560	S.	592	592	592	755		
145	Agricultural Comm.—Economic Poisons; Application	562	S.	593	593	593	734	803	
146	Larsen, et al.—School Building Needs; Approp.	495	588	614	614	614	740		709 concur
147	Larsen, et al.—School Districts; Reserve Bldg. Funds	494	588	615	615 634	634	733		634 - 672 concur
148	Larsen, et al.—School Districts; Bond Limits	495	588	615	615	615	733	865	

HOUSE BILLS *(Continued)*

Number	AUTHOR — TITLE (Abbrev.)	Received from House Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by President	Signed by Governor	References X — Special Order F — Enacting Clause Struck O — Veto T — Tabled
149	Sagers, et al.—State Officials and Judges; Salaries	673	S.	778	778	778	857		575 - 837 concur
155	Larson—State Park	578	S.						847F
156	Patterson-Hurst—State Lands; Leases	710	S.						847F
158	Peterson—State Burial Lots in Provo	744	S.	779	779	779	848		
159	Howe, et al.—Corporation Franchise Taxes	649	S.						847F
163	Woolley, et al.—Highway Rights of Way	809	S.						847F
164	Woolley, et al.—Highway Equipment; Approp.	372	386	503	503	503	577	666	
168	Bushnell, et al.—Income Taxes; Assessment Limitations	650	S.						847F
171	Crofts, et al.—State Land Board; Timber Sales	711	S.						847F
173	Vance—Sex Offenders; Mental Examinations	538	S.	603	603	603	737	800	
179	Woolley-Larsen—B and C Road Funds; Disbursements	789	S.						847F
181	White, et al.—Livestock Auction Sales	597	S.	707	756	756	849		
184	Bonacci, et al.—Unemployment Compensation Benefits	372	481	502	502	502	692	803	
185	Munk—Fishing and Hunting Licenses	537		574	574 579 807	579 807	861		610 confer - 651 - 806 - 807
186	Bushnell-Thoreson—Income Tax Returns; Short Form	646	S.	778	778 852	778 852	860		805 confer - 811 - 851
190	Bunderson, et al.—Soil Conservation Districts	752	S.						847F
192	Peterson, et al.—Utah State Hospital; Voluntary Admissions	526	S.	603	603	603	819		
193	Jones, et al.—George Zolintakis Claim	787	S.						847F
1	2	3	4	5	6	7	8	9	10

HOUSE BILLS *(Continued)*

1	2	3	4	5	6	7	8	9	10	11	12	13	14
196	Gardner—State Teachers' Retirement Act	753	S.						847F				
199	Gammell-Swenson—Life Insurance Agents	578	S.						847F				
203	Hinton—Port-of-Entry Station at St. George	711	S.						847F				
204	Patterson-Hurst—Fishing Bait	754	S.						847F				
205	Patterson-Hurst—Fishing Hours	754	S.						847F				
206	Gardner, et al.—Pharmacy; Drugs	711	S.						847F				
207	Gardner, et al.—State Board of Pharmacy	712	S.						847F				
208	Gardner, et al.—Narcotic Drugs; Use and Sale	713	S.						847F				
209	Gardner, et al.—Pharmacy; Rules and Regulations	713	S.						847F				
220	White, et al.—Poisonous Weed Control; Approp.	784	S.						847F				
224	Cazier, et al.—Nursing Homes; Registration	713	S.	769	769 776	776	849						
226	Hopkins, et al.—State Lands; Mineral Lease Funds	561	S.	742	757				757 failed				
241	Bonacci, et al.—Non-hazardous Industries; Employment of Minors	714	S.	792	792	793	851		847 concur				
242	Bonacci, et al.—Mines and Smelters; Employment of Women	714	S.	793	793	793	858						
243	Sheffield—Industrial Alcohol; Manufacture	754	S.	820	820	821	854						
244	Davis-Larson—Daylight Saving Time	696	S.	741	742	742			729				
248	Larsen, et al.—Exchange Students; Interstate Coop.	788	S.	797	797	797	859						
258	Davis, et al.—County Legislative Districts; Redistricting	695	S.						847F				
260	Bagnall, et al.—Liquor Locker System	715	S.						847F				
279	Appropriations Comm.—1951 Appropriations Act	545		545	545	545	555	636	O; - 636 - Line Veto - 687				
281	White, et al.—State Road Comm.; Pre-auditing Procedure	695	S.						847F				
282	White, et al.—State Road Comm.; Accounting Systems	695	S.						847F				
283	White, et al.—State Auditor; Use of CPA's	646	S.						847F				
284	Walker—Primary Elections; Closing of Polls	694	S.						847F				
285	Sagers-Tietjen—Motor Vehicle Control Fund	715	S.	764	764	765	843	866					
286	Davis, et al.—State Representatives; County Distribution	716	S.	765	765	765	841						
287	Appropriations Comm.—Supplemental 1951 Approp. Act	770		770	770	771	843						

HOUSE CONCURRENT RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Received Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by President	Signed by Governor	References X — Special Order O — Veto T — Tabled O — Veto
1	Rowberry-Rees—Defense Housing; Down Payment Requirements	306		306	306	306	511	563	

HOUSE JOINT RESOLUTIONS

1	Gammell—Condolence to Family of George H. Lowe	71		71	71	71	151	
2	Cazier-Rees—Condolence to Family of Barlo T. Luke	71		71	71	72	152	
3	White—Condolence to Family of F. Joseph Law	72		72	72	72	152	
4	Postma-Woolley—Greetings to Former Rep. John A. Murch	72		73	73	73	153	
12	Larsen, et al.—Reserve Officer Training in Junior Colleges	490		624	624	624	746	
13	Gardner, et al.—Condolence to Family of Quayle Cannon	310		310	310	311	511	
14	Walker-Davis—Condolence to Family of G. B. Heal	311		311	311	311	510	
15	Woolley-Hopkins—President of U. S.; Term of Office	491		569	569	569	691	
16	Rees-Jarman—Condolence to Rep. L. B. Johnson	412		412	412	412	556	
17	Rees-Jarman—Condolence to Rep. John T. Barton	414		414	414	414	556	
19	Gammell, et al.—Condolence to Family of Severin Thatcher Jepperson	650		650	650	651	737	
20	Openshaw-Rowberry—Public Housing at Wendover	686		686	686	687	745	
21	Cazier, et al.—Condolence to Family of Rep. W. G. Larson	760		760	760	761	855	
22	Frost—Federal Automotive Excise Taxes	818		818	818	818	861	