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CERTIFICATION

The undersigned, as the duly appointed committee on Revision of the Senate Journal for the Thirtieth 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 12, 1953, and continuing for sixty legislative days.

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OF THE SENATE JOURNAL

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JOINT RULES OF THE SENATE AND OF THE HOUSE OF REPRESENTATIVES

of the Thirtieth Legislature

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE

ORGANIZATION

1. Notification of Organization of Each House. Immediately after the organization of the senate and house of representatives, at the commencement of every 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 commitees, the chairman of the respective committees, when in their judgment the interest of the 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. Endorsment 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 authoized 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 forwith 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 accomodation 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 protempore 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 committees 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 for 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 secre-

tary 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; pro-

vided, that the operation of this rule shall be suspended during the last week of the session.

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

DEBATES

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

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

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

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

AMENDMENTS

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

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

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

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

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

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

52. Committee Amendments, How Reported; Speaking on Amendments. Amendments reported by a committee shall refer to the printed bill and shall not be inserted in the original bill until after such amendments shall have been adopted by the senate, when they shall be properly inserted by the secretary. A copy of the printed bill with all proposed amendments entered thereon shall accompany the committee's report. Such committee amendments shall be inserted in the senators' files before the bill is considered on its second reading and the amendments shalll 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 commitees.

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. Heath 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. Subcommittees, 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 Contigent 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 members(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 on 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 ave 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.

COMMITTE 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 employee 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 employees under his direction will be held to a strict enforcement of the two preceding rules.

119. Employees and Visitors Not to Influence Legislation. Any employee 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

THIRTIETH LEGISLATURE

FIRST DAY

SENATE CHAMBER,

State Capitol,

Salt Lake City, Utah, January 12, 1953

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

Secretary of State Lamont F. Toronto, in the chair, called the Senate to order.

Prayer by Elder Harold B. Lee, member of the Council of Twelve, L. D. S. Church:

Our Heavenly and Eternal Father:

We are met here on this historical occasion to bow our heads in prayer before commencing the proceedings of another session of the Legislature in this the State of Utah in this glorious land of America.

Those who are assembled here as senators have been elected by the vote of the people of this state in their respective districts and are dedicated to the sole purpose of effecting such legislation as may be dictated by wisdom and righteousness in order that we might be well governed that the affairs of the State might be in good hands.

Now, Heavenly Father, we ask that Thou will let Thy spirit be in attendance and we approach Thee most humbly knowing that the constitution of the United States of America and of Utah were written by men of faith and men who believed in Thy kind and omnipotent power. Will Thou let each one here assembled as representatives of this State have ever in mind that the principles of faith, devotion and humility have ever characterized those who have been called to high places in the affairs of this state and the nation in their inception and beginning. And it would be well if we can always remember that Thou art the deliverer of all good and that Thou hast in hand the affairs of men and, if we would ask, Thou wouldst give Thy power to those who seek Thy guidance.

This is a momentous occasion. We are living in stressing times, difficult and troubled times. We pray that Thou will bless those assembled here that they will be mindful to submerge all selfish and private interests in the welfare of this state and that there will be no selfishness and that they will continue at all times to seek to do good and to do the things they feel right regardless of the pressures of organizations and that they think of the good of the whole.

We pray, Father, for the welfare of all those who have been elected.

We ask these blessings now humbly, Father, and dedicate this session and succeeding sessions in Thy hand and ask that Thou will guide them all through the undertaking of these duties set before them.

We ask these blessings humbly in the name of the Lord Jesus Christ, Amen.

Secretary of State Lamont F. Toronto presented the following certificate:

CERTIFICATE OF MEMBERSHIP OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH
1 9 5 3

STATE OF UTAH

OFFICE OF THE SECRETARY OF STATE

I, Lamont F. Toronto, Secretary of State of the State of Utah, do hereby certify:

That at a general election held within and for said State on Tuesday, November 4, 1952, the following named persons were chosen by the electors as members of the Thirtieth Legislature of the State of Utah, to serve in the Senate from the several districts and for the respective terms as follows:

First District—Clifton G. M. Kerr, 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—B. H. Stringham, Counties of Duchesne and Uintah. For the term of four years.

Sixth District—C. Taylor Burton, D. E. Hammond, Frank M. Openshaw, and Dilworth S. Woolley, County of Salt Lake. For the term of four years.

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

Eleventh District–Orval Hafen, Counties of Iron and Washington. For the term of four years.

Thirteenth District–Sol J. Selvin, 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–Rendell N. Mabey, County of Davis. For the term of four years.

And I FURTHER CERTIFY that by virtue of an election held on Tuesday, November 7, 1950, at which persons were chosen as members of said body, for the term of four years then next ensuing, the following are entitled to serve for the unexpired term, from the several districts, to wit:

Second District–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, 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.

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah this 12th day of January A. D. 1953.

(Seal)

/s/ LAMONT F. TORONTO
Secretary of State

Roll Call–All Senators present except Senator Kerr, excused.

Justice Roger I. McDonough of the Supreme Court of Utah administered the oath of office to the newly elected senators present.

Secretary of State Lamont F. Toronto declared that nominations for the office of President of the Senate were in order.

On motion of Senator Mabey the Senate voted to proceed with its organization and nominate and elect its President.

Senator Day nominated Senator Mark Paxton.

On motion of Senator Hopkin, after seconding the nomination of Senator Paxton for President, the rules were suspended, nominations closed and Senator Paxton was elected by acclamation.

A committee consisting of Senators Burton, Mabey, and Fowles escorted the President-elect to the chair, and the oath of office was administered by Justice McDonough.

President Paxton expressed his gratitude and appreciation for the honor conferred upon him.

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

1. Appointment of a Committee of three on Senate Rules.
2. Appointment of a Committee of three on Joint Rules.
3. Appointment of additional Committees.
4. Recess for thirty minutes.
5. Report of the Committee on Senate Rules.
6. Report of the Committee on Joint Rules.
7. Report of other Committees.
8. Miscellaneous Business.
9. Adjournment.

The President appointed a committee consisting of Senators Stringham, Hafen, Selvin, to formulate the Senate Rules.

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

The President appointed Senator Mabey, Woolley, Day and Clegg as the Committee on Patronage and Employees.

The President appointed a committee consisting of Senators Muir, Hammond and Watson to notify the House that the Senate was organized and ready to do business.

The President appointed a committee consisting of Senators Tietjen, Burton and Tippetts 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 Mabey the Senate recessed for 30 minutes.

The Senate re-assembled.

President Paxton in the chair.

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

COMMUNICATIONS FROM THE HOUSE

January 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Thirtieth Session of the House of Representatives has this day organized and the Speaker has appointed Representatives Durham, Jack, and Jacobsen to advise the Senate that it is ready to do business.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication read and filed.

January 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day appointed Representatives H. V. Davis, Conover, and Redd to act with a like committee from the Senate as a joint committee to inform the Governor personally of the organization of the two Houses of the Legislature, and of their readiness to receive communications from him.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication read and filed.

The President recognized a committee from the House, Representatives Jack, Durham and Jacobsen, which reported that the House was duly organized and ready to do business.

REPORTS OF SPECIAL COMMITTEES

January 12, 1953

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-ninth Session be

temporarily adopted as the rules of the Thirtieth Session of the Legislature of the State of Utah.

Respectfully,

B. H. STRINGHAM,
Chairman

Committee report adopted and filed.

January 12, 1953

President of Senate:

Speaker of House:

We, your Committee on Joint Rules, have carefully considered the Joint Rules of the Senate and the House of Representatives and recommend that the joint rules as adopted and printed in the book of rules of the Twenty-ninth Legislature be adopted as the joint rules for the Thirtieth 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
Frank M. Openshaw, Chairman

HOUSE JOINT COMMITTEE
W. E. Anderson, Chairman

Committee report adopted and filed.

January 12, 1953

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	Quayle Cannon, Jr.
Sergeant-At-Arms	Colonel Fred Jorgensen
Docket Clerk	Hendrik Romeyn
Minute Clerk	Sophia C. Buckmiller
Chaplain	Joseph S. Bennion
Assistant Sergeant-At-Arms	Earl Val Clark
Supervising Clerk	Beverley Hansen
Reference Attorney	John Hays O'Donnell
Assistant Reference Attorney	J. Raymond Allred
Committee Clerk	Helen C. Scott
Committee Clerk	Eva N. Stewart
Committee Clerk	Lawrence R. Walker
Committee Clerk	Anne Bennion

Committee Clerk ..... Peggy Kerr
Filing Clerk ..... Ina Brown
Mail Clerk ..... Edith Y. Booth
Assistant Mail Clerk ..... Gladys H. Foley
Messenger ..... Lou F. Hallstrom
Messenger ..... Eleanor B. Vier
Messenger ..... Alta J. Hayward
Messenger ..... Lucinda P. Jenson
Messenger ..... Edward Nelson
Doorman ..... Ferris Allen
Doorman ..... John C. Bryan
Doorman ..... A. LeRoy Davis
Doorman ..... Wilford Humphrey
Doorman ..... William M. Hurst
Elevator Operator ..... J. Bernhard Krantz
Custodian ..... Dale W. Erickson
Elevator Operator ..... F. L. Cook

Respectfully,

RENDELL N. MABEY,
Chairman

Committee report adopted and filed.

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

On motion of Senator Mabey the Senate expressed its appreciation to Secretary of State Lamont F. Toronto, Justice Roger I. McDonough and Elder Harold B. Lee.

Senator Thorn presented a gavel to President Paxton in the name of the Central Utah Vocational School and its Superintendent, Wilson Sorenson. The President accepted the gavel and asked Senator Thorn to convey his thanks to the donors of the gavel.

Senator Muir, for the Committee to Notify the House, reported that it had notified the House that the Senate was organized and ready to do business.

Senator Tietjen, for the Committee to Notify the Governor, reported that his Excellency was ready to deliver his message at the joint session of the Legislature on Tuesday, January 13th, at 2:15 P.M.

The President thanked the committees for the discharge of their duties.

On motion of Senator Fowles the Senate voted to allow each member to place ten names on the Senate mailing list for copies of its journals and bills.

At the President's request Senator Gibson discussed the new Utah Code Annotated 1953.

On motion of Senator Stringham the Senate adjourned until Tuesday, January 13th, 1953, at 1:45 P.M.

SECOND DAY

January 13, 1953

The Senate was called to order at 1:45 P.M. President Paxton in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

Justice Roger I. McDonough administered the oath of office to Senator Kerr.

The President appointed Senators Hafen, Hammond and Jenkins to read and revise the Journal for the two weeks commencing January 12, 1953.

January 13, 1953

Mr. President:

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

Respectfully,

ORVAL HAFEN,

Chairman

Report adopted and filed.

COMMUNICATION

January 12, 1953

Honorable Mark Paxton
President of the Senate
State Capitol Building
Salt Lake City, Utah

Dear Mark:

This office has just completed the distribution of the new 1953 Code to the members of the legislature. I would appreciate it if you would call the attention of the Senate members to the need of locking the Codes in

their desks. In the past there have been occasional volumes which have disappeared in the Senate and House Chambers and this renders the entire set useless. We just barely have enough sets for the distribution provided by law and it will be impossible for us to replace lost or misplaced volumes.

This office has also provided the Sergeant-at-Arms of the Senate with the necessary Oaths of Office forms which should be filled out by the Senate members and the Senate employees.

It would be greatly appreciated if you would call this matter to the attention of the members and to the employees and ask them to return them to the Sergeant-at-Arms who will then return them to this office for filing.

Feel free to call on this office for any assistance we may be able to give you in helping you in your legislative problems.

Sincerely yours,

LAMONT F. TORONTO
Secretary of State

Communication read and filed.

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

JOINT CONVENTION

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

Prayer by Joseph S. Bennion, Chaplain of the Senate.

On motion of Senator Mabey, the President of Senate appointed a Joint Committee consisting of Senators Thorn, Hafen and Gibson, and Represenatives Lionel Peterson, Jack and Gardiner to notify the Governor that the Legislature was in Joint Convention and ready to hear his message.

President Paxton recognized Utah's First Lady, Mrs. J. Bracken Lee.

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

The Governor then delivered the following message:

Governor's Message

Ladies and Gentlemen of the Legislature:

Last week in the rotunda of this magnificent Capitol building, I delivered an inaugural address in which I set forth some of the principles and philosophy of government in which I believe. Inasmuch as many of you were present on that occasion and many of you subscribe to my philosophy, I will not burden you by repeating the discussion. There are, however, several points that I made in that address that I must touch upon briefly here today.

This is the third Legislature I have had the privilege and obligation of addressing, but it is the first in which the majority in both houses are from the same political party as myself. Partisanship is a fundamental and necessary element in our system of electing public servants, but once elected the obligation of all public servants is to the people and the general welfare. All of us have a common cause in our official capacity, and if we honestly strive to do what we firmly believe is in the best interests of the public good, we will discharge our obligations as our Constitution intended. At times we may disagree on certain issues, in which case I assure you I shall respect your opinions and recommendations, and, by the same token, I trust you will respect mine. Above all let us never forget that we are the servants of the people, not their masters; in that capacity it is well for us to be guided by the Golden Rule.

Condition of State Government

The Constitution requires that I report to you the condition of State government and recommend measures that I believe are important to the general welfare of our people. The condition of State government has been much improved during the past two years. Long-needed construction at our penal, welfare, and educational institutions has been authorized or completed. An accelerated construction program has further improved our highway system. The Public Employees' Retirement system was abolished and members were placed under the coverage of Social Security. A far-reaching survey of our public school system was authorized and is now nearing completion. An appropriation of $2,000,000 was made to provide emergency aid for school buildings to those districts unable to finance their own projects. The Highway Patrol was enlarged and a Motor Vehicle Safety Responsibility Act adopted. These and other things were accomplished during an inflationary period that forced the cost of government to a record high. Despite this unfortunate circumstance, however, the State has operated with a substantial surplus.

As was the case two years ago, the accumulation of the surplus can be attributed primarily to the natural increase in tax revenues, the fight to hold down appropriations, and the continued effort to economize. Not all departments of government have co-operated in the latter undertaking, but those doing so have proved that expenditures can be curtailed without impairing service. Some departments, rather than economize, have endeavored to expand. It obviously is unfair to have some departments work for economy while others try to grow. When it is impossible to obtain co-operation for economy in government, then I believe a more stringent method—that of reduced appropriations—should be utilized to force the issue.

Threat to Liberty

The fact that surpluses have been accumulated each biennium is good indication we are taxing our people more than we should. Too often the tendency in government is to utilize any and all surpluses as a means to finance new services or enlarge existing agencies. This practice inevitably leads to more governmental regulations and restrictions and further limits the

freedom of the people. Such limitations, when considered individually, may seem insignificant in themselves, but their cumulative effect is a threat to liberty and contrary to the intent of our Constitution and Bill of Rights.

Admittedly it is the Federal government which has been the chief offender insofar as increased growth and regulation are concerned. Not even the highest peacetime tax levies in history have been sufficient to pay for this mushrooming activity. These practices should serve as a warning, not a precedent, to the State and should prompt corrective action. There is good indication that the Federal practices of the past will be drastically changed and the tax burden eased, but until this is done, I intend to do my utmost to curb State government expansion and to reduce State taxes.

Federal-aid Programs

I believe it fundamental to keep government close to the people. This can best be accomplished, in my opinion, by keeping the responsibility for the collection and expenditure of the tax dollar as close to home as possible. The further removed from the people such activities become, the more easily they can be altered and abused. Good examples of this can be found in certain Federal-aid programs. For instance, many communities, because they were offered Federal aid, built expensive airports far out of proportion to their needs and their ability to maintain. These and other examples have demonstrated that in many instances the States and communities would be better off, if, by foregoing Federal-aid, they could retain the revenue of some of the Federal taxes now being collected. The Governors of the eleven Western States recently adopted a resolution requesting the Federal government to return to each State its pro-rata share of Federal gasoline taxes. I recommend that you adopt a joint resolution endorsing that request. In addition, I recommend that a joint resolution be adopted asking the Congress of the United States to eliminate all but the most urgent Federal-aid programs and relinquish to the States some of the sources of Federal tax revenue.

I proposed at one time that an even better solution to the Federal-aid and tax problem might be to eliminate the Federal government from the direct taxation field, except in those instances wherein the collection of a tax is primarily a Federal burden; give to the States the responsibility of tax collection, and grant authority to the Federal government to assess each State a proportionate share of the cost of Federal operations. If feasible, such a program would drive home to the people the high cost of Federal bureaucracy, and the fallacy of many Federal-aid programs, more quickly than any other plan I know. As yet, not enough attention has been given to the detail of such a program to test its soundness; nevertheless, I commend it to you for consideration as the possible basis for another resolution to Congress.

Tax Reduction

The immediate problem, however, is tax reduction which I recommend be made your first order of business. I have outlined the need for such a reduction on several occasions in the past and my views have not changed in the interim. Our State taxes are higher than average but by themselves they do not constitute an undue burden. When they are added to Federal

and local taxes, however, the total effect is more than burdensome. The ideal area for tax reduction would be on the Federal level, but until such time as this is accomplished, I believe we have an obligation to reduce our own taxes.

Specifically, I recommend that the State income tax be reduced, the reduction to apply on 1952 incomes; that the returns be simplified, and that the State property tax be eliminated. Inasmuch as both income and property taxes are earmarked for the Uniform School fund, the needs of which are fixed by statute, it will be necessary to offset the effect of these reductions by transfers from sales tax revenues. The Legislative Council has endorsed the reduction of State income tax and has recommended this be accomplished by increasing dependent exemptions. The Council's recommendation is somewhat similar to my own recommendations made to the 29th Legislature on two occasions. It is my belief at the present time, however, that an even greater reduction can be made. Legislation to achieve this and to simplify the State income tax return has been prepared by the State Tax Commission. I shall submit it immediately by special message. Its adoption would provide a total tax reduction of about three million dollars per year.

The reduction of State taxes must be made the first item of fiscal business if tax reduction in sufficient amount is to be made. Once this has been accomplished, the State's anticipated revenue for the biennium can be established and appropriations made accordingly. In the past it has been customary to consider tax reduction after, not before, appropriations have been made. This practice has made tax reduction secondary to increased spending, the result being that reductions have not been made whereas spending has increased. I must caution against following this line of least resistance because of its consequences in the past.

Earmarking of Taxes

Once taxes have been reduced, I believe it would be advisable for the Legislature to alter the present practice of earmarking revenues for specific purposes by having all revenues, except those having a close relationship between tax and use, placed in the General fund.

Legislative Council

Before outlining some of my other recommendations, let me make this observation: I would much prefer this Legislature to have as an objective the passage of fewer laws, carefully studied, than the hasty enactment of many bills. Our statutes are cluttered with old laws, many of which could and should be repealed. The enactment of additional laws no doubt will be necessary, despite the cluttered condition of our statutes, but new additions should be sound and well considered. In that connection, it is appropriate to point out the outstanding work being done by the Legislative Council in carefully studying and resolving many of the complicated issues confronting the State. Again this year the Council has studied and reported on many State problems, and I commend its report to the Legislature for careful consideration. The Council's efforts have been of great value to both the

Executive and Legislative branches of government and to the public as well. I want to express my deep appreciation for this contribution to good government.

New Studies

There are three studies that I recommend be assigned to the Legislative Council at this time. Not necessarily in their order of importance, these are: (1) A study to reorganize State government, (2) a study to modernize and improve existing election laws, and (3) a study of higher education. There are so many ramifications to each study that I shall submit separate communications of a more detailed nature to discuss them.

Public School Survey

The public school survey being made by the 60-man citizens' committee under direction of the Legislative Council has not been completed. In all likelihood the final report will not be prepared until late in this session or after adjournment. The Council has cautioned against forcing a hasty conclusion to the survey because of its overriding importance. I concur in that sentiment. A special session could be called if the recommendations of the survey required immediate attention.

Constitutional Changes

One problem the Legislative Council has been unable to resolve is reapportionment. I must again call attention to the Constitutional provision regarding reapportionment and recommend that steps be taken to comply therewith. Also requiring attention is the Constitutional amendment authorized by State-wide referendum in 1948 pertaining to grand juries. It is my recommendation that provision be made to require grand juries to convene every two years in counties with more than 100,000 population and every four years in other counties. The grand juries should be given the authority to employ counsel of their own choosing.

Public Welfare

The Department of Public Welfare has prepared legislation to clarify the lien law provisions to achieve better uniformity and equity in the administration of this law. I recommend this legislation to you. Consideration also should be given to increasing the statutory level of the monthly grant to single old-age persons. The Department also has recommended that its statutory reserve of $5,000,000 be increased to compensate for the effect of inflation. I recommend that this be done, the exact amount of the increase to be fixed by the Legislature. The nature of public welfare is such that it should be subject to public scrutiny. I recommend that provisions be made to permit examination of welfare rolls but not their publication. Nothing should be done to change the prohibition against the use of welfare rolls for political purposes.

Reserve Building Fund

New construction at our penal, welfare and educational institutions is financed through appropriation from the Reserve Building fund, which fund comprises the "spillover" of sales tax revenue in excess of appropriations. The fact that so much construction was authorized or completed during the past four years is attributable to the increase in sales tax collections, the fight to hold down appropriations and the continued effort to economize. It has been a Legislative policy in the past to make direct appropriation to certain construction funds, such as that made to the Utah Water and Power Board and the School Building Survey Commission, whereas construction funds for our State institutions are left to the chance that sufficient money will accumulate in the Reserve Building fund. It would seem more reasonable and equitable to require that all financing for construction purposes be done from the Reserve Building fund. I recommend this change in our laws.

Public Health

The most effective means of assuring improved health for the people of our State is through programs established as a result of local initiative and administered by local Health departments. I recommend that emphasis be placed on the development of local Health units to replace the local activities now being performed by the State and Federal governments.

Other Recommendations

Other recommendations I shall make at this time include the following:

Consideration should be given the new Health code, which has been prepared in co-operation with the Legislative Council, and the new Fish and Game code.

Statutory limitations on salaries for State, city and county officials should be re-examined and re-evaluated in the light of existing conditions. Consideration should be given to a requirement that all salaries of key officials be subject to Legislative control.

The statute establishing the Department of Publicity and Industrial Development should be repealed, but a State advertising program and fund should be provided.

Proposed changes in the method of executing criminals should be studied and a better method authorized.

Legislation prohibiting public employee members of the Legislature from receiving both their regular pay and their salaries as Legislators should be enacted.

Provisions of the nepotism statute should be extended so as to apply to all public officials and amended to eliminate present loopholes.

Legislation similar to the Federal "Hatch Act," which prohibits political activity among employees in the Departments of Health, Welfare and Employment Security, should be made applicable to employees in education.

Conclusion

There are other recommendations that I shall bring to your attention by special message from time to time. It might appear that the sum of the recommendations I have enumerated thus far is in conflict with my request for the passage of fewer laws. However, the number is small, indeed, when compared with the total number of bills and resolutions introduced in the last two Legislatures. In 1949 there were 673 measures introduced of which only 135 were enacted. In the 1951 regular session there were 589 measures introduced and 152 enacted. Each member of the Legislatur should co-operate in limiting the number of bills to be introduced so that the Legislature as a whole may devote full time to the measures of importance and necessity. I have endeavored to limit my recommendations in the same manner.

At all times we must make certain that acts of legislation are in the interests of the general welfare. As I pointed out in my Inaugural message, however, we must be diligent in protecting the freedom of the minority. Each of us should endeavor to obtain the facts on all problems brought before us. When we have determined unselfishly to the best of our ability the course of action we honestly believe to be right, we should stand on that decision without fear or favor. Those of you who have served in prior Legislatures know of the demands and pressures to which you will be subjected. Unless we have the courage to resist those groups and individuals whose personal and selfish interests transcend the general welfare, the future of representative government and of freedom will be placed in greater peril. We were elected under the banners of two political parties, but our obligation is to serve all of the people, not just those of our political faith. These principles should be our constant guide.

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

The Joint Committee then escorted Governor Lee to his chamber.

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

The Senate re-assembled at 2:45 P.M. with all Senators present.

On motion of Senator Kerr, the Senate ordered the Governor's Message printed in this day's Journal.

President Paxton expressed the Senate's appreciation to the Tribune and Deseret News-Telegram.

On motion of Senator Hopkin, the Secretary was instructed to communicate with the House and arrange for a joint meeting on Wednesday, January 14, 1953 at 2:15 P.M., to hear a report of the Legislative Council.

The President recognized former Senator Mrs. A. C. Jensen.

On motion of Senator Mabey, the Senate adjourned until Wednesday, January 14, 1953, at 1:45 P.M.

THIRD DAY

January 14, 1953

The Senate was called to order at 1:45 P.M. President Paxton in the chair.

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

Prayer by the Chaplain.

January 14, 1953

Mr. President:

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

Respectfully,

ORVAL HAFEN,
Chairman

Report adopted and filed.

On motion of Senator Clegg, the Senate accepted the invitation of the Weber College Student Body, to a musical entertainment in the House of Representatives, Wednesday, January 21, at 2:30 P.M.

On motion of Senator Woolley, the Senate accepted the invitation to the Rotary Club's luncheon on January 20th.

On motion of Senator Mabey, the Senate recessed to meet with the House as a Committee of the Whole to hear a report by the Legislative Council.

The Senate re-assembled at 3:15 P.M.

On motion of Senator Cannon, the Senate expressed its appreciation to Senator Hopkin, Chairman, and to all members and collaborators of the Legislative Council.

On motion of Senator Mabey, the Senate adjourned until Thursday, January 15, 1953, at 2:00 P.M.

FOURTH DAY

January 15, 1953

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

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

Prayer by Senator Hammond.

January 15, 1953

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,

ORVAL HAFEN,

Chairman

Report adopted and filed.

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

STANDING COMMITTEES OF THE SENATE

AGRICULTURE AND IRRIGATION

Stringham, Clegg, Kerr, Tietjen, Hopkin, Jenkins, Watson.

APPROPRIATIONS AND CLAIMS

Woolley, Kerr, Mabey, Muir, Openshaw, Thorn, Tietjen, Adams, Gibson, Hopkin, Jenkins.

BANKING AND COMMERCE

Tietjen, Hafen, Hammond, Mabey, Stringham, Fowles, Gibson.

EDUCATION

Clegg, Cannon, Muir, Woolley, Gibson, Jenkins, Tippetts.

FISH AND GAME

Muir, Burton, Day, Mabey, Openshaw, Adams, Fowles.

HEALTH AND LABOR

Openshaw, Clegg, Kerr, Tietjen, Adams, Gibson, Selvin.

HIGHWAYS

Kerr, Hafen, Stringham, Thorn, Woolley, Fowles, Selvin.

JUDICIARY

Cannon, Day, Hafen, Mabey, Fowles, Gibson, Watson.

MILITARY AFFAIRS

Hammond, Muir, Thorn, Adams, Jenkins.

MINING AND SMELTING

Hafen, Hammond, Stringham, Thorn, Adams, Selvin, Watson.

PUBLIC INSTITUTIONS

Thorn, Burton, Clegg, Day, Openshaw, Fowles, Tippetts.

REVENUE AND TAXATION

Day, Burton, Cannon, Openshaw, Thorn, Tietjen, Adams, Fowles, Hopkin, Watson.

REVISION AND ENROLLING

Tippetts, Hafen, Hammond.

STATE AND MUNICIPAL AFFAIRS

Mabey, Cannon, Day, Stringham, Hopkin, Jenkins, Tippetts.

WELFARE

Burton, Cannon, Clegg, Hammond, Kerr, Woolley, Hopkin, Selvin, Tippetts.

RULES AND CONTINGENT EXPENSE

Fowles, Burton, Muir.

On motion of Senator Kerr, the President appointed the Special Committee on Appointments: Senators Mabey, Hafen, Stringham, Hopkin and Selvin.

COMMUNICATIONS FROM THE GOVERNOR

January 13, 1953

Dear Mr. President and Members of the Senate:

In compliance with State Laws, I am submitting the following interim appointments to your Honorable Body for advice and consent:

MEMBER, HIGHWAY PATROL CIVIL SERVICE COMMISSION:

Oral J. Wilkinson, Murray, for four year term ending January 1, 1957.

COMMISSIONER, LIQUOR CONTROL COMMISSION:

Charles H. Foote, Nephi, for unexpired term ending July 1, 1953.

COMMISSIONER, DEPARTMENT OF PUBLIC WELFARE:

Ward C. Holbrook, Bountiful, for unexpired term ending March 1, 1957.

MEMBERS, BOARD OF TRUSTEES–TO ADMINISTER TERMINATION OF PUBLIC EMPLOYEES' RETIREMENT SYSTEM:

C. Cash Rampton, Salt Lake City, banking representative, for four year term, ending June 30, 1956.

Kenneth W. Cring, Salt Lake City, insurance representative, for four year term, ending June 30, 1956.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication referred to the Special Committee on Appointments.

January 15, 1953

Honorable Mark Paxton, President
Members of the Utah State Senate
Dear Mr. President and Members of the Senate:

In my Message to the Legislature earlier, I stated that the reduction of State taxes must be made the first item of fiscal business if tax reduction in sufficient amount is to be made. Once this has been accomplished, the State's anticipated revenue for the biennium can be established and appropriations made accordingly. In the past it has been customary to consider tax reduction after, not before, appropriations have been made. This practice has made tax reduction secondary to increased spending, the result being that reductions have not been made whereas spending has increased.

Specifically, I recommended that the State income tax be reduced, the reduction to apply on 1952 incomes; that the returns be simplified, and that the State property tax be eliminated. Inasmuch as both income and property taxes are earmarked for the Uniform School fund, the needs of which are fixed by statute, it will be necessary to offset the effect of these reductions by transfers from sales tax revenues.

I, therefore, transmit to you herewith my specific recommendations for these matters in the form of six bills. It is estimated that the enactment of these bills would reduce income tax collections by approximately $3,000,000 annually, giving some tax relief to all of the nearly 230,000 individuals now subject to State income tax, while at the same time insuring that no State property tax will be levied for the Uniform School fund as now constituted. This latter provision will continue the tax relief provided to property owners in Utah this year for the first time when no State levy was made and will obviate the necessity for levying property taxes of at least $4,800,000 next year if these measures are not passed.

Briefly the program set forth in these six bills is designed to accomplish the following purposes: (1) postpone the deadline for filing State income tax to April 15; (2) provide an optional short form tax return utilizing all

the benefits of Federal deductions and exemptions so that Federal net income is used as a base; further deductions would be made for Federal tax paid and for personal and dependent exemptions at $700 for single persons, $1,400 if married, and $700 for each dependent; (3) change the exemptions in the present income tax law to agree with the $700 exemptions provided in the optional measure; (4) appropriate $3,000,000 from unappropriated surplus in the State General fund to the Uniform School fund during this current fiscal year to offset estimated reduction in income tax on 1952 incomes; (5) appropriate for the next biennium from sales tax revenues to the Uniform School fund the sum of $3,000,000 annually to replace the $3,000,000 income tax cut; and (6) appropriate $4,800,000 annually to the Uniform School fund to make it unnecessary to levy a property tax for the State School fund.

The State Tax Commission has prepared a memorandum explaining the proposals in more detail.

Sincerely yours,

J. BRACKEN LEE,

Governor

Communication filed.

COMMUNICATIONS

January 14, 1953

Mr. Mark Paxton, President
State Senators
Building

The Utah State Safety Council has called to the attention of this office the traffic congestion and hazards which exist on the Capitol grounds. The Safety Council points out the need for the promulgation and enforcement of rules and regulations governing parking and the flow of traffic on the Capitol grounds.

In line with the suggestion of the Safety Council I have prepared a Bill to give the State Board of Examiners authority to regulate and control traffic and parking on the Capitol grounds. This Bill will come before your Honorable Body shortly. I would greatly appreciate your favorable consideration of this Bill so that the vexing traffic problem which now exists here at the Capitol may be more easily solved.

Respectfully submitted,

LAMONT F. TORONTO,

Secretary of State

Communication filed.

January 13, 1953

Honorable Mark Paxton
President, Utah State Senate
State Capitol Building
Salt Lake City, Utah

Dear Senator Paxton:

For the third year, Utah Copper Division of Kennecott Copper Corporation is sponsoring a series of thirteen radio broadcasts featuring the Utah Symphony Orchestra. Four of these are live broadcasts originating from the auditoriums of the Jordan, Bingham, Cyprus (Magna) and Granite high schools. The first of the live broadcasts will be this coming Thursday night at Jordan.

We would like to extend a cordial invitation to members of the Legislature and their families to attend. If you wish, tickets can be placed in the hands of the clerk for distribution to those who would like them.

Accompanying this letter is a supply of brochures (one for each member of the Legislature) giving information regarding the programs for each of the broadcasts.

Sincerely yours,

NELSON W. ALDRICH (s)

Communication filed.

On motion of Senator Day, the Senate recessed for 30 minutes.

The Senate re-assembled.

INTRODUCTION OF BILLS

S. B. No. 1 — By Messrs. Day, Openshaw, Cannon, Hammond and Burton

AN ACT AMENDING SECTION 59-14-17, UTAH CODE ANNOTATED, 1953, PROVIDING FOR TIME FOR FILING INCOME TAX RETURNS AND EXTENSIONS OF TIME FOR FILING INCOME TAX RETURNS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 2 — By Messrs. Day, Openshaw, Cannon, Hammond and Burton

AN ACT AMENDING SECTIONS 59-14-73, 59-14-74, AND 59-14-75, UTAH CODE ANNOTATED, 1953, RELATING TO ALTERNATIVE OPTIONAL TAX (SHORT FORM) IN CASE OF RESIDENT INDIVIDUALS AND PROVIDING THAT EACH INDIVIDUAL RESIDENT TAXPAYER SHALL HAVE THE PRIVILEGE AND OPTION OF PAYING TAX

BASED UPON INCOME AS DETERMINED UNDER THE FEDERAL INTERNAL REVENUE CODE BUT AT THE RATES SPECIFIED IN THE UTAH INDIVIDUAL INCOME TAX LAW, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 3 By Messrs. Day, Openshaw, Cannon, Hammond and Burton

AN ACT AMENDING SECTION 59-14-7, UTAH CODE ANNOTATED, 1953, AND AMENDING 59-14-16, UTAH CODE ANNOTATED, 1953, PROVIDING WHO MUST FILE INCOME TAX RETURNS AND PROVIDING FOR CREDITS AGAINST NET INCOME, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 4 By Messrs. Day, Openshaw, Cannon, Hammond and Burton

AN ACT MAKING AN APPROPRIATION FROM THE UNAPPROPRIATED SURPLUS IN THE STATE GENERAL FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS TO REPLACE REVENUE FROM THE INDIVIDUAL INCOME TAX, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 5 By Messrs. Day, Openshaw, Cannon, Hammond and Burton

AN ACT MAKING AN APPROPRIATION FROM THE EMERGENCY RELIEF FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS TO REPLACE THE REDUCTION IN INDIVIDUAL INCOME TAX REVENUE WITHOUT LEVYING A STATE TAX ON PROPERTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 6 By Messrs. Day, Openshaw, Cannon, Hammond and Burton

AN ACT MAKING AN APPROPRIATION FROM THE EMERGENCY RELIEF FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS WITHOUT LEVYING A STATE TAX ON PROPERTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 7 By Messrs. Hopkin, Thorn, Gibson, Tietjen and Jenkins (Legislative Council)

AN ACT REPEALING SECTION 59-14-73, 59-14-74 AND 59-14-75, UTAH CODE ANNOTATED 1953, RELATING TO ALTERNATIVE OPTIONAL TAX (SHORT FORM) IN CASE OF RESIDENT INDIVIDUAL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 8 By Messrs. Hopkin, Thorn, Gibson, Tietjen and Jenkins (Legislative Council)

AN ACT MAKING AN APPROPRIATION FROM THE EMERGENCY RELIEF FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 9 By Messrs. Hopkin, Thorn, Gibson, Tietjen and Jenkins (Legislative Council)

AN ACT AMENDING SECTIONS 59-14-4, UTAH CODE ANNOTATED 1953, RELATING TO GROSS INCOME – WHAT CONSTITUTES, AMENDING SECTION 59-14-5, RELATING TO DEDUCTIONS FROM GROSS INCOME, AND PROVIDING FOR DEDUCTION OF MEDICAL EXPENSES AND ALIMONY PAYMENTS, AMENDING SECTION 59-14-7, UTAH CODE ANNOTATED 1953, RELATING TO CREDITS AGAINST NET INCOME, AMENDING SECTION 59-14-9, UTAH CODE ANNOTATED 1953, RELATING TO RECOGNITION OF GAIN OR LOSS–EXCEPTIONS, TO PROVIDE FOR TAX FREE EXCHANGE OF PERSONAL RESIDENCE, AMENDING SECTION 59-14-16, UTAH CODE ANNOTATED 1953, RELATING TO RETURNS REQUIRED–WHO MUST FILE, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Hopkin, the Senate adjourned until Friday, January 16, 1953, at 10:00 A.M.

FIFTH DAY

January 16, 1953

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

Roll Call—All Senators present except Senators Burton, Fowles, Jenkins, Kerr, Muir, Thorn, Watson, and Woolley, excused.

Prayer by the Chaplain.

January 16, 1953

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,

ORVAL HAFEN,

Chairman

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

January 16, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,

Chairman

Report adopted and filed.

S. B. No. 1 was ordered printed and referred to the Committee on Revenue and Taxation.

January 16, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 2*, by Messrs. Day, Openshaw, Cannon, Hammond and Burton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Chairman

Report adopted and filed.

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

January 16, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 3*, by Messrs. Day, Openshaw, Cannon, Hammond and Burton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Chairman

Report adopted and filed.

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

January 16, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 4*, by Messrs. Day, Openshaw, Cannon, Hammond and Burton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Chairman

Report adopted and filed.

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

January 16, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 5*, by Messrs. Day, Openshaw, Cannon, Hammond and Burton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Chairman

Report adopted and filed.

S. B. No. 5 was ordered printed and referred to the Committee on Revenue and Taxation.

January 16, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 6*, by Messrs. Day, Openshaw, Cannon, Hammond and Burton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Chairman

Report adopted and filed.

S. B. No. 6 was ordered printed and referred to the Committee on Revenue and Taxation.

January 16, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 7*, by Messrs. Hopkin, Thorn, Gibson, Tietjen and Jenkins (Legislative Council), with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Chairman

Report adopted and filed.

S. B. No. 7 was ordered printed and referred to the Committee on Revenue and Taxation.

January 16, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 8*, by Messrs. Hopkin, Thorn, Gibson, Tietjen and Jenkins (Legislative Council), with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Chairman

Report adopted and filed.

S. B. No. 8 was ordered printed and referred to the Committee on Revenue and Taxation.

January 16, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 9*, by Messrs. Hopkin, Thorn, Gibson, Tietjen and Jenkins (Legislative Council), with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report adopted and filed.

S. B. No. 9 was ordered printed and referred to the Committee on Revenue and Taxation.

PRESENTATION OF RESOLUTIONS

S. C. R. No. 1 By Messrs. Muir, Day and Cannon

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, CONGRATULATING PRESIDENT DWIGHT D. EISENHOWER UPON HIS ELECTION TO THE PRESIDENCY OF THE UNITED STATES OF AMERICA, was read the first time.

On motion of Senator Day 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, 14; Nays, 0; Absent, 9.

Those voting in the affirmative were: Senators Adams, Cannon, Clegg, Day, Gibson, Hafen, Hammond, Hopkin, Mabey, Openshaw, Selvin, Tietjen, Tippetts and Mr. President.

Absent and not voting: Senators Burton, Fowles, Jenkins, Kerr, Muir, Stringham, Thorn, Watson and Woolley.

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

S. J. R. No. 1 By Messrs. Watson, Tippetts and Selvin

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH RESCINDING H. J. R. NO. 3 AS PASSED BY THE FIRST SPECIAL SESSION OF THE TWENTY-NINTH LEGISLATURE OF THE STATE OF UTAH, was read the first time and referred to the Committee of Revision and Enrolling.

S. J. R. No. 2 By Messrs. Kerr, Fowles, Clegg, and Burton

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH PROPOSING TO

AMEND ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH BY ENACTING AN ADDITIONAL SECTION, NO. 13, RELATING TO A MAXIMUM RATE OF TAX WHICH MAY BE LEVIED UPON TANGIBLE PROPERTY EACH YEAR, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 10 By Messrs. Mabey, Hopkin, Gibson, Fowles, Tietjen, Jenkins, Thorn, Kerr, Woolley and Muir

AN ACT AMENDING SECTIONS 36-1-1, 36-1-2, 36-1-4 AND 36-1-5, UTAH CODE ANNOTATED 1953, RELATING TO AND FIXING STATE LEGISLATIVE REPRESENTATION, THE METHODS OF ELECTING MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES, PERMITTING SENATORS ELECTED IN EITHER 1950 OR THE 1952 GENERAL ELECTIONS TO REMAIN IN OFFICE UNTIL THE EXPIRATION OF THEIR TERMS IN OFFICE, DESIGNATING SENATORIAL AND REPRESENTATIVE DISTRICTS IN THE STATE OF UTAH, AND NUMBERING THE SAME, PROVIDING FOR THE APPOINTMENT OF COMMITTEES TO FORM SENATORIAL DISTRICTS AND REPRESENTATIVE DISTRICTS IN COUNTIES HAVING MORE THAN ONE SENATOR AND/OR MORE THAN ONE REPRESENTATIVE, DIRECTING COUNTY CLERKS TO CALL MEETINGS AND FURNISH INFORMATION AND REPEALING SECTION 36-1-3, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 11 By Messrs. Day, Hopkin, Muir, Fowles and Mabey

AN ACT CREATING A FISH AND GAME CODE FOR THE STATE OF UTAH, TO BE ADMINISTERED BY THE FISH AND GAME DEPARTMENT OF THE STATE OF UTAH; PROVIDING FOR THE ORGANIZATION AND ADMINISTRATION OF THE STATE DEPARTMENT OF FISH AND GAME, ITS POWERS AND DUTIES; CREATING A FISH AND GAME COMMISSION, ITS MEMBERSHIP, TERM OF OFFICE, POWERS AND DUTIES; PROVIDING FOR THE LICENSING OF PERSONS WHO FISH, HUNT, TRAP, ACT AS GUIDES, SEINE, TRANSPORT GAME, FISH OR FURBEARING ANIMALS, ALIVE OR DEAD, WITHIN OR WITHOUT THE BOUNDARIES OF THE STATE OF UTAH; PROVIDING FOR THE LICENSING AND SUPERVISION OF PRIVATE GAME, FISH OR FURBEARING FARMS OR PONDS; ESTABLISHING PROHIBITIONS, PENALTIES, ARRESTS, SEARCH, SEIZURE AND OTHER JUDICIAL PROCESS; ESTABLISHING PROCEDURE FOR ACQUISITIONS, HOLD, MANAGEMENT, AND SALE OR EXCHANGE OF STATE LANDS FOR FISH AND GAME PURPOSES, PROVIDING FOR RECIPROCAL AGREEMENTS WITH OTHER STATES, GIVING ASSENT TO OTHER STATES, PERSONS AND THE

FEDERAL GOVERNMENT IN MATTERS RELATING TO FISH, GAME AND FURBEARERS, ESTABLISHING A FISH AND GAME FUND, ESTABLISHING A BOARD OF BIG GAME CONTROL, ITS MEMBERSHIP, POWERS AND DUTIES; AND THE ESTABLISHMENT OF STATE GAME PRESERVES, POSTED HUNTING AREAS, CLOSED AREAS, DAMAGES, AND PROVIDING FOR THE MANAGEMENT, CONTROL, TRANSPORTATION, STORAGE AND TAKING OF GAME, FURBEARING ANIMALS, BIRDS AND FISH; AND DEFINITIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 12 By Messrs. Fowles, Tietjen, Thorn and Stringham

AN ACT RELATING TO THE CONDUCT OF THE BUSINESS OF BANKING, THE ESTABISHING OF UNIT AND BRANCH BANKS AND AMENDING SECTIONS 7-3-6, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 13 By Messrs. Tietjen, Fowles, Mabey, Thorn and Stringham

AN ACT AMENDING SECTION 7-3-48, UTAH CODE ANNOTATED 1953, RELATING TO STOP-PAYMENT ORDERS WITH RESPECT TO CHECKS DRAWN ON BANKS OR TRUST COMPANIES OR ANY BRANCH OR BRANCHES THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 14 By Messrs. Stringham, Mabey, Fowles, Hopkin and Woolley

DEFINING AND PROHIBITING THE WASTE OF OIL AND GAS IN THE STATE OF UTAH; CREATING AND ESTABLISHING THE OIL AND GAS CONSERVATION COMMISSION; GRANTING CERTAIN POWERS TO AND DEFINING THE DUTIES OF THE COMMISSION WITH RESPECT TO CONSERVATION OF OIL AND GAS; PROVIDING FOR THE ENFORCEMENT OF THE ACT AND THE RULES, REGULATIONS AND ORDERS OF SAID COMMISSION; PROVIDING FOR THE FILING AND HEARING OF COMPLAINTS CONCERNING WASTE OF OIL AND NATURAL GAS, AND FOR OATHS, SUBPOENAS, RECORDS, SUITS AND APPEALS; PROVIDING THAT CERTAIN AGREEMENTS SHALL NOT BE CONSTRUED TO VIOLATE STATUTES RELATING TO TRUSTS, MONOPOLIES OR CONTRACTS AND COMBINATIONS IN RESTRAINT OF TRADE; PROVIDING FOR THE RAISING OF FUNDS TO DEFRAY THE COST OF ADMINISTERING THE ACT; AND REPEALING UTAH CODE ANNOTATED, 1953, TITLE 40, CHAPTER 4, SECTIONS 1, 2, 3, 4, 5, 6, AND 7; AND PROVIDING FOR AN EFFECTIVE DATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 15 By Messrs. Clegg, Burton, Selvin and Tippetts

AN ACT ENACTING ONE NEW SECTION TO BE KNOWN AS 41-6-150.1, UTAH CODE ANNOTATED 1953, REQUIRING THE REAR WHEELS OF MOTOR VEHICLES TO BE COVERED BY FENDERS OR SPLASHGUARDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 16 By Messrs. Mabey, Tietjen, Fowles, Thorn and Stringham

AN ACT AMENDING SECTION 7-3-51, UTAH CODE ANNOTATED 1953, RELATING TO STATEMENTS OF ACCOUNT BETWEEN BANKS AND DEPOSITORS, CREATING A SIX-MONTH STATUTE OF LIMITATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 17 By Messrs. Clegg, Burton Thorn and Selvin

A BILL TO PROVIDE FOR THE INSTALLATION OF HEAD AND REAR LIGHTS ON TRACK MOTOR CARS OPERATED BY COMMON CARRIERS BY RAILROAD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 18 By Messrs. Woolley, Burton and Fowles

AN ACT AMENDING SECTIONS 32-4-4 AND 32-6-1, UTAH CODE ANNOTATED 1953, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 32-6-1.1, 32-6-1.2 AND SECTIONS 32-6-4.1, 32-6-4.2, 32-6-4.3, 32-6-4.4, 32-6-4.5, 32-6-4.6, AND 32-6-4.7 UTAH CODE ANNOTATED 1953, AND REPEALING SECTIONS 32-6-2, 32-6-3, 32-6-8, 32-6-9, 32-6-10, 32-6-11, 32-6-12, 32-6-13, 32-6-14, 32-6-15, 32-6-16, UTAH CODE ANNOTATED 1953, 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. 19 By Messrs. Day, Fowles, Mabey, and Kerr

AN ACT ESTABLISHING UNDER THE SECRETARY OF STATE, THE DEPARTMENT OF TOURIST INFORMATION AND PUBLICITY, PROVIDING FOR THE ADMINISTRATION THEREOF, THE APPOINTMENT OF A NON-SALARIED EXECUTIVE BOARD, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS THEREOF, APPOINTMENT OF A DIRECTOR, ESTABLISHING THE SALARY OF SUCH DIRECTOR, MAKING AN APPROPRIATION FOR THE PURPOSES OF THIS

ACT, REPEALING CHAPTER 5, TITLE 35, UTAH CODE ANNOTATED 1953, AND REPEALING CHAPTER 3, TITLE 63, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 20 By Messrs. Clegg, Gibson, Cannon, Day and Mabey

AN ACT AMENDING SECTIONS 67-8-3 AND 67-8-4, UTAH CODE ANNOTATED, 1953, 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. 21 By Messrs. Gibson, Mabey and Day

AN ACT AMENDING SECTION 7-12-1, UTAH CODE ANNOTATED 1953, RELATING TO BANKS AND LOAN AND TRUST COMPANIES REMAINING CLOSED ON SATURDAYS AND PROVIDING THAT ACTS APPOINTED TO BE DONE ON A SATURDAY, WHEN THE BANK, LOAN AND TRUST COMPANY, OR BRANCH THEREOF, IS CLOSED, MAY BE PERFORMED ON THE NEXT SUCCEEDING BUSINESS DAY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 22 By Messrs. Clegg, Cannon and Selvin

AN ACT APPROPRIATING $50,000.00, FOR THE CONSTRUCTION OF A LETHAL GAS CHAMBER AT THE STATE PRISON, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 23 By Messrs. Openshaw, Day, Cannon and Fowles

AN ACT AMENDING SECTION 10-6-41, UTAH CODE ANNOTATED 1953, RELATING TO AND FIXING SALARIES OF OFFICERS 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. 24 By Messrs. Clegg, Cannon and Selvin

AN ACT AMENDING SECTION 77-36-16 AND SECTION 77-36-17, UTAH CODE ANNOTATED 1953, AND PROVIDING THAT THE PUNISHMENT OF DEATH MUST BE INFLICTED BY LETHAL GAS AND THAT THE WARDEN OR AN APPOINTEE OF THE BOARD OF CORRECTIONS MUST EXECUTE A JUDGMENT OF DEATH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 25 By Mr. Hafen

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION OF THE STATE OF UTAH TO ACCEPT A CAMPUS SITE FOR THE

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

S. B. No. 26 By Mr. Mabey

AN ACT AMENDING SECTION 10-6-12, UTAH CODE ANNOTATED 1953, RELATING TO THE ENACTMENT OF MUNICIPAL ORDINANCES AND ENABLING MUNICIPALITIES TO ADOPT RULES AND REGULATIONS IN CODE BOOK FORM BY REFERENCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 27 By Messrs. Muir and Stringham

AN ACT APPROPRIATING $400,000.00 FROM THE RESERVE BUILDING FUND, OR OTHER FUNDS NOT OTHERWISE APPROPRIATED IN THE STATE TREASURY TO THE UTAH STATE AGRICULTURAL COLLEGE FOR THE CONSTRUCTION OF A BUILDING TO BE USED AS A PRACTICE SCHOOL FOR THE TRAINING OF TEACHERS AND TO BE LOCATED ON THE CAMPUS OF THE COLLEGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 28 By Messrs. Day, Tietjen, Thorn and Hammond

AN ACT AMENDING SECTIONS 76-55-1, 76-55-2, AND 76-55-4, UTAH CODE ANNOTATED 1953; ENACTING A NEW SECTION TO BE KNOWN AS 76-55-5, UTAH CODE ANNOTATED 1953, RELATING TO THE CLOSING OF BUSINESS ON SUNDAY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 29 By Messrs. Hopkin, Openshaw, Tippetts, Fowles and Selvin

AN ACT CREATING THE UTAH PUBLICITY COUNCIL, PROVIDING FOR THE ADMINISTRATION THEREOF, THE APPOINTMENT OF COUNCIL MEMBERS, PRESCRIBING THE POWERS, DUTIES, AND FUNCTIONS THEREOF, MAKING AN APPROPRIATION, ESTABLISHING A PUBLICITY SPECIAL FUND AND REPEALING CHAPTER 5, TITLE 35, UTAH CODE ANNOTATED 1953, AND REPEALING CHAPTER 3, TITLE 63, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 30 By Messrs. Cannon, Day, Adams, Gibson and Hafen

AN ACT AMENDING SECTIONS 78-51-21 AND 78-51-22, UTAH CODE ANNOTATED, 1953, RELATING TO ATTORNEYS AND

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

S. B. No. 31 By Messrs. Cannon, Day, Adams, Gibson and Hafen

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 DISTRICT COURT JUDGES TO JUVENILE 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. 32 By Messrs. Openshaw, Day, Hammond and Cannon

AN ACT TO PLACE THE SUBORDINATES OF THE HEALTH DEPARTMENTS OF CITIES OF THE FIRST CLASS UNDER CIVIL SERVICE BY AMENDING SECTIONS 10-10-9, 10-10-10 AND 10-10-19, UTAH CODE ANNOTATED, 1953, was read the first time and referred to the Commmittee on Revision and Enrolling.

On motion of Senator Day, the Senate voted to recess on January 20, at 10:00 A.M. for the T.V. program showing the inauguration of President Eisenhower.

On motion of Senator Clegg the Senate adjourned until Monday, January 19, 1953 at 2:00 P.M.

EIGHTH DAY

January 19, 1953

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

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

Prayer by the Chaplain.

January 19, 1953

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,

ORVAL HAFEN,

Chairman

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

January 19, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,

Chairman

S. B. No. 15 was ordered printed and referred to the Committee on Highways.

January 19, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 10*, by Messrs. Mabey, Hopkin, Gibson, Fowles, Tietjen, Jenkins, Thorn, Kerr, Woolley and Muir, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Chairman

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

PRESENTATION OF RESOLUTIONS

S. J. R. No. 3 By Mr. Watson

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH TO THE CONGRESS AND PRESIDENT OF THE UNITED STATES OF AMERICA URGING

THAT THE UNITED STATES OF AMERICA TAKE THE NECESSARY ACTION TO RETAIN FULL CONTROL OF AND DOMINION OVER THE MARGINAL SEAS, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 33 By Messrs. Openshaw, Fowles, Woolley, and Gibson

AN ACT AMENDING TITLE 32, CHAPTER 1, SECTION 6, SUBSECTION J, UTAH CODE ANNOTATED 1953, RELATING TO THE STATUTORY MARK-UP ON LIQUOR SOLD BY THE UTAH LIQUOR CONTROL COMMISSION, TO PROVIDE THAT SAID MARK-UP SHALL BE UPON THE BASIS OF COST TO THE COMMISSION EXCLUSIVE OF FEDERAL EXCISE TAXES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 34 By Messrs. Hammond, Day, Clegg and Fowles

AN ACT AMENDING SECTION 39-2-6, UTAH CODE ANNOTATED, 1953, RELATING TO THE SALE OF ARMORIES AND ARMY PREMISES WITHIN THE STATE OF UTAH AND APPROPRIATING THE FUNDS RECEIVED FROM SUCH SALES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 35 By Messrs. Hammond, Day, Tippetts, Clegg, Selvin and Fowles

AN ACT AMENDING TITLE 39-2-7, UTAH CODE ANNOTATED 1953, RELATING TO THE MILITARY FUND OF THE STATE ARMORY BOARD AND AUTHORIZING SAID BOARD TO EXPEND MONEYS IN THE MILITARY FUND FOR THE PURPOSE OF CONSTRUCTING NEW ARMORIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 36 By Messrs. Day, Hafen, Burton, Jenkins and Fowles

AN ACT AMENDING SECTION 44-1-10, UTAH CODE ANNOTATED, 1953, RELATING TO NEGOTIABLE INSTRUMENTS WHEN PAYABLE TO BEARER, AND MAKING IT PAYABLE TO A NAMED LIVING PERSON UNDER CERTAIN CONDITIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 37 By Messrs. Day, Cannon and Hafen

AN ACT AMENDING SECTION 78-4-9, UTAH CODE ANNOTATED 1953, 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.

On motion of Senator Day, it was agreed that when the Senate adjourns today, it stand adjourned until Tuesday, January 20, at 9:00 A.M.

COMMUNICATIONS

January 14, 1953

Mr. Mark Paxton, President
Utah State Senate
State Capitol

Dear Senator Paxton:

It would be a real pleasure and an honor for the Utah Symphony, under the direction of our great conductor, Maurice Abravanel, with Nell Tangeman and Raymond Manton as guest soloists, to have as its guests the members of the Senate on the evening of Wednesday, January 21 in the Salt Lake Tabernacle.

Naturally we are very proud of this great organization and are anxious to have the members of the legislature see to what great purpose their financial aid is being put. May I ask that you let me know how many tickets will be required to take care of your honorable body.

With every good wish for a most successful season and congratulations to you personally on the well deserved honor won.

Very truly yours,

DAVID S. ROMNEY,
Managing Director

Communication filed.

On motion of Senator Watson, the Senate adjourned.

NINTH DAY

MORNING SESSION

January 20, 1953

The Senate was called to order at 9:00 A.M. President Paxton in the chair.

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

Prayer by the Chaplain.

January 20, 1953

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,

ORVAL HAFEN,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

January 16, 1953

Dear Mr. President and Members of the Senate:

I respectfully request permission to present my budget message to a joint session of the Legislature on Tuesday, January 27, at an hour convenient with the respective houses.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

On motion of Senator Kerr the Senate voted to meet in Joint Convention on Tuesday, January 27, at 10:00 A.M. if that hour is convenient to the House.

January 16, 1953

Dear Mr. President and Members of the Senate:

The Honorable Dan Thornton, Governor of Colorado, will pay off the loser's end of a wager on the 1952 general election by coming to my office on Thursday, February 5, 1953, to perform janitorial services. As you know, the wager was concerned with which State would have the highest percentage of its eligible voters exercise their ballot franchise at the polls. The turnout in Utah, not only exceeded that in Colorado, but also was high among all other States.

While Governor Thornton is in the Capitol, I think it would be fitting for the Legislature to invite him to address a joint session, perhaps on the subject of citizenship. I understand that a presentation of an award also will be made if a joint session of the Legislature can be arranged. The suggested time for this is 2:30 p.m. on February 5, if that will meet the convenience of the respective houses.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

On motion of Senator Clegg the Senate voted to meet in joint convention with the House on February 5, 1953, at 2:30 P.M.

COMMUNICATIONS FROM THE HOUSE

January 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the House of Representatives has this day passed, under suspension of the rules, *S. C. R. No. 1*, by Messrs. Muir, Day, and Cannon, entitled, A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, CONGRATULATING PRESIDENT DWIGHT D. EISENHOWER UPON HIS ELECTION TO THE PRESIDENCY OF THE UNITED STATES OF AMERICA, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

INTRODUCTION OF BILLS

S. B. No. 38 By Mr. Woolley

AN ACT AMENDING SECTION 54-7-6, UTAH CODE ANNOTATED 1953, RELATING TO THE CHARGING AND COLLECTING OF FEES BY THE PUBLIC SERVICE COMMISSION OF UTAH FOR THE FILING OF APPLICATIONS, FOR COPIES OF RECORDS, FOR CERTIFIED COPIES OF EVIDENCE AND PROCEEDINGS BEFORE THE COMMISSION, AND FOR EXEMPTION OF PAYMENT OF FEES BY PUBLIC OFFICERS, AND FOR DISPOSITION OF FEES COLLECTED HEREUNDER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 39 By Mr. Hammond

AN ACT APPROPRIATING $3,000,000 FROM THE GENERAL FUND FOR THE COMPLETION OF CONSTRUCTION OF A CLASSROOM BUILDING AND FOR CONSTRUCTION OF A MEDICAL-SCIENCE BUILDING, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 40 By Messrs. Cannon, Gibson, Openshaw, and Burton

AN ACT RELATING TO THE EXERCISE BY BOARDS OF EDUCATION OF THE POWER OF EMINENT DOMAIN IN THE ACQUISI-

TION, OUTSIDE OF SCHOOL DISTRICT BOUNDARIES, OF SCHOOL-HOUSE SITES, EASEMENTS, RIGHTS OF WAY AND OTHER APPURTENANCES THEREFOR, AND THE PURCHASE OF SUCH SITES, AND AMENDING SUBSECTION (3) OF SECTION 78-34-1 OF THE UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 41 By Messrs. Mabey, Fowles, Openshaw and Hafen

AN ACT AMENDING SECTIONS 17-16-13, 17-16-14, 17-16-15, 17-16-17 AND 17-16-19, UTAH CODE ANNOTATED 1953, RELATING TO CLASSIFICATION OF COUNTIES, FIXING AND DETERMINING SALARIES OF COUNTY OFFICERS, INCREASE AND DECREASE IN SALARIES OF COUNTY OFFICERS, CHANGE OF CLASS EFFECT ON SALARIES, SALARIES OF NEW COUNTIES, AND SALARIES TO BE FULL COMPENSATION AND PER DIEM FOR CERTAIN DEPUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 42 By Messrs. Mabey and Gibson

AN ACT AMENDING SECTIONS 59-10-1 AND 59-10-2, UTAH CODE ANNOTATED 1953, RELATING TO TAXATION AND PROVIDING THAT A TAX UPON PERSONAL PROPERTY SHALL BE A LIEN UPON THE REAL PROPERTY OF THE OWNER OF THE PERSONALITY TAXED, WHEN SUCH PERSONALITY AND THE TAX THEREON ARE LISTED WITH SUCH REAL PROPERTY UPON THE ASSESSMENTS ROLLS, WHETHER LEVIED PRIOR OR SUBSEQUENT HERETO, AND PROVIDING THAT SUCH LIEN BE JUNIOR TO OTHER RECORDED LIENS OR INTERESTS, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Woolley the Senate voted that bills introduced or to be introduced in the Senate pertaining to statutory salary increases, upon printing, be referred to a special committee of three Senators to be appointed by the President to act jointly with a like committee to be appointed by the Speaker of the House.

On motion of Senator Day, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Paxton in the chair.

President Paxton appointed Senators Kerr, Hopkin, and Woolley, as the Special Committee on Statutory Salaries.

REPORTS OF STANDING COMMITTEES

January 20, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 1*, by Messrs. Watson, Tippetts and Selvin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 19, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 20, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 12*, by Messrs. Fowles, Tietjen, Thorn and Stringham, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 12 was ordered printed and referred to the Committee on Banking and Commerce.

January 20, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 16*, by Messrs. Tietjen, Fowles, Mabey, Thorn and Stringham, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 16 was ordered printed and referred to the Committee on Banking and Commerce.

January 20, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 19 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 20, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 20 was ordered printed and referred to the Special Committee on Statutory Salaries.

January 20, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 22 was ordered printed and referred to the Committee on Public Institutions.

January 20, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 23*, by Messrs. Openshaw, Day, Fowles and Cannon, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 23 was ordered printed and referred to the Special Committee on Statutory Salaries.

January 20, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 20, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 25*, by Messrs. Hafen and Cannon, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 20, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 26 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 20, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 20, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 29 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 20, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 20, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 32*, by Messrs. Openshaw, Day, Hammond and Cannon, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Report filed. Chairman

S. B. No. 32 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 19, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 1*, by Messrs. Day, Openshaw, Cannon, Hammond and Burton, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,

Report filed. Chairman

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

January 19, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 2*, by Messrs. Day, Openshaw, Cannon, Hammond and Burton, has carefully considered said bill and reports the same out favorably.

The Committee recommends that *S. B. No. 3*, and *S. B. No. 9*, be considered at the same time, with *S. B. No. 2*.

Respectfully,

ELIAS L. DAY,

Report filed. Chairman

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

January 19, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 3*, by Messrs. Day, Openshaw, Cannon, Hammond and Burton, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

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

January 19, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 4*, by Messrs. Day, Openshaw, Cannon, Hammond and Burton, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

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

January 19, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 5*, by Messrs. Day, Openshaw, Cannon, Hammond and Burton, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

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

January 19, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 6*, by Messrs. Day, Openshaw, Cannon, Hammond and Burton, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

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

January 19, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 7*, by Messrs. Hopkin, Thorn, Gibson, Tietjen and Jenkins (Legislative Council) has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

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

January 19, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 8*, by Messrs. Hopkin, Thorn, Gibson, Tietjen and Jenkins (Legislative Council) has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

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

January 19, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 9*, by Messrs. Hopkin, Gibson, Tietjen, Jenkins and Thorn (Legislative Council) has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

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

PRESENTATION OF RESOLUTIONS

S. J. R. No. 4 By Messrs. Fowles and Burton

A RESOLUTION FIXING COMPENSATION OF OFFICERS AND EMPLOYEES OF THE THIRTIETH LEGISLATURE OF UTAH, was read the first time.

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

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

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams and Jenkins.

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

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

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE VI OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE LEGISLATIVE DEPARTMENT, ADDING A NEW SECTION THERETO PROVIDING FOR THE APPOINTMENT BY THE LEGISLATURE OF A STATE AUDITOR; HIS DUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 6 By Mr. Woolley

A JOINT RESOLUTION PROPOSING AMENDMENTS TO ARTICLE VII, SECTIONS 1, 3, 10, 17, AND 20, AND REPEALING ARTICLE VII, SECTION 14, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE STATE EXECUTIVE DEPARTMENT, TERMS, RESIDENCE, AND DUTIES OF OFFICERS; QUALIFICATIONS OF STATE OFFICERS; THE GOVERNOR'S APPOINTIVE POWER IN FILLING OF VACANCIES IN CERTAIN OFFICES; THE BOARD OF INSANE ASYLUM COMMISSIONERS; DUTIES OF AUDITOR; AND THE COMPENSATION OF STATE OFFICERS, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 43 By Messrs. Tietjen, Kerr, Hafen and Fowles

AN ACT AMENDING SECTION 7-1-10, UTAH CODE ANNOTATED 1953, RELATING TO THE FEES PAYABLE TO THE BANK COMMISSIONER BY FINANCIAL INSTITUTIONS UNDER THE SUPERVISION OF THE STATE BANKING DEPARTMENT; CHANGING THE FEES PAYABLE BY COOPERATIVE BANKS FOR PERSONAL CREDITS AND INDUSTRIAL LOAN CORPORATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 44 By Messrs. Tietjen, Thorn, Stringham, and Hopkin

AN ACT REPEALING SECTIONS 63-3-1, 63-3-2, 63-3-3, 63-3-4, 63-3-5, 63-3-6, 63-3-7, 63-3-8, 63-3-9, 63-3-10, 63-3-11, 63-3-12, 63-3-13, 63-3-15, 63-3-16, 63-3-17, UTAH CODE ANNOTATED 1953, AND SECTIONS 35-5-1, 35-5-3, 35-5-4, 35-5-5, 35-5-6, 35-5-7, 35-5-8, UTAH CODE ANNOTATED 1953, AND ABOLISHING THE DEPARTMENT OF PUBLICITY AND INDUSTRIAL DEVELOPMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 45 By Messrs. Thorn, Tietjen and Hopkin

AN ACT RELATING TO ACQUISITION OF PROPERTY THROUGH CONDEMNATION BY EDUCATIONAL INSTITUTIONS OF COLLEGIATE GRADE, WITHIN THE STATE OF UTAH, NOT CONDUCTED FOR PROFIT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 46 By Messrs. Thorn and Woolley

AN ACT AMENDING SECTION 63-1-12, UTAH CODE ANNOTATED 1953, ENABLING THE DEPARTMENT OF ENGINEERING TO PREQUALIFY CONTRACTORS AS A CONDITION PRECEDENT TO BIDDING ON PUBLIC WORKS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 47 By Messrs. Thorn and Woolley

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 14-1-1.1, UTAH CODE ANNOTATED 1953, AUTHORIZING THE STATE OF UTAH AND ITS POLITICAL SUBDIVISIONS TO REQUIRE THAT SECURITY BE FURNISHED AND FILED IN CONNECTION WITH BIDS FOR DOING WORK OR FURNISHING MATERIALS AND SUPPLIES; AND PROVIDING FOR THE FORFEITURE OF SUCH SECURITY UNDER CERTAIN CONDITIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 48 By Messrs. Day, Tietjen, Thorn and Fowles

AN ACT AMENDING SECTION 67-8-5, UTAH CODE ANNOTATED 1953, PROVIDING FOR ANNUAL SALARIES FOR THE DISTRICT ATTORNEYS OF THE VARIOUS JUDICIAL DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 49 By Messrs. Day, Clegg, Cannon, Selvin and Hafen

AN ACT AMENDING TITLE 78, CHAPTER 56, SECTION 3, UTAH CODE ANNOTATED 1953, RELATING TO COMPENSATION OF

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

S. B. No. 50 By Messrs. Hafen, Day and Mabey

AN ACT AUTHORIZING THE PARENT TO COMPROMISE CLAIM OF MINOR AND PROVIDING FOR PAYMENT OF FILING FEE FOR FILING PETITION TO COMPROMISE SAID CLAIM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 51 By Messrs. Hafen, Day and Mabey

AN ACT PROVIDING FOR THE SURVIVAL OF A CAUSE OF ACTION ARISING OUT OF AN INJURY OR DEATH AFTER DEATH OF THE WRONGDOER, AND PROVIDING THAT SUCH CAUSE OF ACTION SHALL NOT ABATE UPON THE DEATH OF THE WRONGDOER, AND PROVIDING FURTHER THAT THE INJURED PERSON OR PERSONAL REPRESENTATIVES OF ONE MEETING DEATH SHALL HAVE A CAUSE OF ACTION AGAINST THE PERSONAL REPRESENTATIVES OF THE WRONGDOER, AND PROVIDING THAT THE INJURED PERSON IN SUCH CASES SHALL NOT BE ENTITLED TO A RECOVERY EXCEPT UPON COMPETENT EVIDENCE OTHER THAN THE TESTIMONY OF THE INJURED PERSON, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 52 By Messrs. Day, Fowles and Hafen

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 SALARIES; 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. 53 By Messrs. Mabey, Fowles, Watson, Hopkin, Jenkins, Kerr, Day and Tippetts

AN ACT AMENDING SECTIONS 73-9-13, 73-9-17, 73-9-18, 73-9-20, 73-9-25, AND 73-9-31, UTAH CODE ANNOTATED 1953, RELATING TO WATER CONSERVANCY DISTRICTS, INCLUDING THE POWERS OF BOARDS OF DIRECTORS OF SUCH DISTRICTS, ALLOTMENT OF WATER BY SUCH DISTRICTS TO MUNICIPALITIES AND TO IRRIGATION DISTRICTS, THE LEVYING OF TAXES AND ASSESSMENTS TO PAY DEFICIENCIES, THE DISPOSAL OF WATER UNDER TERM CONTRACTS AND THE ISSUANCE OF BONDS, AND ADDING A NEW SECTION TO BE NUMBERED 73-9-42, UTAH CODE ANNOTATED 1953, RELATING TO VALIDATING THE CREATION AND ORGANIZATION OF SUCH DISTRICTS AND PROCEEDINGS HERETOFORE HELD THEREIN FOR THE AUTHORIZATION OF CON-

TRACTS AND BONDS, VALIDATING CONSTRUCTION CONTRACTS HERETOFORE ENTERED INTO BY SUCH DISTRICTS AND MAKING CERTAIN FINDINGS WITH RESPECT TO BENEFITS TO ACCRUE TO TAXABLE PROPERTY THEREIN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 54 By Messrs. Thorn, Clegg, Gibson, Selvin, Jenkins, Mabey, Cannon and Openshaw

AN ACT APPROPRIATING $350,000 FROM THE RESERVE BUILDING FUND TO THE PUBLIC WELFARE COMMISSION FOR CAFETERIAS AND EQUIPMENT, AND $1,000,000 FOR A RECEIVING CENTER AND TREATMENT BUILDING AT THE UTAH STATE HOSPITAL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 55 By Messrs. Thorn, Clegg, Gibson, Selvin, Jenkins, Cannon, Mabey and Openshaw

AN ACT APPROPRIATING FROM THE RESERVE BUILDING FUND TO THE PUBLIC WELFARE COMMISSION $75,000 FOR CONSTRUCTION AT THE UTAH STATE TRAINING SCHOOL AT AMERICAN FORK, UTAH, OF A FARM DORMITORY, AND $350,000 FROM THE SAME FUND FOR CONSTRUCTION OF A CUSTODIAL BUILDING AT SAID INSTITUTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 56 By Messrs. Openshaw, Burton and Thorn

AN ACT TO AMEND SECTION 58-3-6 OF THE UTAH CODE ANNOTATED 1953, AND ENACTING NEW SECTIONS 58-3-6 (a) AND 58-3-6 (b) OF THE UTAH CODE ANNOTATED 1953, RELATING TO THE DEFINITION OF THE PRACTICE OF ARCHITECTURE, MAKING MORE SPECIFIC SUCH DEFINITION, ESTABLISHING EXEMPTIONS THEREFROM, PROHIBITING UNAUTHORIZED PERSONS FROM USING THE TITLE OF "ARCHITECT" OR REPRESENTING THEMSELVES AS SUCH; AND EXCLUDING CERTAIN GOVERNMENTAL EMPLOYEES FROM THE APPLICATION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 57 By Messrs. Openshaw, Burton and Thorn

AN ACT TO AMEND SECTION 58-1-25 OF THE UTAH CODE ANNOTATED, 1953, RELATING TO THE REFUSAL, SUSPENSION, REVOCATION OF LICENSE AND GROUNDS FOR THE SAME RECORDATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 58 By Messrs. Tippetts, Watson and Selvin

AN ACT AMENDING SECTION 58-1-5, UTAH CODE ANNOTATED, 1953, PROVIDING FOR THE LICENSING AND REGULATION OF FARM LABOR CONTRACTORS BY THE DEPARTMENT OF REGISTRATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 59 By Messrs. Tippetts, Watson and Selvin

AN ACT PROVIDING FOR THE LICENSING AND REGULATION OF FARM LABOR CONTRACTORS BY THE DEPARTMENT OF REGISTRATION; DEFINING THE TERMS THEREFOR; PROVIDING REQUIREMENTS FOR APPLICATIONS FOR SUCH LICENSES; REQUIRING POSTING OF A $1,000.00 SURETY BOND BY SUCH LICENSEE; PAYMENT OF A $25.00 LICENSE FEE; AUTHORIZING THE DEPARTMENT TO REVOKE AND SUSPEND SUCH LICENSE; REQUIRING EVERY LICENSEE TO COMPLY WITH THE PROVISIONS OF THIS ACT; PROVIDING THAT VIOLATION OF ANY PROVISION OF THE ACT BE PUNISHABLE AS A MISDEMEANOR BY A FINE OF NOT MORE THAN $500.00 OR IMPRISONMENT IN THE COUNTY JAIL FOR A PERIOD OF NOT MORE THAN SIX MONTHS, OR BOTH; AUTHORIZING THE DEPARTMENT OF REGISTRATION TO PROMULGATE RULES AND REGULATIONS FOR THE PURPOSE OF ENFORCING AND ADMINISTERING THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 60 By Messrs. Openshaw, Muir, Adams and Tippetts

AN ACT TO AUTHORIZE THE UTAH STATE INDUSTRIAL COMMISSION TO PRESCRIBE UNIFORM REGULATIONS IN THIS STATE FOR SAFETY IN THE DESIGN, CONSTRUCTION, LOCATION, INSTALLATION, AND OPERATION OF EQUIPMENT FOR STORING, HANDLING, TRANSPORTING BY TANK TRUCK OR TANK TRAILER, AND UTILIZING LIQUEFIED PETROLEUM GASES, AND FOR THE ODORIZATION OF SAID GASES USED THEREWITH; MAKING A VIOLATION OF THIS ACT A MISDEMEANOR AND PRESCRIBING THE PENALTY THEREFOR; TO PROVIDE FOR THE MARKING OF LIQUEFIED PETROLEUM GAS CONTAINERS AND TO PROHIBIT THE REFILLING OR USE OF SUCH CONTAINERS WITHOUT AUTHORIZATION BY THE OWNER THEREOF; TO PROVIDE FOR AN ADVISORY BOARD; TO PROHIBIT THE ADOPTION BY MUNICIPALITIES OR OTHER POLITICAL SUBDIVISIONS OF ORDINANCES OR REGULATIONS IN CONFLICT WITH THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 61 By Messrs. Openshaw, Kerr, Jenkins and Day

AN ACT AMENDING SECTION 58-1-22, UTAH CODE ANNOTATED 1953, PROVIDING FOR DISPOSITION OF MONEY COL-

LECTED BY THE DIRECTOR OF THE DEPARTMENT OF REGISTRATION, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Day, the Secretary was instructed to send a letter of appreciation to Salt Lake Hardware Co. for the use of its television sets.

On motion of Senator Kerr, the Secretary was instructed to thank the Rotary Club, for its invitation to Tuesday's luncheon.

On motion of Senator Mabey, the Senate adjourned until January 21, 1953, at 10:00 A.M.

TENTH DAY

January 21, 1953

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

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

Prayer by the Chaplain.

January 21, 1953

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,

ORVAL HAFEN,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 20, 1953

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. 4*, by Messrs. Fowles and Burton, entitled:

A RESOLUTION FIXING COMPENSATION OF OFFICERS AND EMPLOYEES OF THE THIRTIETH LEGISLATURE OF UTAH, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. J. R. No. 4 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

January 20, 1953

Mr. President:

The House of Representatives is in receipt of a communication from from His Excellency, the Governor, requesting permission to present his budget message to a joint session of the Legislature on Tuesday, January 27, 1953.

I am directed by the House of Representatives to ascertain from your Honorable Body if such date is convenient and whether the hour of 10:15 A.M. is suitable.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Day, the Senate voted to accept the proposed day and hour for the Joint Convention and to advise the House.

January 20, 1953

Mr. President:

The House of Representatives is in receipt of a letter from His Excellency, the Governor, dated January 16, 1953 stating that the Honorable Dan Thornton, Governor of Colorado, will be visiting in Salt Lake City on February 5 and suggests that it might be appropriate to have him address a joint session of the Legislature at 2:30 P.M. on said date.

I am directed by the House of Representatives to ascertain whether you concur in this suggestion and whether the time indicated by Governor Lee is suitable.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Clegg, the Senate voted to meet with the House in joint convention, on the day and at the hour mentioned by the House.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 7 By Messrs. Hopkin and Tietjen

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH PROPOSING TO AMEND SECTIONS 2, 3 AND 4 OF ARTICLE IX OF THE CONSTITUTION OF UTAH BY CHANGING THE CONSTITUTION OF THE LEGISLATURE MAKING EACH COUNTY OF THE STATE A SENATORIAL DISTRICT, BY RECITING AS REPRESENTATIVE DISTRICTS THOSE NOW IN EXISTENCE BY LAW, AND BY AUTHORIZING THE LEGISLATURE TO DECREASE AS WELL AS INCREASE THE NUMBER OF REPRESENTATIVES, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 62 By Messrs. Mabey, Hafen, Selvin, Fowles, Day, Kerr, Burton, Tietjen and Tippetts

AN ACT CREATING THE UTAH BOARD ON ALCOHOLISM, DEFINING ITS POWERS AND DUTIES, CREATING A FUND APPROPRIATING $150,000.00 FROM THE LIQUOR CONTROL FUND TO THE UTAH BOARD ON ALCOHOLISM FUND, AND REPEALING SECTIONS 55-7-4, 55-7-5, 55-7-6, 55-7-7, 55-7-8, 55-7-9, AND 55-7-10, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 63 By Messrs. Mabey, Hafen, Selvin, Fowles, Day, Kerr, Burton, Tietjen and Tippetts

AN ACT AMENDING SECTIONS 32-2-2 AND 32-2-15, UTAH CODE ANNOTATED 1953, TO INCREASE LIQUOR PERMIT FEES, AND TO INCREASE THE FEES FOR DUPLICATE PERMITS, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Mabey, the Senate resolved itself into a Committee of the Whole.

Messrs. Calvin Behle, member of the Public School Survey Commission, and Patrick Healy, Jr., Chairman of the Utah Tax Commission, addressed the Senate.

On motion of Senator Mabey, the Committee of the Whole was dissolved.

President Paxton recognized Mr. Joseph Eckersley, Patriarch of the Salt Lake Stake.

On motion of Senator Day, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Paxton in the chair.

COMMUNICATIONS

January 21, 1953

Honorable Mark Paxton
President, Utah State Senate

Dear Mr. President:

I have been invited to be the honored guest at an evening banquet on Thursday, January 22, in San Diego, California.

The occasion is a special evening program which is a feature of a four day training conference for Scout Executives of Utah, Arizona, Nevada, California and Hawaii.

Although I am retired from professional leadership in scouting I am anxious to accept this invitation to be honored and to enjoy the fellowship of my many former associates.

Will you please excuse me from the sessions which will be held on Wednesday afternoon, Thursday and Friday.

I will answer the roll call on Monday, January 26.

Respectfully submitted,

D. E. HAMMOND

Communication filed.

REPORTS OF STANDING COMMITTEES

January 21, 1953

Mr. President:

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

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, CONGRATULATING PRESIDENT DWIGHT D. EISENHOWER UPON HIS ELECTION TO THE PRESIDENCY OF

THE UNITED STATES OF AMERICA, 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,

A. I. TIPPETTS,
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 21, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 4*, by Messrs. Fowles and Burton, entitled,

A RESOLUTION FIXING COMPENSATION OF OFFICERS AND EMPLOYEES OF THE THIRTIETH LEGISLATURE 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,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 4 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

January 21, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 21, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 28*, by Messrs. Day, Tietjen, Thorn and Hammond, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,
A. I. TIPPETTS,
Chairman

Report filed.

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

PRESENTATION OF RESOLUTIONS

S. J. R. No. 8 By Messrs. Tippetts, Fowles and Selvin

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH TO THE CONGRESS OF THE UNITED STATES RECOMMENDING THE ENACTMENT OF LEGISLATION TO PROVIDE FOR A NATIONAL PRIMARY FOR THE NOMINATION OF CANDIDATES FOR PRESIDENT OF THE UNITED STATES, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 64 By Messrs. Kerr and Tippetts

AN ACT AMENDING SECTION 41-1-127, UTAH CODE ANNOTATED 1953, PROVIDING FOR REGISTRATION FEES UPON HOUSE TRAILERS, BASED ON WEIGHT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 65 By Mr. Kerr

AN ACT AMENDING SECTION 59-15-5, UTAH CODE ANNOTATED 1953, BY EXTENDING THE TIME THE SALES TAX IS DUE, PAYABLE AND MUST BE REPORTED TO THIRTY (30) DAYS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 66 By Messrs. Mabey and Woolley

AN ACT ESTABLISHING A STATE WATER POLLUTION CONTROL BOARD TO CONTROL, PREVENT AND ABATE THE POLLUTION OF SURFACE AND UNDERGROUND WATERS OF THE STATE; DECLARING A STATE POLICY FOR WATER POLLUTION; SPECIFYING THE POWERS AND DUTIES OF A WATER POLLUTION BOARD OF NINE MEMBERS; PROVIDING FOR THE SELECTION OF BOARD MEMBERS; PROVIDING FOR THE CLASSIFICATION OF WATER; DEFINING ENFORCEMENT, INSPECTION AND INVESTIGATIONS

AND PROVIDING FOR PENALTIES AND COURT REVIEW, 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.

Patrick Healy, Jr., Chairman of the Utah State Tax Commission, addressed the Senate.

On motion of Senator Clegg, the Committee of the Whole was dissolved.

President Paxton recognized former Senator Harold Reese, Box Elder County.

On motion of Senator Clegg, the Senate recessed in order to meet in joint convention at 2:30 P.M. to hear musical program presented by the Weber Junior College.

The Senate re-assembled.

On motion of Senator Cannon, the Senate voted that when the Senate adjourns today, it stand adjourned until January 22, at 2:00 P.M.

On motion of Senator Day, the Secretary was instructed to send a letter of appreciation to Dr. Aldous Dixon, President of Weber College.

On motion of Senator Day, the Senate resolved itself into a Committee of the Whole.

Messrs. Mont G. Kenney, Research Analyst, and Lewis H. Lloyd, Director of the Utah Legislative Council, addressed the Senate.

On motion of Senator Kerr, the Committee of the Whole was dissolved.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

S. B. No. 1 was placed on the Third Reading Calendar on the following roll call:

Ayes, 13; Nos, 7; Absent, 3.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Hafen, Kerr, Mabey, Muir, Openshaw, Stringham, Tietjen, Woolley and Mr. President.

Those voting in the negative were: Senators Fowles, Gibson, Hopkin, Jenkins, Selvin, Tippetts and Watson.

Absent and not voting: Senators Adams, Hammond and Thorn.

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

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 9* was placed before the Senate for its consideration.

On motion of Senator Day, the rules were suspended and *S. B. No. 9* was read the second time.

Committee report read and adopted.

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

ELEVENTH DAY

January 22, 1953

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

Roll Call—All Senators present except Senators Hammond and Tietjen, excused.

Prayer by the Chaplain.

January 22, 1953

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,

ORVAL HAFEN,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 22, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *S. J. R. No. 4*, by Messrs. Fowles and Burton, entitled,

A RESOLUTION FIXING COMPENSATION OF OFFICERS AND EMPLOYEES OF THE THIRTIETH LEGISLATURE OF UTAH, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. J. R. No. 4 was transmitted to the Secretary of State.

January 22, 1953

Mr. President:

I am directed 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. Muir, Day and Cannon, entitled,

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, CONGRATULATING PRESIDENT DWIGHT D. EISENHOWER UPON HIS ELECTION TO THE PRESIDENCY OF THE UNITED STATES OF AMERICA, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

REPORTS OF STANDING COMMITTEES

January 21, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 9 was ordered printed and referred to the Committee on Judiciary.

January 21, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 15*, by Messrs. Tietjen, Fowles, Mabey, Thorn and Stringham, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 15 was ordered printed and referred to the Committee on Banking and Commerce.

January 21, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 17*, by Messrs. Clegg, Burton, Thorn and Selvin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 17 was ordered printed and referred to the Committee on Health and Labor.

January 21, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 21, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 21, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 21, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 33*, by Messrs. Openshaw, Fowles, Woolley and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 33 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 21, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 34*, by Messrs. Hammond, Day, Clegg and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 21, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 21, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 36*, by Messrs. Day, Hafen, Burton, Jenkins and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 21, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 37 was ordered printed and referred to the Special Committee on Statutory Salaries.

January 21, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 38 was ordered printed and referred to the Committee on Judiciary.

January 21, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 39 was ordered printed and referred to the Committee on Public Institutions.

January 21, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 40*, by Messrs. Cannon, Gibson, Openshaw and Burton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 21, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 42*, by Messrs. Mabey and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 42 was ordered printed and referred to the Committee on Revenue and Taxation.

INTRODUCTION OF BILLS

S. B. No. 67 By Mr. Muir

AN ACT AMENDING SECTIONS 53-2-12 AND 53-6-20, UTAH CODE ANNOTATED 1953, RELATING TO POWERS OF BOARDS OF EDUCATION AND THE STATE BOARD OF EDUCATION; PROHIBITING SUCH BOARDS FROM REDUCING THE NUMBER OF TEACHERS OR GRADES OR THE EXTENT OF FINANCIAL OR EDUCATIONAL SUPPORT FOR ANY SCHOOL, OR CLOSING OR DISCONTINUING ANY SCHOOL IN ANY SCHOOL DISTRICT WITHOUT THE APPROVAL OF TWO-THIRDS OF THE REGISTERED VOTERS OF SUCH DISTRICT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 68 By Messrs. Stringham and Hopkin

AN ACT AMENDING SECTION 17-5-69, UTAH CODE ANNOTATED 1953, RELATING TO AND EMPOWERING COUNTY COMMISSIONERS TO LEVY SPECIAL TAX ON TAXABLE PROPERTY TO CREATE FUNDS TO BE USED FOR COLLECTING, REPAIRING AND MAINTAINING EXHIBITS OR PRODUCTS AND INDUSTRIES AT ANY EXPOSITION, FAIR OR LIVESTOCK SHOW OR FOR PURPOSE OF PROMOTING AND MAKING WATER SURVEYS; LIMITING AMOUNT OF SUCH TAX, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 69 By Messrs. Stringham and Hopkin

AN ACT AMENDING SECTION 17-5-76, UTAH CODE ANNOTATED 1953, RELATING TO AND EMPOWERING BOARDS OF COUNTY COMMISSIONERS TO PROMOTE OR MAKE WATER SURVEYS; EMPOWERING BOARDS OF COUNTY COMMISSIONERS TO LEVY SPECIAL TAX ON TAXABLE PROPERTY; AND AUTHORIZING BOARDS OF COUNTY COMMISSIONERS TO EXPEND PART OF THE MONEY RAISED BY SUCH SPECIAL TAX TO THE UTAH WATER USERS ASSOCIATION FOR ASSISTING IN THE PROMOTING AND MAKING OF WATER SURVEYS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 70 By Messrs. Watson and Tippetts

AN ACT TO AMEND SECTIONS 59-13-2 AND 59-13-3, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR THE RATES OF FRANCHISE TAX BASED ON NET INCOME PAYABLE BY CORPORATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider bills on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Day, the rules were suspended and S. B. No. 3 was placed before the Senate for its consideration.

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

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider S. B. No. 9 and 2, in that order.

UNFINISHED BUSINESS

S. B. No. 9 was before the Senate.

On motion of Senator Clegg, the Senate recessed for fifteen minutes.

The Senate re-assembled.

On motion of Senator Day, S. B. No. 9, was amended as follows:

Section 2, line 15, delete the word and figures "July 1, 1953" and insert in lieu thereof the words "on approval".

Line 16, delete the figures "1952" and insert in lieu thereof the figures "1951".

On motion of Senator Mabey, S. B. No. 9 was amended as follows:

Page 15, line 2, delete the word "gross" and insert in lieu thereof the word "net".

Line 5, delete the word "gross" and insert in lieu thereof the word "net".

Line 8, delete the word "gross" and in lieu thereof insert the word "net".

Line 16, delete the words "income received" and insert in lieu thereof "taxable year beginning".

S. B. No. 9 was placed on the Third Reading Calendar on the following roll call:

Ayes, 13; Nos, 8; Absent, 2.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg (explained vote), Day, Hafen, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn, Woolley and Mr. President.

Those voting in the negative were: Senators Adams, Fowles, Gibson, Hopkin, Jenkins, Selvin, Tippetts and Watson.

Absent and not voting: Senators Hammond and Tietjen.

S. B. No. 2 was before the Senate as unfinished business.

On motion of Senator Mabey, *S. B. No. 2* was amended as follows:

Page 1, line 16, delete the comma and insert a period in lieu thereof; delete the word "and" and all of line 17.

Page 2, delete lines 1 and 2.

On motion of Senator Gibson, *S. B. No. 2* was made a Special Order of Business for January 23, 2:00 P.M.

President Paxton recognized Mrs. Margaret M. Feeny, Vice Chairwoman, Republican Committee, Weber County and Mrs. Edith E. Garner, former Vice Chairwoman, State Republican Committee.

On motion of Senator Mabey, the Senate adjourned until January 23, at 2:00 P.M.

TWELFTH DAY

January 23, 1953

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

Roll Call—All Senators present except Senators Day and Hammond, excused.

Prayer by the Chaplain.

January 23, 1953

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,

ORVAL HAFEN,
Chairman

Report adopted and filed.

COMMUNICATIONS

January 19, 1953

Honorable Sol Selvin
161 S. 1st West
Tooele, Utah

Dear Senator Selvin:

Colonel Hale has asked me to write to you for the purpose of requesting you to invite the other State Senators to visit Dugway Proving Ground whenever it will be convenient for you to ask them, and for them to come.

During your visit to Dugway Proving Ground at the time of the dedication of Wherry housing, I know you must have been pleasantly surprised at the physical changes that have been made at this installation. Since Dugway is becoming a community in the state of Utah, and also has an important mission in the national defense establishment, I am sure that you and your fellow members of the Senate would not only enjoy a visit to Dugway but would find it interesting and informative.

If you feel that you and the Senators would enjoy a tour of this installation, it is requested that you extend an invitation to the Senators from the Colonel, and if acceptable, would you please contact the undersigned so that definite arrangements can be made for this visit.

Yours truly,

/s/ WILLIAM F. HODGKINSON
Administrative Officer

Communication filed.

On motion of Senator Clegg, the Senate voted to accept the above invitation for Saturday, January 31, 1953.

COMMUNICATIONS FROM THE HOUSE

January 23, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 1*, by Messrs. Hopkins, C. E. Peterson, Patterson, Monson, Conover, Fullmer, Davis, Gardner, Lester Taylor, G. Douglas Taylor, Sheffield, Barlow, Thomas, Sevy, L. B. Johnson, Froerer, C. Wilford Larsen, Butters, Poulson, Bunderson, Brian, Esplin, Lionel L. Peterson, Jacobsen, William E. Anderson, and Kerr, entitled:

AN ACT AMENDING SECTION 59-14-17, UTAH CODE ANNOTATED, 1953, PROVIDING FOR TIME FOR FILING INCOME TAX

RETURNS AND EXTENSIONS OF TIME FOR FILING INCOME TAX RETURNS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, the rules were suspended and *H. B. No. 1* was placed on the Second Reading Calendar.

January 23, 1953

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. Hopkins, Patterson, Monson, C. E. Peterson, Conover, Fullmer, Davis, Gardner, Jones, Sheffield, Barlow, Sevy, Thomas, Lester Taylor, G. Douglas Taylor, Froerer, Butters, Poulson, Bunderson, Brian, Esplin, C. Wilford Larsen, Lionel L. Peterson, Kerr, Jacobsen and William E. Anderson, entitled:

AN ACT AMENDING SECTIONS 59-14-73, 59-14-74, AND 59-14-75, UTAH CODE ANNOTATED, 1953, RELATING TO ALTERNATIVE OPTIONAL TAX (SHORT FORM) IN CASE OF RESIDENT INDIVIDUALS AND PROVIDING THAT EACH INDIVIDUAL RESIDENT TAXPAYER SHALL HAVE THE PRIVILEGE AND OPTION OF PAYING TAX BASED UPON INCOME AS DETERMINED UNDER THE FEDERAL INTERNAL REVENUE CODE BUT AT THE RATES SPECIFIED IN THE UTAH INDIVIDUAL INCOME TAX LAW, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, the rules were suspended and *H. B. No. 2* was placed on the Second Reading Calendar.

January 23, 1953

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. 3*, by Messrs. Hopkins, C. E. Peterson, Patterson, Monson, Conover, Fullmer, Davis, Gardner, Jones, Sheffield, Barlow, Sevy, Thomas, G. Douglas Taylor, Butters, Poulson, Bunderson, Brian, Esplin, Froerer, C. Wilford Larsen, Lionel L. Peterson, Kerr, and William E. Anderson, entitled:

AN ACT AMENDING SECTION 59-14-7, UTAH CODE ANNOTATED, 1953, AND AMENDING 59-14-16, UTAH CODE ANNOTATED,

1953, PROVIDING WHO MUST FILE INCOME TAX RETURNS AND PROVIDING FOR CREDITS AGAINST NET INCOME, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, the rules were suspended and *H. B. No. 3* was placed on the Second Reading Calendar.

January 23, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 4*, by Messrs. Hopkins, Patterson, Monson, C. E. Peterson, Conover, Fullmer, Davis, Gardner, Jones, Sheffield, Barlow, Lester Taylor, Thomas, Sevy, Froerer, G. Douglas Taylor, Butters, Bunderson, Brian, Esplin, C. Wilford Larson, Lionel L. Peterson, Kerr, Poulson, Jacobsen, and William E. Anderson, entitled:

AN ACT MAKING AN APPROPRIATION FROM THE UNAPPROPRIATED SURPLUS IN THE STATE GENERAL FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS TO REPLACE REVENUE FROM THE INDIVIDUAL INCOME TAX, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, the rules were suspended and *H. B. No. 4* was placed on the Second Reading Calendar.

January 23, 1953

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. 5*, by Messrs. Hopkins, C. E. Peterson, Jones, Sheffield, Barlow, Sevy, Thomas, Froerer, G. Douglas Taylor, Butters, Poulson, Bunderson, Brian, Esplin, C. Wilford Larsen, Lionel L. Peterson, Jacobsen, and William E. Anderson, entitled:

AN ACT MAKING AN APPROPRIATION FROM THE EMERGENCY RELIEF FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS TO REPLACE THE REDUCTION IN

INDIVIDUAL INCOME TAX REVENUE WITHOUT LEVYING A STATE TAX ON PROPERTY, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, the rules were suspended and *H. B. No. 5* was placed on the Second Reading Calendar.

REPORTS OF STANDING COMMITTEES

January 22, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 5*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 5 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 22, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 6 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 22, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 7*, by Messrs. Hopkin and Tietjen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 22, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 41*, by Messrs. Mabey, Fowles, Openshaw, and Hafen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 41 was ordered printed and referred to the Special Committee on Statutory Salaries.

January 22, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 43*, by Messrs. Tietjen, Kerr, Hafen and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 43 was ordered printed and referred to the Committee on Banking and Commerce.

January 22, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 44*, by Messrs. Tietjen, Thorn, Stringham and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 22, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 46*, by Messrs. Thorn and Woolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 22, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 47*, by Messrs. Thorn and Woolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 22, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 48*, by Messrs. Day, Tietjen, Thorn and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 48 was ordered printed and referred to the Special Committee on Statutory Salaries.

January 22, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 49*, by Messrs. Day, Clegg, Cannon, Selvin and Hafen, with a few minor changes assented to by the authors and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 49 was ordered printed and referred to the Special Committee on Statutory Salaries.

January 22, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 22, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 22, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 52*, by Messrs. Day, Fowles and Hafen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 22, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 66*, by Messrs. Mabey and Woolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 66 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 22, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 10*, by Messrs. Mabey, Hopkin, Gibson, Fowles, Tietjen, Jenkins, Thorn, Kerr, Woolley and Muir, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 22, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 24*, by Messrs. Clegg, Selvin and Cannon, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 22, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 25*, by Messrs. Hafen and Cannon, has carefully considered said bill and reports the same out favorably.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

On motion of Senator Tippetts, *S. B. No. 45* was lifted from the Committee on Revision and Enrolling and returned to the authors.

On motion of Senator Thorn, the enacting clause of *S. B. No. 45* was struck.

PRESENTATION OF RESOLUTIONS

S. C. R. No. 2 — By Messrs. Day, Burton, Cannon, Fowles, Mabey, Muir, Openshaw and Clegg

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, CONGRATULATING IVY BAKER PRIEST UPON HER APPOINTMENT AS TREASURER OF THE UNITED STATES OF AMERICA, was read the first time.

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

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Fowles, Gibson, Hafen, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Day, Hammond and Woolley.

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

S. C. R. No. 3 — By Messrs. Day, Cannon, Muir, Hopkin, Selvin, Burton and Clegg

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, CONGRATULATING HONORABLE EZRA TAFT BENSON UPON HIS APPOINTMENT AS SECRETARY OF AGRICULTURE OF THE UNITED STATES OF AMERICA, was read the first time.

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

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Fowles, Gibson, Hafen, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Day, Hafen and Woolley.

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

INTRODUCTION OF BILLS

S. B. No. 71 By Messrs. Stringham, Fowles and Watson

AN ACT AMENDING SECTIONS 73-4-20, 73-5-1, 73-5-5, UTAH CODE ANNOTATED 1953, RELATING TO WATER AND WATER RIGHTS AND THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO THE APPROPRIATION, ADMINISTRATION AND DISTRIBUTION THEREOF; PROVIDING THAT THE STATE ENGINEER SHALL FROM FUNDS APPROPRIATED TO HIS OFFICE PAY ALL COST OF DETERMINATIONS; AND REQUIRING HIS APPROVAL OF ALL DAMS IMPOUNDING OVER 20 ACRE-FEET OF WATER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 72 By Messrs. Woolley and Muir

AN ACT AMENDING SECTIONS 76-4-8 AND 76-4-9, UTAH CODE ANNOTATED 1953, RELATING TO THE USE OF NAME OR PICTURE OF AN INDIVIDUAL FOR ADVERTISING PURPOSES OR PURPOSES OF TRADE, AND PROVIDING THAT THE WRITTEN CONSENT OF THE HEIRS AND PERSONAL REPRESENTATIVES OF A DECEASED PERSON WHOSE NAME IS USED FOR SUCH PURPOSES SHALL BE OBTAINED IF SAID PERSON DIED DOMICILED IN THE STATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 73 By Mr. Woolley

AN ACT AMENDING SECTION 32-2-2, UTAH CODE ANNOTATED 1953, RELATING TO SPECIAL PERMITS FOR MINISTERS, AND ENTITLING THE HOLDERS TO BUY WINE FOR SACRAMENTAL PURPOSES AT COST, INCLUDING A REASONABLE HANDLING CHARGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 74 By Messrs. Fowles, Mabey, Openshaw, Day, Jenkins and Watson

AN ACT AMENDING SECTIONS 49-6-2, 49-6-4, 49-6-7, AND 49-6-8, UTAH CODE ANNOTATED 1953, 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; PAYMENTS 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. 75 By Messrs. Hafen, Fowles and Tippetts

AN ACT GRANTING CORPORATE STATUS AS A BODY POLITIC TO THE STATE BOARD OF EDUCATION WITH THE RIGHTS OF CONTRACTING FOR, ACCEPTING, BUYING, SELLING, HOLDING, LEASING, PLEDGING, AND USING ANY AND ALL PROPERTY IN A MANNER CONSISTENT WITH THE CORPORATE STATUS AND WITH THE PURPOSES OF THE INSTITUTIONS UNDER ITS DIRECT JURISDICTION AND CONSISTENT WITH ITS DUTIES AS THE STATE BOARD OF EDUCATION, PERMITTING IT TO CONSTRUCT SELF-LIQUIDATING PROJECTS FOR INSTITUTIONS WHICH ARE UNDER ITS SUPERVISION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 76 By Messrs. Openshaw, Thorn, Watson and Fowles

AN ACT REGULATING THE PRACTICES OF ENGINEERING AND LAND SURVEYING; PROVIDING FOR THE REGISTRATION OF QUALIFIED PERSONS AS PROFESSIONAL ENGINEERS AND LAND SURVEYORS, AND PROVIDING FOR THE CERTIFICATION OF ENGINEERS-IN-TRAINING; DEFINING THE TERMS "ENGINEERS", "PROFESSIONAL ENGINEERS", "ENGINEER-IN-TRAINING", "PRACTICE OF ENGINEERING", "LAND SURVEYOR", AND "PRACTICE OF LAND SURVEYING"; PROVIDING FOR A COMMITTEE OF ENGINEERING EXAMINERS FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE APPOINTMENT OF ITS MEMBERS: FIXING THE TERMS OF THE MEMBERS OF SAID COMMITTEE AND DEFINING ITS POWERS AND DUTIES: SETTING FORTH THE MINIMUM QUALIFICATIONS AND OTHER REQUIREMENTS FOR REGISTRATION; ESTABLISHING FEES WITH EXPIRATION AND RENEWAL REQUIREMENTS; IMPOSING CERTAIN DUTIES UPON THE STATE AND POLITICAL SUBDIVISIONS THEREOF IN CONNECTION WITH PUBLIC WORK AND PROVIDING FOR THE ENFORCEMENT OF THIS ACT AND PENALTIES FOR ITS VIOLATION AND REPEALING CHAPTER 10, TITLE 58, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 77 By Mr. Selvin

AN ACT AMENDING SECTION 55-9-1, UTAH CODE ANNOTATED 1953, PERTAINING TO REGULATION AND LICENSING OF

DAY NURSERIES, FOSTER HOMES, PERSONS, AND ORGANIZATIONS PROVIDING CARE FOR CHILDREN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 78 By Messrs. Clegg, Stringham and Tippetts

AN ACT AMENDING SECTION 32-1-24, UTAH CODE ANNOTATED 1953, RELATING TO THE CREATION OF A LIQUOR CONTROL FUND AND THE DISPOSITION THEREOF, ALLOCATING ONE-THIRD BUT NOT TO EXCEED ONE MILLION DOLLARS THEREOF IN ANY ONE YEAR TO THE CITY, INCORPORATED TOWN AND COUNTY LIQUOR CONTROL FUND, AND THE BALANCE THEREOF TO THE STATE GENERAL FUND, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 2, being a special order of business, was before the Senate.

On motion of Senator Gibson, the Senate resolved itself into a Committee of the Whole.

Mr. C. M. Gilmour, Counsel for the Utah State Tax Commission, appeared before the Committee of the Whole.

On motion of Senator Hafen, the Committee of the Whole was dissolved.

On motion of Senator Mabey, the rules were suspended and *H. B. No. 2* was placed before the Senate for its consideration.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Mabey, the rules were suspended and *H. B. No. 2* was read the second time.

H. B. No. 2 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, Burton, Cannon, Clegg, Fowles, Gibson, Hafen, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Day, Hammond and Selvin.

On motion of Senator Fowles, it was agreed that when the Senate adjourns today, it stand adjourned until Monday, January 26, 1953.

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

The Senate re-assembled.

Senator Mabey, with the aid of five Senators, requested a call of the Senate.

On motion of Senator Fowles, the call of the Senate was lifted.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider bills on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Gibson, the rules were suspended and the Senate voted to now consider *S. B. No. 9*.

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

On motion of Senator Mabey, *S. B. No. 9* was amended as follows:

Page 15, line 15, delete "This act shall take effect July 1, 1953, but", and capitalize the letter "T" of the word "the".

Insert a new section after Section 2 as follows: "Section 3. This Act shall take effect upon approval."

On motion of Senator Mabey, the title was amended as follows:

Line 12, after the word "FILE", strike the period and insert ", PROVIDING FOR APPLICATION TO TAXABLE YEAR, BEGINNING AFTER DECEMBER 31, 1951."

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn, Tietjen, Woolley and Mr. President.

Those voting in the negative were: Senators Tippetts and Watson.

Absent and not voting: Senators Fowles, Hopkin and Selvin.

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

President Paxton recognized former members of the Senate and their wives, as well as State and County officials.

On motion of Senator Gibson, the Senate adjourned until January 26, at 2:00 P.M.

FIFTEENTH DAY

January 26, 1953

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

Roll Call—All Senators present.

Prayer by Senator Hopkin.

January 26, 1953

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,

ORVAL HAFEN,
Chairman

Report adopted and filed.

COMMUNICATIONS

January 22, 1953

Mr. Mark Paxton,
President of the Senate
State of Utah
Capitol Building
Salt Lake City, Utah

Dear Mr. Paxton:

Confirming my telephone conversation with you of this date regarding participation of members of the Senate for a blood donation day at the State Capitol, I present the following information as you requested.

As you are undoubtedly aware, Red Cross has been designated by the Department of Defense to collect blood for the needs of the Department of Defense as related to requirements of whole blood for our fighting forces in Korea, plasma for the fighting forces and for stockpiling for Civilian Defense, and gamma globulin which has been proved an effective force in the fight against polio and its crippling effects, so all the blood that can be obtained is urgently needed.

In addition to this program, the Intermountain Regional Blood Center at Salt Lake collects and distributes blood to a number of participating hospitals throughout the State of Utah for their civilian needs. Many of the

members of the Senate come from cities and counties in which these hospitals are located.

It is with this thought in mind that we are sure you will wish to participate and we would like to come to the State Capitol on Friday, February 20th and prefer the drawing hours of 10 a.m. to 3 p.m. The donor should abstain from eating fatty foods for a period of four hours before donating, but should drink liquids, water, fruit juice, coffee (no cream or sugar) and may eat dry toast (jelly permitted). It requires about 30 minutes to donate a pint of blood.

The operating staff is comprised of Registered Nurses accompanied by a doctor. A brief physical check-up is given each donor before he is accepted.

We are providing donor pledge cards so that each Senator can be contacted and sign the pledge if he wishes to donate, in this way we will have a working knowledge of the number of donors and we can schedule the time.

Secretaries and other employees now present in the Capitol in conjunction with the legislature should also be encouraged to participate.

Be assured of our appreciation of your interest and cooperation.

Sincerely,

MRS. J. R. WILSON, Exec. Sec.
Blood Recruitment

Communication filed.

On motion of Senator Hopkin, the Senate voted to accept the above invitation.

January 26, 1953

Honorable Mark Paxton
President of the Utah State Senate
Senate Chambers
State Capitol Building
Salt Lake City, Utah

Dear Senator Paxton:

The Vocational Education Board of Control for the Salt Lake Area Vocational School extends an invitation to the honorable members of the 1953 Utah State Legislature and their partners to attend a dinner at the Salt Lake Area Vocational School on Wednesday evening, February 4, 1953 from 7:00 until 9:00 P.M.

Respectfully yours,

LINCOLN F. HANKS, Chairman
Finance and Public Relations
Committee

Communication filed.

On motion of Senator Day, the Senate voted to accept the above invitation.

January 26, 1953

Mr. Mark Paxton, President
State Senate
Capitol Building
Salt Lake City, Utah

Dear President Paxton:

The Daughters of Utah Pioneers hereby extend an invitation to the members of the Senate to luncheon in the Pioneer Memorial Museum Tuesday noon, January 27th. Since the luncheon is tomorrow, we would appreciate it if a count could be taken today so we can be advised of the number coming.

Sincerely yours,

DAUGHTERS OF UTAH PIONEERS,

/s/ KATE B. CARTER
President

Communication filed.

On motion of Senator Day, the Senate voted to accept the above invitation.

Mr. Howard Jorgenson, for the U. of U. Student Body Council, extended an invitation to the Junior Prom to all Senators.

On motion of Senator Clegg, the Senate voted to accept the invitation from the U. of U. Student Body Council.

COMMUNICATIONS FROM THE GOVERNOR

January 26, 1953

Dear Mr. President and Members of the Senate:

In my opening message to the Legislature, I recommended that a study be made of higher education. The comments I shall make in this letter will amplify this recommendation, but they should not be construed to limit the scope of the study.

The need for such a study was shown clearly in the Kelly Survey Committee report of operations at the Utah State Agricultural College (pages 29 to 34). The report calls attention to the facts that Utah ranks first among all states in the percentage of its population enrolled in public institutions of higher education, and first in its relative support of these institutions; but in its ability to finance these activities, based on the total income payments to individuals per enrolled student in public institutions of higher education, Utah ranks 48th.

"This suggests the need for looking for economies not only in each institution but also in the plan used by the State in administering its higher education program," the report continues. ". . . . it would seem that there is urgent need for a co-ordinated program in Utah developed on a state-wide

basis to replace the competition among the several State boards and institutions of higher education. Particularly should such a co-ordinated program be developed before the State embarks on a program of four-year colleges in communities where junior colleges are so clearly needed."

Alhough competition in the market place, for example, provides a means of getting better products for lower cost, the same situation does not hold true in the State's higher education program. The Kelly report points out that the competition for funds among the boards of control governing the higher education institutions is likely to lead to "indifference if not opposition to the proposal of the other boards."

"As single institutions, un-co-ordinated with the others, each is concerned with its own development," it continues. "There is no assurance under such a system that each college may not expand its program more than can be justified from the point of view of the State's interest. When and if this occurs it will drive the costs of higher education still higher. Furthermore, the confidence of the public and the Legislators in the essentiality of the requests from the competing institutions tends to be weakened."

The Council of State governments in its Report on Higher Education alludes to the same problem when it states (page 156): "If funds for higher education are to be used most effectively, it is essential that they be channeled into those programs and activities which are most needed in the State. To achieve this, the needs of the State for the various services and activities which institutions of higher education can provide should be continuously surveyed and their relative urgency carefully weighed."

I think it is obvious from the foregoing citations that a comprehensive study of higher education is needed. Separate studies of the operations at the University of Utah and U.S.A.C. have been completed, but the full value from them will not be realized unless they are made a part of an overall and co-ordinated study of the entire higher education program. Such a study should have as one of its objectives the establishment of either a single governing board for all institutions of higher education, or a co-ordinating board with adequate powers of control over the separate boards.

I believe it would be advantageous to establish a temporary co-cordinating board patterned after a similar board in New Mexico, to aid in making the study and to compile budget recommendations for the next Legislative session. Such a board could be made permanent if the Legislature determined it to be superior to the proposed single governing board.

Other objectives of the study should include a survey of entrance requirements at the various institutions of higher education, which are criticized in the Booz, Allen, and Hamilton report of the university as being too low; a survey of tuition fees, which several reports have shown are below average; a survey of curriculums, which may include more courses than can be justified, as pointed out in the Kelly report; and a survey to eliminate duplicating courses and services.

There may be other objectives to be considered; therefore, I repeat, these comments should not limit the scope of the study. The reports I have

cited offer a good beginning for reference material. I suggest that the study of higher education be completed in time to be considered and acted upon by the thirty-first Legislature.

Sincerely yours,

J. BRACKEN LEE,
Governor of Utah

Communication filed.

COMMUNICATIONS FROM THE HOUSE

January 26, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 6*, by Messrs. Hopkins, C. E. Peterson, Jones, Sheffield, Barlow, Sevy, Thomas, Froerer, G. Douglas Taylor, Butters, Poulson, Bunderson, Brian, Esplin, C. Wilford Larsen, Lionel L. Peterson, Jacobsen, and William E. Anderson, entitled,

AN ACT MAKING AN APPROPRIATION FROM THE EMERGENCY RELIEF FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS WITHOUT LEVYING A STATE TAX ON PROPERTY, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 6 was read the first time.

On motion of Senator Mabey, the rules were suspended and *H. B. No. 6* was placed on the Second Reading Calendar.

January 26, 1953

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. 10*, by Mr. W. G. Larson, entitled,

"AN ACT AMENDING SECTION 41-11-8, UTAH CODE ANNOTATED 1953, RELATING TO ALLOWANCE FOR EVAPORATION AND LOSS IN MOTOR FUELS," and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 10 was read the first time and referred to the Committee on Highways.

January 26, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 16*, by Messrs. W. G. Larson and Sheffield, entitled,

"AN ACT DESIGNATING CERTAIN LANDS AS A STATE PARK AND PROVIDING THAT THE ENGINEERING COMMISSION SHALL HAVE ADMINISTRATION AND SUPERVISORY CONTROL THEREOF," and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 16 was read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

January 23, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 56*, by Messrs. Openshaw, Burton and Thorn, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 56 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 23, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 57*, by Messrs. Openshaw, Burton and Thorn, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 57 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 23, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 58*, by Messrs. Tippetts, Watson and Selvin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 58 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 23, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 59 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 23, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 62*, by Messrs. Mabey, Hafen, Selvin, Fowles, Day, Kerr, Burton, Tietjen, and Tippetts, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 62 was ordered printed and referred to the Committee on Health and Labor.

January 23, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 64*, by Messrs. Kerr and Tippetts, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 64 was ordered printed and referred to the Committee on Highways.

January 23, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 65*, by Mr. Kerr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 65 was ordered printed and referred to the Committee on Revenue and Taxation.

January 23, 1953

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 11*, by Messrs. Day, Hopkin, Muir, Fowles, and Mabey, has carefully considered said bill and reports the same out favorably.

Respectfully,

VERN B. MUIR,
Chairman

Report filed.

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

January 26, 1953

Mr. President:

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

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

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

January 26, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 1*, by Messrs. Watson, Tippetts and Selvin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 26, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 3*, by Mr. Watson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 26, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 22*, by Messrs. Clegg, Selvin, and Cannon, has carefully considered said bill and it is the Committee's recommendation that the appropriation in the amount of $50,000 be reduced to $25,000 and that the bill so amended be referred without recommendation to the Appropriations Committee for its action.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 22 was referred to the Committee on Appropriations and Claims.

January 26, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 27*, by Messrs. Muir and Stringham, has carefully considered said bill and recommends that the bill be referred without recommendation to the Appropriations Committee for its action.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 27 was referred to the Committee on Appropriations and Claims.

January 26, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 28*, by Messrs. Day, Tietjen, Thorn and Hammond, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 26, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 36*, by Messrs. Day, Hafen, Burton, Jenkins and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 36 was placed on the Second Reading Calendar.

January 26, 1953

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 26, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 39*, by Mr. Hammond, has carefully considered said bill and recommends that the bill be referred without recommendation to the Appropriations Committee for its action.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 39 was referred to the Committee on Appropriations and Claims.

INTRODUCTION OF BILLS

S. B. No. 79 By Mr. Woolley

AN ACT AMENDING SECTION 59-15-5, UTAH CODE ANNOTATED 1953, RELATING TO COLLECTION OF TAX–REMISSION–RETURNS–DIRECT PAYMENT BY PURCHASER OF MOTOR VEHICLE–TOKENS–DEPOSIT OF SECURITY AND SALE THEREOF–REMISSION OF EXCESS AMOUNT COLLECTED–PENALTIES AND INTEREST FOR VIOLATIONS–FINE OR IMPRISONMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 80 By Messrs. Thorn, Hopkin and Tietjen

AN ACT TO AMEND SECTION 78-34-1, UTAH CODE ANNOTATED 1953, BY ENACTING A NEW SUBSECTION TO BE KNOWN AS (14) PROVIDING THAT THE RIGHT OF EMINENT DOMAIN MAY BE EXERCISED BY EDUCATIONAL INSTITUTIONS OF COLLEGIATE GRADE WITHIN THE STATE OF UTAH WHEN THE INSTITUTION IS NOT CONDUCTED FOR PROFIT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 81 By Messrs. Thorn, Burton and Cannon

AN ACT AMENDING SECTION 58-6-4, UTAH CODE ANNOTATED 1953, DELETING THE REQUIREMENT THAT CONTRACTORS LICENSES MUST BE ISSUED WITHIN TEN DAYS FROM RECEIPT OF APPLICATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 82 By Messrs. Thorn, Burton and Cannon

AN ACT AMENDING SECTION 58-1-5, UTAH CODE ANNOTATED 1953, ADDING PARAGRAPH NINETEEN THERETO AUTHORIZING A REPRESENTATIVE COMMITTEE FOR CONTRACTORS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 83 By Messrs. Cannon, Hafen and Kerr

AN ACT AMENDING SECTION 34-1-2, UTAH CODE ANNOTATED 1953, RELATING TO LABOR DISPUTES, DEFINITIONS, PROVIDING THAT A NON-PROFIT CORPORATION OR ASSOCIATION OPERATING AS A HOSPITAL SHALL NOT BE TERMED AN EMPLOYER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 84 By Mr. Muir

AN ACT AMENDING SECTION 67-1-8, UTAH CODE ANNOTATED 1953, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 67-1-9, 67-1-10, AND 67-1-11, RELATING TO THE GOVERNOR'S RESIDENCE, AUTHORIZING THE SECRETARY OF STATE TO TRANSFER THE CUSTODY AND USE OF THE GOVERNOR'S RESIDENCE TO THE UTAH STATE HISTORICAL SOCIETY FOR ADMINISTRATIVE OFFICES AND LIBRARY OF SAID SOCIETY AND FOR A DEPOSITORY FOR THE STATE ARCHIVES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 85 By Messrs. Openshaw, Woolley and Fowles

AN ACT AMENDING SECTION 32-1-29, UTAH CODE ANNOTATED 1953, RELATING TO THE MAXIMUM OPERATING CAPITAL OF THE UTAH LIQUOR CONTROL COMMISSION AND PROVIDING THAT IN THE DETERMINATION OF WHETHER ANY ORDER OR PURCHASE IS IN EXCESS OF THE MAXIMUM PERMITTED TO BE INVESTED IN ALCOHOLIC BEVERAGES, OUTSTANDING, BUT UNFILLED, ORDERS SHALL NOT BE CONSIDERED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 86 By Mr. Hopkin

AN ACT AMENDING SECTION 63-11-10, UTAH CODE ANNOTATED 1953, RELATING TO THE DESCRIPTION OF CERTAIN PROPERTY IN THE VICINITY OF "THIS IS THE PLACE" MONUMENT ORDERED TO BE CONDEMNED FOR STATE PARK PURPOSES, AND PROVIDING FOR THE EXCLUSION THEREFROM OF A TRACT OF LAND KNOWN AS KENNEDY DRIVE, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 2, being unfinished business, was before the Senate.

On motion of Senator Mabey, *S. B. No. 2* was tabled.

On motion of Senator Mabey, *S. B. No. 3* was tabled.

CONSIDERATION OF BILLS ON THIRD READING

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

On motion of Senator Gibson, *S. B. No. 1* was made a Special Order of Business for January 27, at 3:00 P.M.

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

On motion of Senator Mabey, the Senate resolved itself into Regular Session.

On motion of Senator Mabey, the Senate voted to advise and consent to the following appointments:

MEMBER, HIGHWAY PATROL CIVIL SERVICE COMMISSION:

Oral J. Wilkinson, Murray, for four year term ending January 1, 1957.

COMMISSIONER, LIQUOR CONTROL COMMISSION:

Charles H. Foote, Nephi, for unexpired term ending July 1, 1953.

COMMISSIONER, DEPARTMENT OF PUBLIC WELFARE:

Ward C. Holbrook, Bountiful, for unexpired term ending March 1, 1957.

MEMBERS, BOARD OF TRUSTEES–TO ADMINISTER TERMINATION OF PUBLIC EMPLOYEES' RETIREMENT SYSTEM:

C. Cash Rampton, Salt Lake City, banking representative, for four year term, ending June 30, 1956.

Kenneth W. Cring, Salt Lake City, insurance representative, for four year term, ending June 30, 1956.

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

The Senate re-assembled.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Kerr, the rules were suspended and the Senate voted to now consider *H. B. No. 4*.

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

H. B. No. 4 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, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Openshaw and Watson.

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

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider *H. B. No. 5*.

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

H. B. No. 5 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, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin (explained vote), Stringham, Thorn, Tietjen (explained vote), Tippetts, Woolley and Mr. President.

Those voting in the negative were: Senators Gibson and Jenkins (explained vote).

Absent and not voting: Senator Watson.

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

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider *H. B. No. 6*.

On motion of Senator Mabey, the rules were suspended and *H. B. No. 6* was read the second time.

On motion of Senator Gibson, the Senate adjourned until January 27, at 10:00 A.M.

SIXTEENTH DAY

MORNING SESSION

January 27, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

January 27, 1953

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,

ORVAL HAFEN,
Chairman

Report adopted and filed.

On motion of Senator Stringham, the Senate instructed the Secretary to send flowers to Mrs. Olive Day, mother of Senator Day.

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

JOINT CONVENTION

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

Prayer by the Chaplain of the Senate.

On motion of Representative Sheffield, President Paxton appointed a joint committee consisting of Senators Day, Burton and Adams and Representatives Barlow, Vance and Kerr to notify the Governor that the Legislature was 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 Paxton.

The Governor then delivered the following message:

GOVERNOR'S BUDGET MESSAGE

LADIES AND GENTLEMEN OF THE LEGISLATURE:

I am submitting my budget to you based on the supposition that the income tax will be reduced in the amount of $3,000,000, and that the property tax will be eliminated, as I have recommended. The reasons for this reduction were outlined in my Inaugural message and again in my opening message to the Legislature. In the latter message, I also recommended that all taxes, except those having a close relationship between tax and use, be channeled into the General fund. My budget, however, is based on separate funds, but I again repeat the recommendation to abandon the earmarking practice.

Among the taxes now earmarked for the Uniform School fund are those for income and property. Any reduction in one of these taxes must bring about a corresponding increase elsewhere if the statutory obligation to this fund is to be met. You will note that the transmittal letter accompanying this budget indicates a General fund surplus of $3,124,000. My recommendation for an income tax reduction was in the amount of $3,000,000. This redutcion and its resulting depletion of the Uniform School fund should be offset initially by a transfer to the latter fund of $3,000,000 from the General Fund surplus. In succeeding years the transfer should be made from sales tax revenues. In the event the earmarking practice is changed, this procedure of transfers also would be changed.

As usual, the total requests for State spending far exceed the anticipated State income. It is our obligation to decide how best the spending requirements can be met with the funds available. The total requests amount to $72,971,000 of which more than $25,000,000 originates with agencies supported from sales tax revenues; approximately $11,000,000 from agencies supported by gasoline tax revenues, and nearly $28,000,000 from agencies supported by the General Fund. The remaining amount is accounted for by requests from special funds which are largely self supporting, such as Fish and Game, Motor Vehicle Registration, Liquor Control, Insurance Fund, and Land Grant Maintenance fund.

EMERGENCY RELIEF FUND

The Emergency Relief fund (sales tax) will contain a surplus of approximately $8,608,900 at the end of this fiscal year, of which $5,000,000 is the statutory reserve. The estimated revenue from sales tax for the biennium is $35,000,000. I have recommended that $23,000,000 be appropriated from the Emergency Relief fund for the operations of the Department of Public Welfare, including its institutions. I also have recommended, pending a change in the practice of earmarking, that annual transfers of $3,000,000 be made to the Uniform School fund.

In my opening message you will recall that I recommended that the State property tax be eliminated. This tax also is earmarked for the Uniform School Fund. It was eliminated last year by reason of the fact that an accumulated surplus in the Uniform School fund and other revenues were of sufficient amount to meet the needs of the fund. Theoretically, there will be no surplus in the fund next year, which means, even if there were no income tax reduction or, if made, that every cent of the income tax reduction were offset by a transfer from sales tax, it still will be necessary to reimpose a State property tax tc help meet school needs. To again eliminate the property tax, therefore, it will be necessary to transfer from sales tax to the Uniform School fund an annual amount estimated at $4,800,000 (this being in addition to the annual transfer of $3,000,000 to offset the income tax reduction) unless some other means to accomplish this can be devised, possibly the revamping of the present Minimum School program laws. Aside from a recommended transfer of $519,000 to the General fund, I have made no further recommendations for the disposition of money in the Emergency Relief fund.

GENERAL FUND

The General fund, because of the earmarking practice, is the "Whipping-boy" of all funds. It supports more spending agencies than any other fund but it is more restricted in the amount of its revenues. Requests for spending from this fund always exceed the available revenue, and the great bulk of the requests originate with the institutions of higher learning. Their requests this year total $15,026,268, which amounts to ninety per cent of the available General fund revenue. These requests, incidentally, are twenty-six per cent greater than the appropriations made last biennium, and almost triple those made in the 1945-47 biennium. Among other agencies, institutions, and services supported from the General fund are virtually all of the Executive departments, the Vocational schools, and the matching appropriation for the Teachers' Retirement fund.

HIGHER EDUCATION

I have recommended that a study be made of higher education to determine, among other things, a more satisfactory means of fixing institutional budgets. I have suggested, in addition, that tuitions and fees at these institutions be examined, since they now are below average. Separate studies of the operations at the University of Utah and Utah State Agricultural college have been made, and they offer some basis for determining budgets at the present time. The study of the University of Utah, made by Booz, Allen, and Hamilton, for example, predicts an enrollment decline in the coming biennium, and estimates that savings of $1,000,000 to $1,600,000 will result. The College study was not made available to me in time for this message, but it is my understanding that it is even more detailed on savings to be made.

With this in mind, I have recommended certain reductions in the appropriation requests made by the institutions of higher learning. The following tabulation shows the combined appropriations for these institutions for each biennium since 1943-45, and in addition, shows the present requests and recommendations:

1943-45 – Appropriations	$ 3,718,141.27
1945-47 – Appropriations	$ 5,358,631.26
1947-49 – Appropriations	$ 8,469,111.20
1949-51 – Appropriations	$ 9,937,400.00 (after vetoes)
1951-53 – Appropriations	$11,927,757.58
1953-55 – Requests	$15,026,268.00
1953-55 – Recommendation	$10,926,000.00

TEACHERS' RETIREMENT FUND

The request for appropriation for the Teachers' Retirement fund for the next biennium is $4,877,546.83, and is based not only on present statutory requirements, but also on the accumulated legal deficit. The deficit in the fund and the future of this retirement system are being studied by the Legis-

lative Council. Until such time as the study is complete, I shall make no recommendations as to this fund, other than to point out, as I have done in previous years, that the obligation must be met.

RESERVE BUILDING FUND

In my opening message, I recommended that all money for construction should be appropriated from the Reserve Building fund. Should a request be made for additional funds for emergency school building purposes, I recommend that the money be appropriated from the Reserve Building fund. The Water and Power Board construction fund also should be provided from this source. I might point out that even though the entire schedule of Reserve Building fund appropriations, as outlined by the 1951 Legislature, has been met, there is at present an unobligated balance in the fund of $1,756,783.90.

CONCLUSION

I realize, in submitting this budget, that my recommendations always are subject to examination, criticism, and review. It may be felt that in some instances I have been too severe in my recommendations, and in other instances too lenient. I have reached the conclusion, as I indicated in my opening message, that severity sometimes is necessary to halt expansion or effect economy. In the event it is impossible for an ageny to live within its budget, after making a sincere effort to do so, it is always possible for the Board of Examiners to grant it a deficit. Many agencies of State government have made a sincere effort to reduce their administrative costs and have been successful. I see no reason why other agencies cannot do the same. Incidentally, the detailed departmental requests are available to your inspection at the budget division of the Department of Finance.

This is a brief message for such an important document. On the other hand, the budget could be submitted with only the charge of doing the best possible to fit appropriations to revenues. More than that no one could ask. I urge again that you give first consideration to the long abused and forgotten taxpayers by reducing taxes. Once this is done, the expected revenue for the biennium can be established and appropriations made accordingly. This is similar to the procedure that every person and family must follow with their budgets, and I see no reason why government should be treated any differently. The services of the various State executive offices will be at your disposal to aid you in your work ahead.

LETTER OF TRANSMITTAL

Honorable J. Bracken Lee
Governor, State of Utah
State Capitol Building
Salt Lake City, Utah

Dear Governor Lee:

Pursuant to Section 63-2-18, Utah Code Annotated 1953, the biennial budget document is transmitted herewith. This budget conforms to the pro-

visions of Section 67-1-7, Utah Code Annotated 1953. The estimate of appropriations as furnished by your excellency have been indicated in the document together with estimated revenue from the General Fund and other funds from which to meet your proposed budget. This meets the requirements of the above mentioned statutes that: "The total appropriations made and expenditures authorized by the budget must not exceed the estimated revenues from taxes, fees and all other sources for the ensuing biennium as shown hereinafter."

Your attention is invited to the Statement of General Fund Revenue, to specific statements of other budgeted items, to the summary of Budget Requests and to your appropriation recommendations as detailed by State departments and agencies in this document. These statements show that your proposed budget can be met from the General Fund and Special Funds, together with the use of collections of fees, earnings, and dedicated credits of certain departments, institutions, and schools. Your recommendation can be met not only without increasing current taxes but a provision has been made in the following analysis of surplus to provide for certain tax reductions which you have recommended.

The following is a summary of the General Fund estimated revenues and surplus as planned in this budget, and it will be noted that the estimated surplus for the current biennium has been reduced by three million dollars in anticipation of an income tax reduction. The amount of reduction is based upon an increase of present individual income tax exemptions from $600.00 for a single person, and $1200.00 for a married couple, with $300.00 for each dependent, to an exemption which, based upon studies of the State Tax Commission, would absorb three million dollars of the surplus for the next fiscal year only. This will result in a reduction in individual income tax collections for the next fiscal year of approximately three million dollars for one year only. Inasmuch as all income tax collections are earmarked for the Uniform School Fund, in order to avoid passing this reduction on to property taxes, three million dollars in the following tabulation has been deducted from the estimated surplus total of $3,124,056.27. In this manner, the proposed tax reduction has been absorbed for the first year of the biennium without any impact upon the state property tax levy. It will be necessary to provide, by appropriate legislation, for an appropriation to the Uniform School Fund from the General Fund Surplus of sufficient moneys to replace the amount not collected by reason of the Income Tax reduction. Unless future years produce a comparable surplus, provision should be made for future years for a transfer from sales tax to the Uniform School Fund of the amount of the decrease. Such action will avoid the necessity of a property tax levy which could be caused by this decrease in earmarked income tax revenue.

The estimated General Fund revenue does not include any transfer from sales tax to General Fund as has been made by the Legislature for the last several bienniums. The total of the Governor's recommendations exceed the General Fund estimate by $519,000.00, which will be reduced by $200,000.00 by giving effect to the recommendation that the Water and Power Board Construction Fund be supported by the Reserve Building Fund. Any excess revenue as compared with a transfer made in the previous biennium of $3,500,000.00 and in the biennium immediately before that of $4,000,000.00.

GENERAL FUND

Actual Surplus June 30, 1951		$ 2,961,931.22
Actual Revenue 1952		9,559,244.64
Estimated Revenue 1953		10,062,200.00
Total		$22,583,375.86
Appropriations 1951-53	$19,261,635.76	
Deficits Granted to November 30, 1952	370,566.98	
Total Appropriations and Deficits		$19,632,202.74
Difference		2,951,173.12
Plus reserve appropriation balance and estimated lapses		172,883.15
Total Estimated Surplus		$ 3,124,056.27
Less reserve for proposed Income Tax reduction one year		3,000,000.00
Effective General Fund Surplus after tax reduction for one year		$ 124,056.27
Estimated General Fund Income 1954-55		16,073,400.00
Total General Fund Available		$16,197,456.27
Governor's Recommendation		$16,716,912.71
Excess Recommendation to be provided for by transfer from Sales Tax		$ 519,456.44

It is recommended that the following amounts be also appropriated as the respective proportionate share of Special Fund departments for the cost of Capitol Building maintenance which is properly chargeable against those funds.

Motor Vehicle Control Fund	$ 4,950.00
Emergency Relief Fund	12,100.00
Motor Vehicle Fund	8,800.00
Motor Fuel Tax Fund	13,200.00
Uniform School Fund	6,600.00
Land Grant Maintenance Fund	3,300.00
Financial Institutions Fund	1,100.00
State Insurance Fund	3,850.00
Public Utilities Levy	5,500.00

When authorized, these amounts would be credited to General Fund, Rent of Departmental Space.

The Agricultural Department collects special county assessments for certain inspection work throughout the State, which is an addition to the operations of the Department for which the Legislative appropriations are

made. There is a statement in the document indicating these activities. Similarly the Health Department received Federal grants for certain activities also shown in this document.

Respectfully submitted,

COMMISSION OF FINANCE
P. H. Mulcahy, Budget Director
and Chairman of the Commission

The Joint Committee then escorted Governor Lee to his Chambers.

On motion of Representative Rowberry the President of the Senate announced the Joint Convention dissolved.

The Senate re-assembled.

On motion of Senator Kerr, the Senate voted that the Governor's message and the Commission of Finance's letter of transmittal be printed in the Journal.

COMMUNICATIONS FROM THE GOVERNOR

January 27, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved *S. C. R. No. 1*, by Messrs. Muir, Day and Cannon, entitled:

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, CONGRATULATING PRESIDENT DWIGHT D. EISENHOWER UPON HIS ELECTION TO THE PRESIDENCY OF THE UNITED STATES OF AMERICA, on January 26, 1953, and am transmitting it to the Secretary of State as of this date.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

January 27, 1953

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. 2*, by Messrs. Day, Burton, Cannon, Fowles, Mabey, Muir, Openshaw and Clegg, entitled,

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE

STATE OF UTAH, CONGRATULATING IVY BAKER PRIEST UPON HER APPOINTMENT AS TREASURER OF THE UNITED STATES OF AMERICA, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

January 27, 1953

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. 3*, by Messrs. Day, Cannon, Muir, Hopkin, Selvin, Burton and Clegg, entitled,

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, CONGRATULATING HONORABLE EZRA TAFT BENSON UPON HIS APPOINTMENT AS SECRETARY OF AGRICULTURE OF THE UNITED STATES OF AMERICA, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

January 27, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 15*, by Mr. W. G. Larson, entitled,

AN ACT AMENDING SECTION 41-11-50, UTAH CODE ANNOTATED 1953, RELATING TO A TAX ON THE SALE OR USE OF FUEL FOR PROPELLING VEHICLES ON THE HIGHWAYS OF THE STATE, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 15 was read the first time and referred to the Committee on Highways.

UNFINISHED BUSINESS

H. B. No. 6 was before the Senate for its consideration.

On motion of Senator Kerr, *H. B. No. 6* was amended as follows:

Line 12, strike "Section 3." and all of that section.

Line 16, strike the figure "4" and insert "3" in lieu thereof.

On motion of Senator Kerr, the title was amended as follows:

Line 3, insert a period after the word "SCHOOLS", and strike the balance of line 3 and all of line 4.

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson (explained vote), Hafen, Hammond, Hopkin, Jenkins, (explained vote), Kerr, Mabey, Muir, Openshaw, Selvin, (explained vote), Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Day, *S. B. Nos. 4, 5* and *6* were tabled.

On motion of Senator Gibson, the rules were suspended and the Senate voted to now consider *H. B. No. 2.*

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

On motion of Senator Gibson, *H. B. No. 2* was amended as follows:

Page 2, line 9, delete the words "An election to make a return and pay tax" and all of lines 10 to 13, inclusive.

Page 2, line 1, insert the word "now" at the beginning of the line.

Line 1, after the word "Code", insert "or as hereafter amended".

Line 2, after the word "income" insert "now".

Line 3, after the word "Code" insert "or as hereafter amended".

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon (explained vote), Clegg, Day (explained vote), Fowles, Gibson, Hafen,

Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senator Hopkin.

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

On motion of Senator Clegg, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

REPORTS OF STANDING COMMITTEES

January 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 8*, by Messrs. Tippetts, Fowles and Selvin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 8 was ordered printed and referred to the Committee on Judiciary.

January 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 54*, by Messrs. Thorn, Clegg, Gibson, Selvin, Jenkins, Mabey, Cannon and Openshaw, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 26, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

January 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 60*, by Messrs. Openshaw, Muir, Adams and Tippetts, with a few minor changes assented to by the authors, and recommends that the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 60 was ordered printed and referred to the Committee on Highways.

January 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 61*, by Messrs. Openshaw, Kerr, Jenkins and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 61 was ordered printed and referred to the Committee on Revenue and Taxation.

January 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 63*, by Messrs. Mabey, Hafen, Selvin, Fowles, Day, Kerr, Burton, Tietjen and Tippetts, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 63 was ordered printed and referred to the Committee on Revenue and Taxation.

January 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 68*, by Messrs. Stringham and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 68 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 69*, by Messrs. Stringham and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 69 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 70*, by Messrs. Watson and Tippetts, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 70 was ordered printed and referred to the Committee on Revenue and Taxation.

INTRODUCTION OF BILLS

S. B. No. 87 By Messrs. Mabey, Clegg, Burton, Selvin, Hammond, Tippetts and Muir

AN ACT AUTHORIZING THE UTAH STATE BUILDING BOARD TO ACQUIRE BY PURCHASE OR CONDEMNATION CERTAIN PROPERTY FOR A PARKING LOT FOR THE PIONEER MEMORIAL MUSEUM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 88 By Messrs. Muir and Hafen

AN ACT AMENDING SECTION 58-14-10, UTAH CODE ANNOTATED 1953, RELATING TO TRAINING OF PRACTICAL NURSES; PROVIDING THAT A SURVEY BE MADE, THAT A REPORT OF THE SURVEY BE MADE TO THE DEPARTMENT OF REGISTRATION; PROVIDING THE MANNER FOR ACCREDITING A COURSE AND FOR REMOVING AN ACCREDITED COURSE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 89 By Messrs. Muir and Hafen

AN ACT AMENDING SECTION 58-1-5, UTAH CODE ANNOTATED 1953, RELATING TO REPRESENTATIVE COMMITTEE FOR NURSES; AND OF WHO SHALL COMPRISE THE COMMITTEE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 90 By Messrs. Muir and Hafen

AN ACT AMENDING SECTION 58-14-5, UTAH CODE ANNOTATED 1953, RELATING TO REPRESENTATIVE COMMITTEE FOR NURSES; AND PROVIDING FOR THE PROCEDURE FOR DESIGNATING THE REPRESENTATIVE COMMITTEE FOR NURSES AND THEIR TERM OF OFFICE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 91 By Messrs. Muir and Hafen

AN ACT AMENDING SECTION 58-14-9, UTAH CODE ANNOTATED 1953, RELATING TO SCHOOLS OF NURSING; PROVIDING THAT A SURVEY SHALL BE MADE; A REPORT MADE TO THE DEPARTMENT OF REGISTRATION; THE MANNER OF APPROVING SCHOOLS; AND OF REMOVING ACCREDITED SCHOOLS WHO FAIL TO COMPLY; AND SETTING HEARING, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 92 By Messrs. Tietjen, Hafen and Openshaw

AN ACT AMENDING SECTIONS 59-13-22 AND 59-13-25, UTAH CODE ANNOTATED 1953, RELATING TO THE TIME FOR FILING RETURNS AND PAYMENT OF CORPORATE FRANCHISE AND PRIVILEGE TAXES AND CHANGING THE DATES FOR SUCH FILING AND PAYMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 93 By Messrs. Woolley and Mabey

AN ACT AMENDING SECTION 77-19-9, UTAH CODE ANNOTATED 1953, RELATING TO THE POWER OF THE GRAND JURY TO ASK ADVICE OF THE COURT OR DISTRICT ATTORNEY, TO THE PERSONS ENTITLED TO BE PRESENT BEFORE THE GRAND JURY AND THE PERSONS TO BE EXCLUDED, TO THE EMPLOYMENT OF A STENOGRAPHER AND THE MANNER OF TAKING AND KEEPING TRANSCRIPTS, TO THE SECRECY OF THE TRANSCRIPTS, AND EMPOWERING THE GRAND JURY TO EMPLOY COUNSEL OF ITS OWN CHOICE WHEN IT DEEMS IT NECESSARY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 94 By Messrs. Woolley and Mabey

AN ACT AMENDING SECTION 77-18-1, UTAH CODE ANNOTATED 1953, RELATING TO THE TIME WHEN A DISTRICT JUDGE MAY SUMMON A GRAND JURY, AND REQUIRING THAT A GRAND JURY MUST BE SUMMONED EVERY TWO YEARS IN EACH COUNTY HAVING A POPULATION EXCEEDING 100,000 AND EVERY FOUR YEARS IN EACH OTHER COUNTY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 95 By Messrs. Gibson, Hopkin and Woolley

AN ACT REPEALING CHAPTER 11 OF TITLE 20, UTAH CODE ANNOTATED 1953, RELATING TO THE INITIATIVE AND REFERENDUM, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

January 27, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 12*, by Mr. W. G. Larson, entitled,

"AN ACT AUTHORIZING AND DIRECTING THE STATE ROAD COMMISSION TO CONSTRUCT INSPECTION AND CHECKING STATIONS FOR HIGHWAY PURPOSES ON U. S. DESIGNATED HIGH-

WAYS AND DIRECTING THE STATE HIGHWAY PATROL TO OPERATE AND MAINTAIN SUCH STATIONS AND CLASSIFY AND DEPUTIZE PERSONNEL THEREFOR," and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 12 was read the first time and referred to the Committee on Highways.

On motion of Senator Mabey, *S. B. Nos. 7* and *8* were tabled.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider *H. B. No. 4*.

CONSIDERATION OF BILLS ON THIRD READING

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, 23; Nos, 0; Absent, 0.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley, and Mr. President.

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

H. B. No. 5 was read the third time and placed on its final passage.

On motion of Senator Gibson, *H. B. No. 5* was amended as follows:

Page 1, line 12, delete all of Section 3.

Page 2, delete lines 1 and 2.

Line 3, strike the number "4" and insert in lieu thereof the number "3".

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

Line 5, insert a period after the word "REVENUE" and strike the balance of the line.

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley, and Mr. President.

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

On motion of Senator Openshaw, the Senate resolved itself into a Committee of the Whole.

Warden Marcell Graham addressed the Committee of the Whole.

On motion of Senator Clegg, the Committee of the Whole was dissolved.

On motion of Senator Kerr, the rules were suspended and *H. B. No. 6* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

H. B. No. 6 was returned to the House.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider *S. B. No. 1*.

On motion of Senator Mabey, *S. B. No. 1* was amended as follows:

Section 1, delete lines 11 and 12 and insert in lieu thereof:
"59-14-19.

When due

(1) The total amount of tax imposed by this chapter shall be paid on the 15th day of ( ) April following the close of the calendar year, or if the return should be made on the basis of a fiscal year, then on the 15th day of the ( ) fourth month following the close of the fiscal year.

Extension of Time of Payment.

(2) At the request of the taxpayer, the tax commision may extend the time for payment of the amount determined as the tax by the taxpayer, or any part thereof, for a period not to exceed six months from the date prescribed for the payment of the tax. In such case the amount in respect of which the extension is granted shall be paid on or before the date of the expiration of the period of the extension.

The provisions of these sections shall apply to taxable years commencing after December 31, 1951."

On motion of Senator Mabey, the title was amended as follows:

Line 1, insert "S" after the word "SECTION".

After the figure "17" strike the comma and insert "AND 59-14-19";

Line 2, insert a comma after the word "RETURNS";

Line 3, delete the word "AND".

Line 4, delete the period and insert in lieu thereof "AND PROVIDING FOR THE DATE FOR THE PAYMENT OF THE TAX."

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

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Those voting in the negative were: Senators Adams and Gibson.

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

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 24 was read the second time.

Report adopted and filed.

On motion of Senator Clegg, the Senate resolved itself into a Committee of the Whole.

Warden Marcell Graham appeared before the Committee of the Whole.

On motion of Senator Clegg, the Committee of the Whole was dissolved.

On motion of Senator Clegg, *S. B. No. 24* was made a Special Order of Business for Friday, January 30, at 2:30 P.M.

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

Report adopted and filed.

On motion of Senator Day, a call of the Senate was made.

On motion of Senator Mabey, the call of the Senate was lifted.

REPORTS OF STANDING COMMITTEES

January 27, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. C. R. No. 2*, by Messrs. Day, Burton, Cannon, Fowles, Mabey, Muir, Openshaw and Clegg, entitled,

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, CONGRATULATING IVY BAKER PRIEST UPON HER APPOINTMENT AS TREASURER OF THE UNITED STATES OF AMERICA, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

UNFINISHED BUSINESS

On motion of Senator Mabey, *S. B. No. 10* was made a Special Order of Business for Thursday, January 29, at 2:30 P.M.

On motion of Senator Mabey, *H. B. No. 1* was tabled.

On motion of Senator Mabey, *H. B. No. 3* was tabled.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 25 was read the second time.

Report adopted and filed.

S. B. No. 25 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, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Hopkin (excused), Stringham (excused), Thorn (excused) and Tippetts (excused).

On motion of Senator Gibson, *S. B. No. 11* was referred back to the Committee on Fish and Game.

S. B. No. 38 was read the second time.

Report adopted and filed.

S. B. No. 38 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, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Selvin, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Hopkin, Muir, Openshaw and Thorn (excused).

President Paxton recognized Mr. Warwick C. Lamoreaux and Mr. Grant McFarlane, former members of the Senate. Also Mr. C. S. Gorves, together with members of the Weber High School.

President Paxton recognized Mr. Golden Butters, chairman, Cache County Republican Committee.

Senator Clegg presented each member of the Senate with a key ring through the courtesy of the Central Utah Vocational School, at Provo.

On motion of Senator Thorn, the Senate voted that the expense of the dinner at Hotel Utah, Saturday, January 31, 1953, be taken from the Contingent Expense fund.

On motion of Senator Fowles, the Senate adjourned until Wednesday, January 28, 1953, at 2:00 P.M.

SEVENTEENTH DAY

January 28, 1953

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

Roll Call—All Senators present except Senators Selvin and Jenkins, excused.

Prayer by the Chaplain.

January 28, 1953

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,

C. TAYLOR BURTON,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 28, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 18*, by Messrs. Thomas, Young, L. L. Peterson, Dunn, White, H. V. Davis, Esplin, R. Clair Anderson, Gardner, Russell, Messinger, Mrs. Cazier, Messrs. Edward P. Larsen, Cope, Jones, Sanders, Fullmer, Monson, Brian, Sheffield, Sevy, Kerr, Gunther, Barlow, Durham, Rowberry, Dalebout, C. E. Peterson, and Jacobsen, entitled,

AN ACT AMENDING SECTIONS 76-55-1, 76-55-2 AND 76-55-4, UTAH CODE ANNOTATED 1953; ENACTING A NEW SECTION TO BE KNOWN AS 76-55-5, UTAH CODE ANNOTATED 1953, RELATING TO THE CLOSING OF BUSINESS ON SUNDAY, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 18 was read the first time and referred to the Committee on Judiciary.

On motion of Senator Fowles, *S. B. No. 28* was referred back to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

January 27, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 14 was ordered printed by title only and referred to the Committee on Mining and Smelting.

January 27, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 74*, by Messrs. Fowles, Mabey, Openshaw, Day, Jenkins, and Watson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 74 was ordered printed and referred to the Committee on State and Municipal Affairs.

January 27, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 76*, by Messrs. Openshaw, Thorn, Watson, and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 76 was ordered printed and referred to the Committee on Mining and Smelting.

January 27, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 77*, by Mr. Selvin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 77 was ordered printed and referred to the Committee on Health and Labor.

January 27, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 78*, by Messrs. Clegg, Stringham and Tippetts, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Report filed. Chairman

S. B. No. 78 was ordered printed and referred to the Committee on Revenue and Taxation.

January 26, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 19*, by Messrs. Day, Fowles, Mabey and Kerr, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,

Report filed. Chairman

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

January 26, 1953

Mr. President:

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

Respectfully,

RENDELL N. MABEY,

Report filed. Chairman

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

January 26, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 29*, by Messrs. Hopkin, Openshaw, Fowles, Tippetts and Selvin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,

Report filed. Chairman

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

January 26, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 32*, by Messrs. Openshaw, Day, Hammond and Cannon, has carefully considered said bill and reports the same out favorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

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

January 26, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 33*, by Messrs. Openshaw, Fowles, Woolley and Gibson, has carefully considered said bill and reports same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

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

January 27, 1953

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 46*, by Messrs. Thorn and Woolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 46 was placed on the Second Reading Calendar.

January 27, 1953

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 64*, by Messrs. Kerr and Tippetts, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 64 was placed on the Second Reading Calendar.

January 27, 1953

Mr. President:

Your Committee on Highways, to which was referred *H. B. No. 10*, by Mr. W. C. Larson, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

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

PRESENTATION OF RESOLUTIONS

S. C. R. No. 4 By Messrs. Day and Openshaw

A CONCURRENT RESOLUTION DIRECTING THE STATE FAIR BOARD AND THE BOARD OF REGENTS FOR THE UNIVERSITY OF UTAH TO ALLOW THE USE WITHOUT CHARGE OF THE FACILITIES OF THE STATE FAIR GROUNDS AND OF THE STADIUM AT THE UNIVERSITY OF UTAH BY THE DAUGHTERS OF THE UTAH PIONEERS, THE SONS OF THE UTAH PIONEERS, THE DAYS OF '47, OR ANY OTHER ELEEMOSYNARY ORGANIZATION HAVING FOR ITS PURPOSE THE OBJECTIVE OF HONORING THE UTAH PIONEERS, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 96 By Messrs. Fowles, Thorn, Jenkins and Muir

AN ACT AMENDING SECTION 59-5-4, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE GENERAL DUTIES OF COUNTY ASSESSORS; PROVIDING FOR THE EXEMPTING FROM ASSESSMENT OR TAX OF PERSONAL PROPERTY DESTINED FOR INTERSTATE SHIPMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 97 By Messrs. Muir and Burton

AN ACT TO PROTECT THE RIGHT TO WORK AND TO DECLARE THE PUBLIC POLICY OF THE STATE OF UTAH WITH RESPECT TO MEMBERSHIP OR NONMEMBERSHIP IN LABOR ORGANIZATIONS AS AFFECTING THE RIGHT TO WORK; TO MAKE UNLAWFUL AND TO PROHIBIT CONTRACTS OR COMBINATIONS WHICH REQUIRE MEMBERSHIP IN LABOR UNIONS, ORGANIZATIONS OR ASSOCIATIONS AS A CONDITION OF EMPLOYMENT; TO PROVIDE

THAT MEMBERSHIP IN OR PAYMENT OF MONEY TO ANY LABOR ORGANIZATION OR ASSOCIATION SHALL NOT BE NECESSARY FOR EMPLOYMENT OR FOR CONTINUATION OF EMPLOYMENT AND TO AUTHORIZE SUITS FOR DAMAGES. THIS ACT SHALL BE KNOWN AS THE "RIGHT TO WORK ACT," was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 98 By Messrs. Fowles, Jenkins and Selvin

AN ACT APPROPRIATING $110,000.00 FROM THE GENERAL FUND TO CONSTRUCT THE NORTHERN CENTER FOR THE ADULT BLIND AT OGDEN ON LAND HELD BY THE UTAH SCHOOL FOR THE DEAF AND BLIND, TO BE MAINTAINED BY THE COMMISSION FOR THE BLIND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 99 By Mr. Day

AN ACT AMENDING SECTION 67-7-13, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE APPOINTMENT OF DEPUTY DISTRICT ATTORNEYS AND DESCRIBING THEIR QUALIFICATIONS AND SALARIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 100 By Messrs. Openshaw, Day and Woolley

AN ACT AMENDING SECTION 17-5-68, UTAH CODE ANNOTATED 1953, PROVIDING FOR COUNTY FIRE DEPARTMENTS AND FOR TAX TO ESTABLISH AND OPERATE SAME, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 101 By Messrs. Woolley, Day, Kerr, Mabey, Openshaw and Burton

AN ACT AMENDING SECTION 53-2-8, UTAH CODE ANNOTATED 1953, PROVIDING FOR ORGANIZATION OF STATE BOARD OF EDUCATION AND APPOINTMENT OF STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, COMPENSATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 102 By Messrs. Fowles and Jenkins

AN ACT APPROPRIATING $205,000.00 FROM THE GENERAL FUND TO THE UTAH SCHOOL FOR THE DEAF AND THE UTAH SCHOOL FOR THE BLIND FOR THE COMPLETION OF A CLASSROOM - ADMINISTRATION BUILDING AND APPURTENANCES THERETO FOR SAID SCHOOLS AT OGDEN, WEBER COUNTY, UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 103 By Messrs. Openshaw and Day

AN ACT AMENDING SECTION 11-2-7, UTAH CODE ANNOTATED 1953, PROVIDING FOR EXPENSES INCURRED IN THE EQUIPMENT, OPERATION AND MAINTENANCE OF RECREATIONAL FACILITIES IN CITIES, TOWNS, COUNTIES OR SCHOOL DISTRICTS AND RAISING MONEY TO PAY FOR SAME AND LIMITING THE AMOUNT TO BE COLLECTED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 104 By Messrs. Burton, Cannon and Hammond

AN ACT TO AMEND SECTION 37-3-5, UTAH CODE ANNOTATED 1953, RELATING TO COUNTY LIBRARIES AND THE RATE OF TAX LEVY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 105 By Messrs. Day, Gibson, Fowles and Tietjen

AN ACT REPEALING THE STATE INHERITANCE TAX LAW, CHAPTER 12, TITLE 59, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 106 By Messrs. Day, Hopkin and Woolley

AN ACT AMENDING SECTIONS 63-7-1 AND 63-7-2, UTAH CODE ANNOTATED 1953, 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.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 25 was read the third time and placed on its final passage.

S. B. No. 25 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Jenkins and Selvin.

S. B. No. 25 was transmitted to the House.

S. B. No. 38 was read the third time and placed on its final passage.

S. B. No. 38 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Jenkins and Selvin.

S. B. No. 38 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 36 was read the second time.

Report adopted and filed.

On motion of Senator Day, the Senate resolved itself into a Committee of the Whole.

Mr. G. A. Marr appeared before the Committee of the Whole.

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

S. B. No. 36 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, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen (explained vote), Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Jenkins and Selvin.

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

The Senate re-assembled.

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

Report adopted and filed.

S. J. R. No. 3 was placed on the Third Reading Calendar on the following roll call:

Ayes, 11; Nos, 10, Absent, 2.

Those voting in the affirmative were: Senators Adams, Fowles, Gibson, Hafen, Hammond, Hopkin, Openshaw, Stringham, Thorn, Tippetts and Watson.

Those voting in the negative were: Senators Burton, Cannon, Clegg, Day, Kerr, Mabey, Muir, Tietjen, Woolley and Mr. President.

Absent and not voting: Senators Jenkins and Selvin.

On motion of Senator Openshaw, the Secretary was directed to send a letter of acknowledgement to the Utah Vocational School, Provo, Utah, for the presentation of the key rings made to all Senators, January 27, 1953.

President Paxton recognized former Senators Lynn S. Richards and McKinley Morrell, also the Honorable George T. Hansen, National Committeeman for the State of Utah.

On motion of Senator Tippetts, the Senate adjourned until Thursday, January 29, at 2:00 P.M.

EIGHTEENTH DAY

January 29, 1953

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

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

Prayer by the Chaplain.

January 29, 1953

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,

C. TAYLOR BURTON,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 29, 1953

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. 25*, by Messrs. Hafen and Cannon, entitled:

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION OF THE STATE OF UTAH TO ACCEPT A CAMPUS SITE FOR THE

DIXIE JUNIOR COLLEGE, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 25 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

January 29, 1953

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. 14*, by Mr. W. G. Larson, entitled:

AN ACT AMENDING SECTIONS 27-1-29 AND 27-1-30, UTAH CODE ANNOTATED 1953, RELATING TO MAXIMUM WEIGHTS OF MOTOR VEHICLES AND COMBINATIONS OF VEHICLES DRIVEN OR MOVED ON ANY HIGHWAY AND PROVIDING FOR ENFORCEMENT THEREOF, PENALTIES AND DISTRIBUTION OF FINES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 14 was read the first time and referred to the Committee on Highways.

January 29, 1953

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 Messrs. Sheffield, L. L. Peterson and Davis, entitled:

AN ACT PROVIDING FOR THE DISPOSITION OF PROPERTY WHERE THERE IS NO SUFFICIENT EVIDENCE THAT PERSONS HAVE DIED OTHERWISE THAN SIMULTANEOUSLY, AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 20 was read the first time and referred to the Committee on Judiciary.

January 29, 1953

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. Hopkins, et al., entitled:

AN ACT AMENDING SECTIONS 59-14-73, 59-14-74, AND 59-14-75, UTAH CODE ANNOTATED, 1953, RELATING TO ALTERNATIVE OPTIONAL TAX (SHORT FORM) IN CASE OF RESIDENT INDIVIDUALS AND PROVIDING THAT EACH INDIVIDUAL RESIDENT TAXPAYER SHALL HAVE THE PRIVILEGE AND OPTION OF PAYING TAX BASED UPON INCOME AS DETERMINED UNDER THE FEDERAL INTERNAL REVENUE CODE BUT AT THE RATES SPECIFIED IN THE UTAH INDIVIDUAL INCOME TAX LAW.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

January 29, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 5*, by Messrs. Hopkins, C. E. Peterson, Jones, Sheffield, Barlow, Sevy, Thomas, Froerer, G. Douglas Taylor, Butters, Poulson, Bunderson, Brian, Esplin, C. W. Larsen, L. L. Peterson, Jacobsen, and Wm. E. Anderson, entitled:

AN ACT MAKING AN APPROPRIATION FROM THE EMERGENCY RELIEF FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS TO REPLACE THE REDUCTION IN INDIVIDUAL INCOME TAX REVENUE.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

January 29, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 6*, by Messrs. Hopkins, C. E. Peterson, Jones, Sheffield, Barlow, Sevy, Thomas, Froerer, G. Douglas Taylor, Butters, Poulson, Bunderson, Brian, Esplin, C. W. Larsen, L. L. Peterson, Jacobsen, and Wm. E. Anderson, entitled:

AN ACT MAKING AN APPROPRIATION FROM THE EMERGENCY RELIEF FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

January 28, 1953

Mr. President:

I am directed 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. 2*, by Messrs. Day, Burton, Cannon, Fowles, Mabey, Muir, Openshaw, and Clegg, entitled:

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, CONGRATULATING IVY BAKER PRIEST UPON HER APPOINTMENT AS TREASURER OF THE UNITED STATES OF AMERICA, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

REPORTS OF STANDING COMMITTEES

January 27, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. C. R. No. 3*, by Messrs. Day, Cannon, Muir, Hopkin, Selvin, Burton and Clegg, entitled,

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, CONGRATULATING HONORABLE EZRA TAFT BENSON UPON HIS APPOINTMENT AS SECRETARY OF AGRICULTURE OF THE UNITED STATES OF AMERICA, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. C. 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.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 53*, by Messrs. Mabey, Hopkin, Fowles, Watson, Jenkins, Kerr, Day and Tippetts, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 53 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 71*, by Messrs. Stringham, Fowles and Watson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 71 was ordered printed and referred to the Committee on Agriculture and Irrigation.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 72*, by Messrs. Woolley and Muir, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 72 was ordered printed by title only and referred to the Committee on Judiciary.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 73*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 73 was ordered printed and referred to the Committee on Judiciary.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 75*, by Messrs. Hafen, Fowles and Tippetts, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 75 was ordered printed and referred to the Committee on Judiciary.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 79*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 79 was ordered printed and referred to the Committee on Revenue and Taxation.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 80*, by Messrs. Thorn, Hopkin and Tietjen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 80 was ordered printed and referred to the Committee on Education.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 81*, by Messrs. Thorn, Burton and Cannon, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 81 was ordered printed and referred to the Committee on Highways.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 82*, by Messrs. Thorn, Burton and Cannon, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 82 was ordered printed and referred to the Committee on Highways.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 83*, by Messrs. Cannon, Hafen and Kerr, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 83 was ordered printed and referred to the Committee on Health and Labor.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 84*, by Mr. Muir, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 84 was ordered printed and referred to the Committee on Public Institutions.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 85*, by Messrs. Openshaw, Woolley and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 85 was ordered printed and referred to the Committee on Judiciary.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 86*, by Mr. Hopkin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 86 was ordered printed and referred to the Committee on Highways.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 87*, by Messrs. Mabey, Clegg, Burton, Selvin, Tippetts, Muir and Hammond, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 87 was ordered printed by title only and referred to the Committee on Public Institutions.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 88*, by Messrs. Muir and Hafen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 88 was ordered printed and referred to the Committee on Health and Labor.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 89*, by Messrs. Muir and Hafen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 89 was ordered printed and referred to the Committee on Health and Labor.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 90*, by Messrs. Muir and Hafen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 90 was ordered printed and referred to the Committee on Health and Labor.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 91*, by Messrs. Muir and Hafen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 91 was ordered printed and referred to the Committee on Heatlh and Labor.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 92*, by Messrs. Tietjen, Hafen and Openshaw, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 92 was ordered printed and referred to the Committee on Revenue and Taxation.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 93*, by Messrs. Woolley and Mabey, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 93 was ordered printed by title only and referred to the Committee on Judiciary.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 94*, by Messrs. Woolley and Mabey, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 94 was ordered printed by title only and referred to the Committee on Judiciary.

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 95*, by Messrs. Gibson, Hopkin and Woolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 95 was ordered printed and referred to the Committee on Judiciary.

January 28, 1953

Mr. President:

Your Committee on Military Affairs to which was referred *S. B. No. 34*, by Messrs. Hammond, Day, Clegg and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

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

January 28, 1953

Mr. President:

Your Committee on Military Affairs to which was referred *S. B. No. 35*, by Messrs. Hammond, Day, Tippetts, Selvin, Clegg and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

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

January 28, 1953

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 13*, by Messrs. Tietjen, Fowles, Mabey, Thorn, and Stringham, has carefully considered said bill and reports the same out favorably.

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report filed.

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

January 28, 1953

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 16*, by Messrs. Tietjen, Fowles, Mabey, Thorn and Stringham, has carefully considered said bill and reports the same out favorably.

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report filed.

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

January 28, 1953

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 21*, by Messrs. Gibson, Mabey and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report filed.

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

January 28, 1953

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 43*, by Messrs. Tietjen, Kerr, Hafen and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report filed.

S. B. No. 43 was placed on the Second Reading Calendar.

January 27, 1953

Mr. President:

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

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

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

January 27, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. J. R. No. 6*, by Mr. Woolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

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

January 27, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 66*, by Messrs. Mabey and Woolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 66 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 107 By Mr. Kerr

AN ACT AMENDING SECTION 59-16-7, UTAH CODE ANNOTATED 1953, RELATING TO THE TIME FOR FILING USE TAX RETURNS, BY CHANGING THE DATE THE RETURN IS TO BE FILED AND THE TAX PAID, was read the first tme and referred to the Committee on Revision and Enrolling.

S. B. No. 108 By Messrs. Tietjen, Jenkins, Kerr and Stringham

AN ACT AMENDING SECTIONS 4-20-64, 4-20-67 AND 4-20-69, UTAH CODE ANNOTATED 1953, RELATING TO THE INSPECTION OF MEAT ANIMALS AND MEAT PRODUCTS, AUTHORIZING THE STATE BOARD OF AGRICULTURE TO ADOPT REGULATIONS ESTABLISHING MEAT INSPECTION DISTRICTS, COLLECT INSPECTION FEES, EMPLOY VETERINARIANS AND INSPECTORS, DESIGNATE KILLING DAYS FOR SLAUGHTERING ESTABLISHMENTS; AND PROHIBITING THE FEEDING OF RAW GARBAGE TO SWINE, RE-

QUIRING PURCHASE OF LICENSE TO FEED GARBAGE TO SWINE, AND AUTHORIZING THE DEPARTMENT OF AGRICULTURE TO COLLECT FEE THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 109 By Messrs. Mabey, Kerr, Woolley, Muir, Hopkin, Hammond and Watson

AN ACT AMENDING SECTION 10-6-75, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT, POWERS, SALARY, AND QUALIFICATIONS OF CITY MANAGERS IN CITIES OF THE THIRD CLASS AND TOWNS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 110 By Messrs. Openshaw and Cannon

AN ACT TO AMEND SECTION 59-5-57, UTAH CODE ANNOTATED 1953, RELATING TO THE ASSESSMENT OF MINES, MINING CLAIMS AND OTHER VALUABLE MINERAL DEPOSITS AND MACHINERY AND IMPROVEMENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 111 By Messrs. Gibson, Thorn and Fowles

AN ACT RELATING TO THE PUBLICATION OF THE SUMMARY OF THE PROCEEDINGS OF ALL REGULAR AND SPECIAL MEETINGS OF BOARDS OF EDUCATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 112 By Messrs. Gibson, Thorn and Fowles

AN ACT REQUIRING THE CITY COUNCILS OF CITIES OF THE THIRD CLASS AND BOARDS OF TRUSTEES OF TOWNS TO PUBLISH A SUMMARY OF THE PROCEEDINGS OF ALL REGULAR AND SPECIAL MEETINGS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 113 By Messrs. Gibson, Thorn and Fowles

AN ACT REQUIRING THE PUBLICATION OF THE SUMMARY OF PROCEEDINGS OF ALL REGULAR AND SPECIAL MEETINGS OF COUNTY BOARDS OF COMMISSIONERS AND NOTICES OF PROCEEDINGS BEFORE SUCH BOARDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 114 By Messrs. Gibson, Thorn and Fowles

AN ACT AMENDING SECTION 45-1-2, UTAH CODE ANNOTATED 1953, BY INCREASING THE LEGAL PUBLICATION RATE

FOR PUBLISHING MATTER REQUIRED BY LAW TO BE PUBLISHED, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 10, being a special order of business, was before the Senate.

On motion of Senator Day, a call of the Senate was made.

On motion of Senator Day, the call of the Senate was lifted.

On motion of Senator Jenkins, *S. B. No. 10* was made a Special Order of Business for Monday, February 2, 1953, at 2:30 P.M.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 36 was read the third time and placed on its final passage.

On motion of Senator Gibson, *S. B. No. 36* was made a Special Order of Business for Tuesday, February 3, 1953, at 2:30 P.M.

On motion of Senator Watson, the rules were suspended and the Senate voted to now consider *H. B. No. 10*.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Mabey, *H. B. No. 10* was tabled.

S. J. R. No. 1 was read the second time.

Report adopted and filed.

On motion of Senator Clegg, the Senate adjourned until Friday, January 30, at 2:00 P.M.

NINETEENTH DAY

January 30, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

January 30, 1953

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,

C. TAYLOR BURTON,
Chairman

Report adopted and filed.

COMMUNICATIONS

January 20, 1953

Mr. Mark Paxton, President
Utah State Senate
Utah State Legislature
State Capitol
Salt Lake City, Utah

Dear Senator Paxton:

At the Symphony concert next Wednesday evening, February 4, at the Salt Lake Tabernacle, 8:30 P.M. the Utah Symphony will have as its guest soloist the world renowned violinist, Tossy Spizakovsky.

The next concert will perform works less modern and much more familiar to most of your honorable body, and accordingly, we believe will offer greater enjoyment.

It will be our extreme pleasure to be hosts to members of the Senate and their partners. Will you be good enough to let us know as soon as possible how many tickets will be necessary to fill your requirements.

Very sincerely yours,

/s/ DAVID S. ROMNEY,
Managing Director

Communication filed.

COMMUNICATIONS FROM THE HOUSE

January 29, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 13*, by Mr. W. G. Larson, entitled:

AN ACT AMENDING SECTION 27-6-1, UTAH CODE ANNOTATED 1953, RELATING TO DESIGNATION OF STATE ROADS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 18 was read the first time and referred to the Committee on Highways.

January 29, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 33*, by Messrs. W. G. Larson, Jacobsen, Rowberry, Brotherson, Young, E. C. Larsen, Cope and Dalebout, entitled:

AN ACT AMENDING SECTIONS 58-1-5, 58-1-7, 58-1-13, AND 58-1-21, UTAH CODE ANNOTATED 1953, 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 the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 33 was read the first time and referred to the Committee on Health and Labor.

January 29, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 37*, by Messrs. Kerr, Hopkins, Mrs. Cazier, and Mr. White, entitled:

AN ACT AMENDING SECTION 10-6-3, UTAH CODE ANNOTATED 1953, VESTING THE MUNICIPAL GOVERNMENT OF THIRD

CLASS CITIES IN A MAYOR AND CITY COUNCIL COMPOSED OF FIVE COUNCILMEN, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 37 was read the first time and referred to the Committee on State and Municipal Affairs.

January 29, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 38*, by Messrs. Kerr, Hopkins, Mrs. Cazier, and Mr. White, entitled:

AN ACT AMENDING SECTION 10-6-30, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE APPOINTMENT OF CITY TREASURERS IN CITIES OF THE THIRD CLASS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 38 was read the first time and referred to the Committee on State and Municipal Affairs.

January 30, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 39*, by Messrs. Kerr, Hopkins, Mrs. Cazier and Mr. White, entitled:

AN ACT AMENDING SECTION 10-6-7, UTAH CODE ANNOTATED 1953, RELATING TO THE ELECTION AND TERMS OF OFFICE OF MUNICIPAL OFFICIALS AND DELETING THEREFROM REFERENCE TO TREASURERS OF CITIES OF THE THIRD CLASS AS ELECTED OFFICIALS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 39 was read the first time and referred to the Committee on State and Municipal Affairs.

January 30, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has signed, in open session, in the presence of the House, *S. C. R. No. 3*, by Messrs. Day, Cannon, Muir, Hopkin, Selvin, Burton and Clegg, entitled:

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, CONGRATULATING HONORABLE EZRA TAFT BENSON UPON HIS APPOINTMENT AS SECRETARY OF AGRICULTURE OF THE UNITED STATES OF AMERICA, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. C. R. No. 3 was transmitted to the Governor.

January 30, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 4*, by Messrs. Hopkins, Patterson, Monson, C. E. Peterson, Conover, Fullmer, Davis, Gardner, Jones, Sheffield, Barlow, Lester Taylor, Thomas, Sevy, Froerer, G. Douglas Taylor, Butters, Bunderson, Brian, Esplin, C. Wilford Larson, Lionel L. Peterson, Kerr, Poulson, Jacobsen, and William E. Anderson, entitled:

AN ACT MAKING AN APPROPRIATION FROM THE UNAPPROPRIATED SURPLUS IN THE STATE GENERAL FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS TO REPLACE REVENUE FROM THE INDIVIDUAL INCOME TAX, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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.

REPORTS OF STANDING COMMITTEES

January 29, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 25*, by Messrs. Hafen and Cannon, entitled:

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION OF THE STATE OF UTAH TO ACCEPT A CAMPUS SITE FOR THE DIXIE JUNIOR COLLEGE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 25 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

January 29, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 44*, by Messrs. Tietjen, Thorn, Stringham and Hopkin, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 29, 1953

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 29, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 51*, by Messrs Hafen, Day and Mabey, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 51 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 115 By Messrs. Clegg, Day and Jenkins

AN ACT AMENDING SECTIONS 58-15-1, 58-15-2, 58-15-4 AND 58-1-5, UTAH CODE ANNOTATED 1953, THE REGISTRATION OF PERSONS ENGAGED IN CERTAIN OCCUPATIONS, TRADES AND PROFESSIONS, RELATING TO THE CARE OF OTHERS, AND REPEALING SECTIONS 58-15-6, 58-15-7, 58-15-8 AND 58-15-9, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 116 By Messrs. Openshaw and Day

AN ACT AMENDING SECTION 59-4-1, UTAH CODE ANNOTATED 1953, RELATING TO THE SITUS OF TANGIBLE PROPERTY FOR TAXATION PURPOSES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 117 By Messrs. Openshaw and Day

AN ACT AMENDING SECTION 59-5-7, UTAH CODE ANNOTATED 1953, RELATING TO THE TAXATION OF PROPERTY BROUGHT INTO A COUNTY AFTER JANUARY 1, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 118 By Mr. Woolley

AN ACT APPROPRIATING TO THE STATE FINANCE COMMISSION THE SUM OF $71,850.00 FROM THE GENERAL FUND FOR THE PURPOSE OF COSTS OF ADMINSTRATION DURING THE REMAINDER OF THE PRESENT BIENNIUM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 119 By Messrs. Cannon and Clegg

AN ACT AMENDING SECTIONS 31-20-2, AND 31-20-4, UTAH CODE ANNOTATED 1953, RELATING TO GROUP DISABILITY INSURANCE, REQUIREMENTS OF GROUP DISABILITY INSURANCE CONTRACT AND PROVIDING THAT GROUP DISABILITY INSURANCE MAY INCLUDE SPOUSE AND CHILDREN UNDER 19, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 120 By Messrs. Stringham, Hopkin, Watson and Clegg

AN ACT AMENDING SECTION 73-10-3, UTAH CODE ANNOTATED 1953, RELATING TO THE ORGANIZATION OF THE BOARD

OF DIRECTORS OF THE UTAH WATER AND POWER BOARD AND THE ELECTION AND APPOINTMENT OF ITS OFFICERS AND EMPLOYEES AND PROVIDING THAT ONE OF ITS MEMBERS OR ANOTHER, WITH THE APPROVAL OF THE GOVERNOR, SHALL BE THE REPRESENTATIVE OF THE STATE OF UTAH IN CONFERENCES FOR THE NEGOTIATION OF COMPACTS BETWEEN THE STATE OF UTAH AND ONE OR MORE SISTER STATES, AND TO REPRESENT THE STATE OF UTAH UPON ANY COMMISSIONS OR OTHER GOVERNING BODIES, AS PROVIDED FOR IN THE COMPACTS THAT MAY HAVE BEEN OR MAY HEREAFTER BE ENTERED INTO BETWEEN THE STATE OF UTAH AND ANY OTHER STATE OR STATES AND ALLOWING HIM A PER DIEM AND EXPENSES; AMENDING SUBDIVISION 6 OF SECTION 73-10-4, UTAH CODE ANNOTATED 1953, SO AS TO PROVIDE THAT THE BOARD SHALL SUPERVISE, IN COOPERATION WITH THE GOVERNOR IN BEHALF OF THE STATE OF UTAH, ALL INTERSTATE COMPACT NEGOTIATIONS AND THE ADMINISTRATION OF SUCH COMPACTS, AND REPEALING SUBDIVISION 7 THEREOF AND RENUMBERING SUBDIVISIONS 8, 9, 10, 11 AND 12, SO AS TO BE RESPECTIVELY 7, 8, 9, 10 AND 11; AMENDING SECTION 73-10-8, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE UTAH WATER AND POWER BOARD CONSTRUCTION FUND AND THE SOURCE THEREOF AND PROVIDING FOR THE BOARD'S INVESTIGATING FUND AND ITS SOURCE, AND FOR INVESTIGATING PARTICULAR PROJECTS TO BE CONSTRUCTED FROM AN ENGINEERING, GEOLOGICAL OR ECONOMIC POINT OF VIEW, AND PROVIDING THAT THE MONIES SO REPAID CONSTITUTING SUCH FUND SHALL BE A CONTINUING FUND AND SHALL NOT REVERT TO THE GENERAL FUND AT THE END OF ANY BIENNIUM; AMENDING SECTION 73-10-11, UTAH CODE ANNOTATED 1953, PROVIDING THAT THE ATTORNEY GENERAL SHALL ACT AS LEGAL COUNSEL OF THE BOARD AND ITS REPRESENTATIVE AND CHARGING THE EXECUTIVE SECRETARY OF THE BOARD WITH THE DUTY OF COLLECTING ANY AND ALL AMOUNTS DUE ON CONTRACTS WITH WATER USERS, AND AMENDING SECTION 73-2-8, UTAH CODE ANNOTATED 1953, BY ELIMINATING THE LAST SENTENCE THEREOF RELATING TO THE REPRESENTATION OF THE STATE OF UTAH BY THE STATE ENGINEER IN THE NEGOTIATION OF COMPACTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 121 By Messrs. Gibson and Woolley

AN ACT AMENDING SECTIONS 20-14-1, AND 20-14-21, UTAH CODE ANNOTATED 1953, RELATING TO CORRUPT PRACTICES IN ELECTIONS, DEFINING "POLITICAL PURPOSES" AND "POLITICAL COMMITTEE" AND PROVIDING THAT NO CORPORATION SHALL CONTRIBUTE MONEY OR THE SERVICES OF ITS OFFICERS OR EMPLOYEES IN THE INTEREST OF ANY POLITICAL CANDIDATE OR PARTY OR TO PROMOTE OR DEFEAT THE NOMINATION,

PENALTY, ELECTION OR APPOINTMENT OF ANY PERSON TO POLITICAL OFFICE, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. J. R. No. 1, being unfinished business, was before the Senate.

SPECIAL ORDER

On motion of Senator Clegg, the rules were suspended and the Senate voted to now consider *S. B. No. 24*.

S. B. No. 24, being a special order of business, was before the Senate.

On motion of Senator Kerr, the Senate resolved itself into a Committee of the Whole.

Rt. Rev. Monsignor Moreton appeared before the Committee of the Whole.

Warden Marcell Graham appeared before the Committee of the Whole.

On motion of Senator Kerr, the Committee of the Whole was dissolved.

On motion of Senator Cannon, *S. B. No. 24* was amended as follows:

Page 1, line 2, delete the words "after January 1st, 1955", also the word "the", start the word "punishment" with a capital "P".

On motion of Senator Gibson, *S. B. No. 24* was amended as follows:

Page 1, delete lines 4 and 5.

S. B. No. 24 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 Burton, Cannon, Clegg, (explained vote), Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Voting in the negative was: Senator Day.

Absent and not voting: Senators Adams and Thorn.

UNFINISHED BUSINESS

S. J. R. No. 1 was before the Senate.

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

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

Those voting in the affirmative were: Senators Adams, Clegg (explained vote), Fowles, Jenkins, Openshaw, Selvin, Tippetts and Watson.

Those voting in the negative were: Senators Burton, Cannon, Day, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Stringham, Thorn, Tietjen, Woolley and Mr. President.

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

On motion of Senator Openshaw, the Senate recessed for fifteen minutes.

The Senate re-assembled.

COMMUNICATIONS FROM THE GOVERNOR

January 30, 1953

Dear Mr. President, Members, and
Employees of the Senate:

Mrs. Lee and I cordially invite you to our residence, 603 East South Temple, the evening of February tenth, for a reception and dance.

Invitations will be mailed within the immediate future to each one of you and will permit you to bring your partner to this function.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

CONSIDERATION OF BILLS ON THIRD READING

S. J. R. No. 3 was read the third time and placed on its final passage.

On motion of Senator Gibson, *S. J. R. No. 3* was amended as follows:

Page 2, line 2, strike "take the necessary action to".

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

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

Those voting in the affirmative were: Senators Gibson, Hopkin, Jenkins, Selvin, Stringham, Tippetts and Watson.

Those voting in the negative were: Senators Burton, Cannon (explained vote), Clegg, Day, Hafen (explained vote), Hammond, Kerr, Mabey, Muir, Openshaw, Thorn, Tietjen, Woolley and Mr. President.

Absent and not voting were: Senators Adams and Fowles.

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

CONSIDERATION OF BILLS ON SECOND READING

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

Report adopted and filed.

On motion of Senator Woolley, the rules were suspended and the Senate voted to now consider *S. B. No. 19.*

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

Report adopted and filed.

On motion of Senator Thorn, *S. B. Nos. 19* and *29* were made a Special Order of Business for Monday, February 2, at 3:30 P.M.

On motion of Senator Clegg, the secretary was directed to send a letter of appreciation to the Utah State Prison, Attention: Warden Marcell Graham, for the courtesies extended to the members of the Senate, January 29, 1953.

The President recognized Mr. Stewart G. Wilson, Western Representative, Council of State Government and his Secretary, Mrs. Francis Smart. Also former Senator Houston and his wife.

On motion of Senator Thorn, the Senate adjourned until Monday, February 2, at 2:00 P.M.

TWENTY-SECOND DAY

February 2, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 2, 1953

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,

C. TAYLOR BURTON,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

January 30, 1953

Dear Mr. President:

I wish to inform you that I have this day signed and sent to the Secretary of State *S. C. R. No. 2*, by Messrs. Day, Burton, Cannon, Fowles, Mabey, Muir, Openshaw and Clegg, entitled:

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, CONGRATULATING IVY BAKER PRIEST UPON HER APPOINTMENT AS TREASURER OF THE UNITED STATES OF AMERICA.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

January 31, 1953

Dear Mr. President:

I wish to inform you that I have this day signed and sent to the Secretary of State *S. C. R. No. 3*, by Messrs. Day, Cannon, Muir, Hopkin, Selvin, Burton and Clegg, entitled:

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, CONGRATULATING HONORABLE EZRA TAFT BENSON UPON HIS APPOINTMENT AS SECRETARY OF AGRICULTURE OF THE UNITED STATES OF AMERICA.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

COMMUNICATIONS

January 29, 1953

Mr. Mark Paxton
President
Utah Senate
State Capitol Building
Salt Lake City, Utah

Dear Mr. Paxton:

Enclosed is a copy of the Utah State basketball schedule for the remainder of the school year. I would appreciate it if you would extend an

invitation to the members of the Senate to attend our games whenever possible.

If you would have them notify me individually, or if you would do it collectively through a Senate Roll Call, and furnish me with the names of the Senators and the number of tickets they desired for any particular game, we would be very happy to mail them in advance or hold them at our Will Call ticket window.

We will be looking forward to having some of your group with us before the end of our basketball season.

Sincerely yours,

/s/ JOE E. WHITESIDES,
Athletic Director

Communication filed.

January 30, 1953

Senator Mark Paxton
Fillmore, Utah

Dear Senator Paxton:

On Sunday, February 8, 1953, Thorley Music Hall at Branch Agricultural College will be officially opened. This splendid gift to the state of Utah made by Mr. Frank A. Thorley, a leading stockman of Southern Utah, is the latest of many gifts which have been made to the B. A. C. by public spirited citizens since its founding.

I am inviting you and your fellow legislators to be present at B. A. C. on the above date. This is not only an important gift to the College, but it is also a significant event in the history of higher education in the State. Thorley Hall will adequately house the B. A. C. Music Department for many years to come.

If circumstances permit you to visit the College on February 8, or at some other time, please give me an opportunity when you call to tell you something of our four year education program for rural youth. (B. A. C. is not a junior college; no high school students are registered here.)

Most of our friends who call enjoy a walk over our large campus (60 acres), or a visit to our college ranch (3,000 acres), or a trip to our near-by Valley Farm (a thousand acres). Others take considerable interest in our purebred sheep and cattle, the campus dairy herd or the one thousand head of range sheep which are part of a range-livestock research program under the direction of the U. S. A. C. Experiment Station and B. A. C.

We are always happy to have visitors call, especially State leaders, in order that we may acquaint them with the size of the College and the important role it plays in the education of Utah's rural youth.

Cordially yours,

/s/ DARYL CHASE,
Director

Communication filed.

January 30, 1953

Mr. Mark Paxton
Mr. Merrill K. Davis
State Capitol Building
Salt Lake City, Utah

Dear Legislators:

On February 26, 1953, it will be Fifty Years since the first farm demonstration was established in this country at Terrill, Kaufman County, Texas by Dr. Seamon A. Knapp. Since a demonstration is perhaps the most effective method or technique that has ever been developed to get people to adopt improved farm and home practices, it is important that the Golden Anniversary of this important event be properly observed in the several states on February 26th (The Golden Anniversary) of this year.

The purpose of this letter is to find out if it is possible for you reserve 30 minutes of time on this date for the members of the Legislature (Senate and House) to meet together in the House Chamber to observe and listen to a program in commemoration of this important event which members of the Utah State Agricultural College Extension Service will be glad to develop and present to you.

Extra effort will be put forth by us to develop and present a program which, among other things, would include Kodachrome pictures showing different types of demonstrations in all of the counties of the state.

I will appreciate hearing from you at once regarding this matter in order that arrangements may be made for this program if you have time to devote 30 minutes of the 60 days you are in session with us to commemorate this most important and significant event.

Very truly yours,

/s/ CARL FRISCHKNECHT, Director
Utah Extension Service

Communication filed.

On motion of Senator Muir, the Senate voted to meet in joint convention with the House on February 26, at 3:00 P.M.

COMMUNICATIONS FROM THE HOUSE

January 30, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 7*, by Messrs. Edward C. Larsen, Froerer, Garner, Elswood, and Barlow, entitled:

AN ACT AMENDING SECTIONS 55-6-19 AND 55-6-20, UTAH CODE ANNOTATED 1953, RELATING TO THE ADMISSION OF IN-

DIGENT PUBLIC PATIENTS AND NONINDIGENT PATIENTS TO THE TUBERCULOSIS SANATORIUM, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

January 30, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 25*, by Messrs. Gardner, Kerr, L. B. Johnson, Edward C. Larsen, W. C. Larson and Hopkins, entitled:

AN ACT AMENDING SECTIONS 27-2-17 AND 27-2-18, UTAH CODE ANNOTATED 1953, RELATING TO THE MOTOR VEHICLE REGISTRATION FUND AND MAKING APPROPRIATIONS THERETO, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No.25 was read the first time and referred to the Committee on Highways.

January 30, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 26*, by Messrs. Gardner, Kerr, L. Johnson, E. C. Larsen, W. G. Larson and Hopkins, entitled:

AN ACT AMENDING SECTION 41-1-141, UTAH CODE ANNOTATED 1953, RELATING TO THE DISPOSITION OF MOTOR VEHICLE REGISTRATION FUNDS AND PROVIDING FOR APPROPRIATIONS THEREFROM, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 26 was read the first time and referred to the Committee on Highways.

REPORTS OF STANDING COMMITTEES

January 30, 1953

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 69*, by Messrs. Stringham and Hopkin, has carefully considered said bill and reports the same out favorably.

Respectfully,

B. H. STRINGHAM,
Chairman

Report filed.

S. B. No. 69 was placed on the Second Reading Calendar.

January 30, 1953

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 68*, by Messrs. Stringham and Hopkin, has carefully considered said bill and reports the same out favorably.

Respectfully,

B. H. STRINGHAM,
Chairman

Report filed.

S. B. No. 68 was placed on the Second Reading Calendar.

January 29, 1953

Mr. President:

Your Committee on Education to which was referred *S. B. No. 40*, by Messrs. Cannon, Gibson, Openshaw and Burton, has carefully considered said bill and reports the same out favorably.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

January 29, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 50*, by Messrs. Hafen, Day and Mabey, has carefully considered said bill and reports the same out favorably, with the recommendation that the bill be amended to limit its application to settlements not exceeding $1500.00.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 29, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 2*, by Messrs. Kerr, Fowles, Clegg and Burton, has carefully considered said bill and reports the same out without recommendation, and further recommends that the resolution not be acted upon at this session of the Legislature but that the subject matter be referred to the Legislative Council for study together with a comprehensive study of the tax structure of the state and that the Councils recommendations be reported to the next general session of the Legislature.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 30, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 20*, by Messrs. Sheffield, Lionel L. Peterson and Davis, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 30, 1953

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 30, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 61*, by Messrs. Openshaw, Kerr, Jenkins and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 61 was placed on the Second Reading Calendar.

On motion of Senator Tippetts, *S. B. No. 67* was lifted from the Committee on Revision and Enrolling and returned to the author.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 9 By Mr. Muir

A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF CARL W. SANDERS – IN MEMORIAM.

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

S. J. R. No. 9 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Mabey, Muir, Selvin, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Gibson, Kerr, Openshaw and Thorn.

S. J. R. No. 9 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 122 By Mr. Woolley

AN ACT TO AMEND SECTION 41-1-32, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR THE ISSUANCE OF A CERTIFICATE SHOWING THAT PROPERTY TAXES HAVE BEEN PAID OR OTHERWISE SATISFIED ON MOTOR VEHICLES BEFORE REGISTRATION AND TO PROVIDE FOR THE PAYMENT OF SALES TAXES BEFORE THE ISSUANCE OF A CERTIFICATE OF TITLE TO A MOTOR VEHICLE, AND REQUIRING THE STATE TAX COMMISSION, IN CASES WHERE THE MOTOR VEHICLE DOES NOT HAVE SITUS FOR TAXATION IN UTAH, TO ISSUE A CERTIFICATE TO THAT EFFECT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 123 By Messrs. Day and Openshaw

AN ACT AMENDING SECTION 76-53-18, UTAH CODE ANNOTATED 1953, 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.

S. B. No. 124 By Messrs. Day, Mabey, Burton and Fowles

AN ACT REPEALING SECTIONS 20-14-9, 20-14-10, 20-14-11, 20-14-12, 20-14-13, 20-14-14, 20-14-16 AND 20-14-17, UTAH CODE ANNOTATED 1953, PERTAINING TO EXPENSE STATEMENTS OF CANDIDATES, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 15, being unfinished business, was before the Senate.

On motion of Senator Clegg, *S. B. No. 15* was made a Special Order of Business for tomorrow, February 3, 3:30 P.M.

SPECIAL ORDER

S. B. No. 10, being a special order of business, was before the Senate.

On motion of Senator Mabey, the Senate resolved itself into a Committee of the Whole.

Mr. Lewis H. Lloyd, Director, Utah State Legislative Council, appeared before the Committee of the Whole.

On motion of Senator Mabey, the Committee of the Whole was dissolved.

On motion of Senator Mabey, *S. B. No. 10,* together with *S. J. R. No. 7,* were made a special order of business for Wednesday, February 4, at 3:30 P.M.

S. B. Nos. 19 and *29,* being a special order of business, was before the Senate.

On motion of Senator Woolley, *S. B. Nos. 19* and *29* were made a special order of business for Thursday, February 5, at 2:30 P.M.

CONSIDERATION OF BILLS ON THIRD READING

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, 22; Nos, 0; Absent, 1.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senator Tippetts.

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

On motion of Senator Fowles, the Senate voted to accept the invitation to visit Weber Junior College, February 11, 1953.

On motion of Senator Gibson, the Senate adjourned until Tuesday, February 3, at 2:00 P.M.

TWENTY-THIRD DAY

February 3, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 3, 1953

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,

C. TAYLOR BURTON,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 2, 1953

Mr. President:

I am directed 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. 25,* by Messrs. Hafen and Cannon, entitled:

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION OF THE STATE OF UTAH TO ACCEPT A CAMPUS SITE FOR THE DIXIE JUNIOR COLLEGE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 25 was transmitted to the Governor.

February 2, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 5,* by Messrs. Hopkins, C. E. Peterson, Jones, Sheffield, Barlow, Sevy, Thomas, Froerer, G. Douglas Taylor, Butters, Poulson, Bunderson, Brian, Esplin, C. Wilford Larsen, Lionel L. Peterson, Jacobsen, and William E. Anderson, entitled:

AN ACT MAKING AN APPROPRIATION FROM THE EMERGENCY RELIEF FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS TO REPLACE THE REDUCTION IN INDIVIDUAL INCOME TAX REVENUE, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 5 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 2, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 6,* by Messrs. Hopkins, C. E. Peterson, Jones, Sheffield, Barlow, Sevy, Thomas, Froerer, G. Douglas Taylor, Butters, Poulson, Bunderson, Brian, Esplin, C. Wilford Larsen, Lionel L. Peterson, Jacobsen, and William E. Anderson, entitled:

AN ACT MAKING AN APPROPRIATION FROM THE EMERGENCY RELIEF FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 6 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 2, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 2*, by Messrs. Hopkins, Patterson, Monson, C. E. Peterson, Conover, Fullmer, Davis, Gardner, Jones, Sheffield, Barlow, Sevy, Thomas, Lester Taylor, G. D. Taylor, Froerer, Butters, Poulson, Bunderson, Brian, Esplin, C. Wilford Larsen, Lionel L. Peterson, Kerr, Jacobsen, and William E. Anderson, entitled:

AN ACT AMENDING SECTIONS 59-14-73, 59-14-74, AND 59-14-75, UTAH CODE ANNOTATED, 1953, RELATING TO ALTERNATIVE OPTIONAL TAX (SHORT FORM) IN CASE OF RESIDENT INDIVIDUALS AND PROVIDING THAT EACH INDIVIDUAL RESIDENT TAXPAYER SHALL HAVE THE PRIVILEGE AND OPTION OF PAYING TAX BASED UPON INCOME AS DETERMINED UNDER THE FEDERAL INTERNAL REVENUE CODE BUT AT THE RATES SPECIFIED IN THE UTAH INDIVIDUAL INCOME TAX LAW, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 3, 1953

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. 9*, by Mr. Muir, entitled:

A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF CARL W. SANDERS – IN MEMORIAM, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. J. R. No. 9 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 2, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 11*, by Mr. W. G. Larson, entitled:

AN ACT AMENDING SECTION 41-11-6, UTAH CODE ANNOTATED 1953, RELATING TO A TAX UPON THE SALE AND USE OF MOTOR FUELS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 11 was read the first time and referred to the Committee on Highways.

REPORTS OF STANDING COMMITTEES

February 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 96*, by Messrs. Fowles, Thorn, Jenkins and Muir, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 96 was ordered printed and referred to the Committee on Revenue and Taxation.

February 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 97*, by Messrs. Muir and Burton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 97 was ordered printed and referred to the Committee on Health and Labor.

February 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 98*, by Messrs. Fowles, Jenkins and Selvin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 98 was ordered printed and referred to the Committee on Public Institutions.

February 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 99*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 99 was ordered printed and referred to the Committee on Judiciary.

February 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 100*, by Messrs. Openshaw, Day and Woolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 100 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 101*, by Messrs. Woolley, Day, Kerr, Mabey, Openshaw and Burton, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 101 was ordered printed and referred to the Committee on Education.

February 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 102*, by Messrs. Fowles and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 102 was ordered printed and referred to the Committee on Public Institutions.

February 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 103*, by Messrs. Openshaw and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 103 was ordered printed and referred to the Committee on Revenue and Taxation.

February 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back S. *B. No. 104*, by Messrs. Burton, Cannon and Hammond, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. *B. No. 104* was ordered printed and referred to the Committee on Revenue and Taxation.

February 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back S. *B. No. 105*, by Messrs. Day, Gibson, Fowles and Tietjen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. *B. No. 105* was ordered printed and referred to the Committee on Revenue and Taxation.

February 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back S. *B. No. 106*, by Messrs. Day, Hopkin and Woolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. *B. No. 106* was ordered printed and referred to the Committee on State and Municipal Affairs.

February 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back S. *B. No. 111*, by Messrs. Gibson, Thorn and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 111 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 112*, by Messrs. Gibson, Thorn and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 112 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. C. R. No. 4*, by Messrs. Day and Openshaw, with a few minor changes assented to by the authors and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

February 2, 1953

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 99*, by Mr. Hammond, entitled, "AN ACT APPROPRIATING $3,000,000 FROM THE GENERAL FUND FOR THE COMPLETION OF CONSTRUCTION OF A CLASSROOM BUILDING AND FOR CONSTRUCTION OF A MEDICAL SCIENCE BUILDING," has carefully considered said bill, has deleted the amount of the appropriation, and reports the same back without recommendation.

Respectfully,

DILWORTH S. WOOLLEY,
Chairman

Report filed.

S. B. No. 99 was placed on the Second Reading Calendar.

February 2, 1953

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 22*, by Messrs. Clegg, Selvin and Cannon, entitled, "AN ACT APPROPRIATING $50,000.00, FOR THE CONSTRUCTION OF A LETHAL GAS CHAMBER AT THE STATE PRISON," has carefully considered said bill, has deleted the amount of the appropriation, and reports the same back without recommendation.

Respectfully,

DILWORTH S. WOOLLEY,
Chairman

Report filed.

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

February 2, 1953

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 27*, by Messrs. Muir and Stringham, entitled, "AN ACT APPROPRIATING $400,000.00 FROM THE RESERVE BUILDING FUND, OR OTHER FUNDS NOT OTHERWISE APPROPRIATED IN THE STATE TREASURY TO THE UTAH STATE AGRICULTURAL COLLEGE FOR THE CONSTRUCTION OF A BUILDING TO BE USED AS A PRACTICE SCHOOL FOR THE TRAINING OF TEACHERS AND TO BE LOCATED ON THE CAMPUS OF THE COLLEGE," has carefully considered said bill, has deleted the amount of the appropriation, and reports the same back without recommendation.

Respectfully,

DILWORTH S. WOOLLEY,
Chairman

Report filed.

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

January 30, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 52*, by Messrs. Day, Fowles and Hafen, has carefully considered said bill and reports the same out favorably, recommending that *S. B. No. 31* be considered together with and in conjunction with *S. B. No. 52*.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 30, 1953

Mr. President:

Your Committee on Judiciary, to which was referred S. *B. No. 31,* by Messrs. Cannon, Day, Adams, Gibson and Hafen, has carefully considered said bill and reports the same out favorably, recommending that S. *B. No. 52* be considered together with and in conjunction with S. *B. No. 31.*

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

January 30, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred S. *B. No. 65,* by Mr. Kerr, has carefully considered said bill and reports the same out favorably, with the following recommended amendment:

Page 1, Line 15 to Page 2, Line 13, is amended to read as follows: The tax imposed by this act shall be due and payable to the state tax commission ( ) quarterly on or before the ( ) thirtieth day of the ( ) next succeeding ( ) calendar quarter. Every vendor shall on or before the ( ) thirtieth day of the ( ) next succeeding ( ) calendar quarter file with the commission a return for the preceding ( ) quarterly period. The return shall be accompanied by a remittance of the amount of tax herein required to be collected by the vendor for the period covered by the return. The tax as computed in the return shall in all cases be based upon the total sales made during the period including both cash and charge sales. Credit shall be allowed to the vendor for taxes paid on sales represented by that portion of an account determined to be worthless and actually charged off for income tax purposes or on the portion of the purchase price remaining unpaid at the time of a repossession made under the terms of a conditional sales contract. Such returns shall contain such information and be made in such manner as the tax commission may by regulation prescribe. The state tax commission may extend the time for making returns and paying the taxes collected under such rules and regulations as it may prescribe, but no such extension shall be for more than ninety days. The state tax commission, if it deems it necessary in order to insure the payment of the tax imposed by this act, may require returns and payment of the tax to be made for other than calendar quarterly periods.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. *B. No. 65* was placed on the Second Reading Calendar.

February 2, 1953

Mr. President:

Your Committee on State and Municipal Affairs to which was referred *S. B. No. 56*, by Messrs. Openshaw, Burton and Thorn, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 56 was placed on the Second Reading Calendar.

February 2, 1953

Mr. President:

Your Committee on State and Municipal Affairs to which was referred *S. B. No. 57*, by Messrs. Openshaw, Burton and Thorn, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 57 was placed on the Second Reading Calendar.

February 2, 1953

Mr. President:

Your Committee on State and Municipal Affairs to which was referred *S. B. No. 47*, by Messrs. Thorn and Woolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 47 was placed on the Second Reading Calendar.

February 2, 1953

Mr. President:

Your Committee on State and Municipal Affairs to which was referred *S. B. No. 74*, by Messrs. Fowles, Mabey, Openshaw, Day, Jenkins and Watson, has carefully considered said bill and reports the same out favorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 74 was placed on the Second Reading Calendar.

February 2, 1953

Mr. President:

Your Committee on State and Municipal Affairs to which was referred *H. B. No. 37*, by Messrs. Kerr, Hopkins, Mrs. Cazier and White, has carefully considered said bill and reports the same out favorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

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

February 2, 1953

Mr. President:

Your Committee on State and Municipal Affairs to which was referred *H. B. No. 38*, by Messrs. Kerr, Hopkins, Mrs. Cazier and White, has carefully considered said bill and reports the same out favorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

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

February 2, 1953

Mr. President:

Your Committee on State and Municipal Affairs to which was referred *H. B. No. 39*, by Messrs. Kerr, Hopkins, Mrs. Cazier and White, has carefully considered said bill and reports the same out favorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

H. B. No. 39 was placed on the Second Reading Calendar.

February 2, 1953

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 11*, by Messrs. Day, Hopkin, Muir, Fowles, and Mabey, has carefully considered said bill and reports the same out favorably.

Respectfully,

VERN B. MUIR,
Chairman

Report filed.

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

February 2, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 18*, by Messrs. Woolley, Burton and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 18 was placed on the Second Reading Calendar.

February 2, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 70*, by Messrs. Watson and Tippets, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 70 was placed on the Second Reading Calendar.

February 2, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 63*, by Messrs. Mabey, Hafen, Selvin, Fowles, Day, Kerr, Burton, Tietjen and Tippetts, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 63 was placed on the Second Reading Calendar.

February 2, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 79*, by Mr. Woolley, has carefully considered said bill and reports the same out favorably.

The Committee further recommends that *S. B. No. 79*, be considered at the same time as *S. B. No. 65*.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 79 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. R. No. 1 By Mr. Day

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF LLOYD BAUM AND LOUISE BAUM, HIS WIFE, was read the first time.

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

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Openshaw, Thorn and Tietjen.

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

INTRODUCTION OF BILLS

S. B. No. 125 By Mr. Mabey

AN ACT APPROVING, ADOPTING AND LEGALIZING THE STATUTE BOOK CONSISTING OF TEN VOLUMES, UTAH CODE ANNOTATED 1953, FOR THE PURPOSE OF AMENDING OR REPEALING SAID TEXT IN WHOLE OR IN PART, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 126 By Mr. Day

AN ACT APPROPRIATING TO THE STATE FINANCE COMMISSION THE SUM OF $71,850.00 FROM THE GENERAL FUND FOR THE PURPOSE OF COSTS OF ADMINISTRATION DURING THE REMAINDER OF THE PRESENT BIENNIUM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 127 By Messrs. Clegg and Thorn

AN ACT APPROPRIATING $350,000.00 TO THE STATE BOARD FOR VOCATIONAL EDUCATION FOR THE CONSTRUCTION OF BUILDINGS AND THE PURCHASE OF LAND FOR PARKING SPACE AT THE CENTRAL UTAH VOCATIONAL SCHOOL AT PROVO, UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 128 By Messrs, Fowles, Stringham, Gibson, Hammond and Hopkin

AN ACT AMENDING SECTIONS 38-2-2 AND 38-2-4, UTAH CODE ANNOTATED 1953, CREATING A HOTEL AND BOARDING HOUSE KEEPER'S LIEN; AND PROVIDING FOR THE METHOD OF FORECLOSURE BY ADVERTISEMENT OF CERTAIN KINDS OF LIENS AND REQUIRING THAT THE SURPLUS BE PAID TO THE COUNTY TREASURER AND ALLOWING THE DEBTOR ONE YEAR TO CLAIM THE SAME, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 129 By Messrs. Fowles, Stringham, Hopkin and Gibson

AN ACT AMENDING SECTION 76-31-1, UTAH CODE ANNOTATED 1953, RELATING TO DEFRAUDING HOTELS, INNS, BOARDING AND LODGING HOUSES; AND MAKING IT A MISDEMEANOR TO OBTAIN FOOD, ENTERTAINMENT, LODGING, CREDIT OR OTHER ACCOMMODATION AT SUCH PLACES WITH INTENT TO DEFRAUD; MAKING CERTAIN NAMED ACTS PRIMA FACIE EVIDENCE OF SUCH FRAUDULENT INTENT; AND PROVIDING FOR AN EXCEPTION WHERE IN WRITING THERE IS A TEN DAY CREDIT EXTENSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 130 By Mr. Gibson

AN ACT TO ESTABLISH DAYLIGHT SAVING TIME AT ONE HOUR EARLIER THAN UNITED STATES STANDARD MOUNTAIN TIME FROM THE FIRST SUNDAY OF JUNE, 1953, AND THEREAFTER FROM THE LAST SUNDAY OF APRIL OF EACH YEAR UNTIL THE LAST SUNDAY OF SEPTEMBER OF EACH YEAR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 131 By Mr. Gibson

AN ACT APPROPRIATING $250,000 FROM THE GENERAL FUND IN THE STATE TREASURY TO THE STATE BOARD OF EDUCATION FOR THE CONSTRUCTION OF A BUILDING CONTAINING AN AUDITORIUM AND GYMNASIUM AT CARBON COLLEGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 132 By Mr. Kerr for Special Committee on Statutory Salaries

AN ACT AMENDING SECTIONS 67-8-1, 67-8-2, 67-8-3, 67-8-4, 67-8-5, AND 67-8-9, UTAH CODE ANNOTATED 1953, RELATING TO CHANGING AND FIXING THE ANNUAL SALARIES OF THE GOVERNOR; SECRETARY OF STATE; STATE TREASURER; STATE AUDI-

TOR; ATTORNEY GENERAL; SUPERINTENDENT OF PUBLIC INSTRUCTION; CLERK OF THE SUPREME COURT AND EX-OFFICIO LIBRARIAN; ASSISTANT LIBRARIAN, STATE LIBRARY; REPORTER OF THE DECISIONS OF THE SUPREME COURT; JUSTICES OF THE SUPREME COURT; JUDGES OF THE DISTRICT COURTS, AND PROVIDING FOR ENTITLEMENT TO ACTUAL AND NECESSARY EXPENSES AND MILEAGE WHEN A JUDGE HOLDS COURT OUTSIDE OF THE COUNTY IN WHICH HE RESIDES; DISTRICT ATTORNEYS; 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 TAX COMMISSION; MEMBERS OF THE PUBLIC WELFARE COMMISSION; MEMBERS OF THE BUSINESS REGULATION; BANK COMMISSIONERS; 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. 133 By Messrs. Adams and Fowles

AN ACT TO ESTABLISH QUALIFICATION, APPOINTMENT, PROMOTION, DEMOTION, DISCIPLINE, RE-EMPLOYMENT, AND TENURE OF OFFICE OF APPOINTEES AND EMPLOYEES OF UTAH LIQUOR CONTROL COMMISSION OF THE STATE OF UTAH BASED ON MERIT; TO ESTABLISH AND PROVIDE APPOINTMENT, QUALIFICATIONS, TENURE OF OFFICE, COMPENSATION, POWERS AND DUTIES OF A CIVIL SERVICE COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 36, being a special order of business, was before the Senate.

On motion of Senator Gibson, *S. B. No. 36* was a made a special order of business for today at 3:30 P.M.

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

On motion of Senator Hafen, the rules were suspended and *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, 13; Nos, 8; Absent, 2.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Hafen, Hammond, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Those voting in the negative were: Senators Adams, Day, Fowles, Hopkin, Jenkins, Kerr, Mabey and Stringham.

Absent and not voting: Senators Gibson and Muir.

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

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

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

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Hafen, Hammond, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippets, Watson and Woolley.

Voting in the negative was Senator Adams.

Absent and not voting: Senators Fowles, Gibson, Hopkin, Muir and Paxton.

S. B. No. 26 was transmitted to the House for further action.

S. B. No. 32 was read the second time.

Committee report read and adopted.

S. B. No. 32 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Openshaw, Selvin, Thorn, Tietjen, Tippetts and Watson.

Voting in the negative were: Senator Woolley and Mr. President.

Absent and not voting: Senators Gibson, Hopkin, Muir and Stringham.

S. B. No. 33 was read the second time.

Committee report read and adopted.

S. B. No. 33 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Fowles, Gibson, Hafen, Hammond, Jenkins, Mabey, Openshaw, Selvin, Stringham, Thorn, Tippetts, Watson, Woolley and Mr. President.

Those voting in the negative were: Senators Clegg, Day, Kerr, Muir and Tietjen.

Absent and not voting: Senator Hopkin.

On motion of Senator Mabey, the Senate recessed until 4:05.

The Senate re-convened.

On motion of Senator Day, a call of the Senate was made.

On motion of Senator Hafen, the call of the Senate was lifted.

SPECIAL ORDER

S. B. No. 36, being a special order of business, was before the Senate.

On motion of Senator Gibson, *S. B. No. 36* was made a Special Order of Business for tomorrow at 3:30 P.M.

On motion of Senator Stringham, the Secretary was directed to send a letter of appreciation to the Deseret News and to the Salt Lake Tribune for their fine courtesies and for the legislative news and comment.

President Paxton recognized former Senators Fred J. Milliman and B. M. Jolley.

On motion of Senator Day, the Senate voted that all matters to be studied by the State Legislative Council, should be presented in written form to Senator Hopkin.

On motion of Senator Muir, the Senate adjourned until Wednesday, February 4, at 2:00 P.M.

TWENTY-FOURTH DAY

February 4, 1953

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

Roll Call–All Senators present.

Prayer by the Chaplain.

February 4, 1953

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,

C. TAYLOR BURTON,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 4, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved *S. B. No. 25*, by Messrs. Hafen and Cannon, entitled:

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION OF THE STATE OF UTAH TO ACCEPT A CAMPUS SITE FOR THE DIXIE JUNIOR COLLEGE, on February 3, 1953, and am transmitting it to the Secretary of State as of this date.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

February 3, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 19*, by Messrs. Sheffield, Lionel L. Peterson, and Harold V. Davis, entitled:

AN ACT RELATING TO THE APPOINTMENT OF NOMINEES BY BANKING INSTITUTIONS AND TRUST COMPANIES ACTING IN A FIDUCIARY CAPACITY AND AUTHORIZING INVESTMENTS TO BE HELD IN THE NAME OF A NOMINEE AND REQUIRING SUCH BANKS AND TRUST COMPANIES TO KEEP PROPER RECORDS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 19 was read the first time and referred to the Committee on Banking and Commerce.

February 3, 1953

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. 34*, by Messrs. W. G. Larson, Jacobsen, Rowberry, Brotherson, Young, E. C. Larsen, Cope, and Dalebout, entitled:

AN ACT AMENDING SECTIONS 58-17-2, 58-17-5, 58-17-6, 58-17-8, 58-17-9, 58-17-10, 58-17-11, UTAH CODE ANNOTATED 1953; AND ENACTING NEW SECTIONS 58-17-2.1, 58-17-2.2, 58-17-2.3, 58-17-6.1, 58-17-8.1, 58-17-8.2, 58-17-8.3, 58-17-8.4, 58-17-9.1, 58-17-10.1, 58-17-10.2, 58-17-14.1, 58-17-14.2, 58-17-14.3, 58-17-14.4, 58-17-14.5, 58-17-14.6, 58-17-14.7, 58-17-14.8, 58-17-14.9, 58-17-25.1, UTAH CODE ANNOTATED 1953; AND REPEALING SECTIONS 58-17-25, 58-17-26, 58-17-27, UTAH CODE ANNOTATED 1953; 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 BUSINESS, 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 PROVISIONS OF THIS ACT, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 34 was read the first time and referred to the Committee on Welfare.

February 3, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 35*, by Messrs. W. G. Larson, Jacobsen, Rowberry, Brotherson, Young, Edward C. Larsen, Cope, and Dalebout, 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 ENACTING A NEW CHAPTER TO BE KNOWN AS CHAPTER 12b, TITLE 58, UTAH CODE ANNOTATED 1953, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 85 was read the first time and referred to the Committee on Welfare.

February 3, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 86*, by Messrs. W. G. Larson, Jacobsen, Rowberry, Brotherson, Young, E. C. Larsen, Cope, and Dalebout, entitled:

AN ACT REPEALING CHAPTER 13 TITLE 58, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW CHAPTER 58-13a, 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,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 86 was read the first time and referred to the Committee on Welfare.

REPORTS OF STANDING COMMITTEES

February 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 107*, by Mr. Kerr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 107 was ordered printed and referred to the Committee on Revenue and Taxation.

February 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 108*, by Messrs. Tietjen, Jenkins, Kerr and Stringham, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 108 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 109*, by Messrs. Mabey, Kerr, Woolley, Hopkin, Hammond and Watson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 109 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 110*, by Messrs. Openshaw and Cannon, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 110 was ordered printed and referred to the Committee on Mining and Smelting.

February 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 113*, by Messrs. Gibson, Thorn and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 113 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 114*, by Messrs. Gibson, Thorn and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 114 was ordered printed and referred to the Committee on Judiciary.

February 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 115*, by Messrs. Clegg, Day and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 115 was ordered printed and referred to the Committee on Welfare.

February 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 116*, by Messrs. Openshaw and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 116 was ordered printed and referred to the Committee on Revenue and Taxation.

February 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 117*, by Messrs. Openshaw and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 117 was ordered printed and referred to the Committee on Highways.

February 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 118*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 118 was ordered printed and referred to the Committee on Appropriations and Claims.

February 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 119*, by Messrs. Cannon and Clegg, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 119 was ordered printed and referred to the Committee on Welfare.

February 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 120*, by Messrs. Stringham, Hopkin, Tippetts, Watson and Clegg, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 120 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 121*, by Messrs. Gibson and Woolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 121 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 3, 1953

Mr. President:

Your Committee on Education to which was referred *S. B. No. 80*, by Messrs. Thorn, Hopkin and Tietjen, has carefully considered said bill and reports the same out favorably.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 80 was placed on the Second Reading Calendar.

February 3, 1953

Mr. President:

Your Committee on Health and Labor to which was referred *H. B. No. 7*, by Messrs. Edward C. Larsen, Froerer, Gardner et al, has carefully considered said bill and reports the same out favorably.

Respectfully,

FRANK M. OPENSHAW,
Chairman

Report filed.

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

February 3, 1953

Mr. President:

Your Committee on Health and Labor to which was referred *S. B. No. 62*, by Messrs. Mabey, Hafen, Selvin et al, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

FRANK M. OPENSHAW,
Chairman

Report filed.

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

January 30, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 92*, by Messrs. Tietjen, Hafen and Openshaw, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 92 was placed on the Second Reading Calendar.

February 3, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 78*, by Messrs. Clegg, Stringham and Tippetts, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 78 was placed on the Second Reading Calendar.

February 3, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 42*, by Messrs. Mabey and Gibson, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

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

February 4, 1953

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 53*, by Messrs. Mabey, Hopkin, Fowles et al, has carefully considered said bill and reports the same out favorably.

Respectfully,

B. H. STRINGHAM,
Chairman

Report filed.

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

February 4, 1953

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 58*, by Messrs. Tippetts, Watson and Selvin, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

B. H. STRINGHAM,
Chairman

Report filed.

S. B. No. 58 was placed on the Second Reading Calendar.

February 4, 1953

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 59*, by Messrs. Tippets, Watson and Selvin, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

B. H. STRINGHAM,
Chairman

Report filed.

S. B. No. 59 was placed on the Second Reading Calendar.

February 4, 1953

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 71*, by Messrs. Stringham, Fowles and Watson, has carefully considered said bill and reports the same out favorably.

Respectfully,

B. H. STRINGHAM,
Chairman

Report filed.

S. B. No. 71 was placed on the Second Reading Calendar.

February 3, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 9*, by Mr. Muir, entitled:

A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF CARL W. SANDERS – IN MEMORIAM, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. 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.

INTRODUCTION OF BILLS

S. B. No. 134 By Messrs. Openshaw and Fowles

AN ACT AMENDING SECTIONS 45-2-5, 45-2-6, 45-2-7, AND 45-2-8, UTAH CODE ANNOTATED 1953, RELATING TO LIABILITY FOR LIBEL, SLANDER, AND DEFAMATION ARISING OUT OF RADIO OR TELEVISION BROADCASTS AND REQUIRING THE DEFAMED PARTY TO PROVE LACK OF DUE CARE AND REPEALING SECTION 45-2-9, UTAH CODE ANNOTATED 1953, RELATING TO MINIMIZING DAMAGES BY RETRACTING THE STATEMENT UNDER CERTAIN CONDITIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 135 By Messrs. Openshaw and Fowles

AN ACT AMENDING SECTION 76-40-6, UTAH CODE ANNOTATED 1953, RELATING TO LIBEL BY NEWSPAPERS, RADIO, AND TELEVISION STATIONS AND PROVIDING CERTAIN PRIVILEGE FOR FAIR REPORT OF PUBLIC OR OFFICIAL PROCEEDINGS AND COMPLIANCE WITH FEDERAL LAW AND REGULATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 136 By Mr. Kerr for the Special Committee on Statutory Salaries

AN ACT AMENDING SECTION 41-13-2, UTAH CODE ANNOTATED 1953, BY CHANGING AND FIXING THE ANNUAL SALARY OF THE COMMISSIONER OF PUBLIC SAFETY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 137 By Mr. Mabey

AN ACT AMENDING SECTION 57-1-5, UTAH CODE ANNOTATED 1953, RELATING TO CO-TENANCIES AND DEFINING THE CREATION OF A JOINT TENANCY BY USE OF CERTAIN WORDS

AND CLARIFYING THE MANNER IN WHICH A JOINT TENANCY MAY BE CREATED BY AN OWNER OF LAND BETWEEN SUCH OWNER AND OTHER PERSONS AND ENACTING A NEW SECTION TO BE KNOWN AS 57-1-5.1, UTAH CODE ANNOTATED 1953, DECLARING AS JOINT TENANCIES CERTAIN INTERESTS IN LANDS HERETOFORE CONVEYED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 138 By Mr. Hafen

AN ACT TO AMEND SECTION 15-1-2, UTAH CODE ANNOTATED 1953, RELATING TO MAXIMUM RATES; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 15-1-2a, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE REGULATION OF CONTRACTS FOR THE CONDITIONAL SALE OF TANGIBLE PERSONAL PROPERTY AND PROVIDING FOR THE MAXIMUM RATES TO BE CHARGED IN CONNECTION THEREWITH AND PROVIDING PENALTIES FOR VIOLATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 139 By Messrs. Day and Fowles

AN ACT AMENDING SECTIONS 20-7-10 AND 27-7-13, UTAH CODE ANNOTATED 1953, RELATING TO METHOD OF APPOINTMENT OF JUDGES OF ELECTION, THE NUMBER, QUALIFICATION, TERM AND COMPENSATION THEREOF; PROVIDING FOR COUNTING THE BALLOTS, PROHIBITING COMMUNICATION AS TO PROGRESS OF COUNT AND PROVIDING PENALTY FOR VIOLATION THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 140 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 20-7-5, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE FORM OF BALLOT FOR THE GENERAL ELECTION; AND REQUIRING THAT BALLOTS SHALL HAVE ONLY ONE SQUARE IN THE CASE OF THE PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 141 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 20-2-20, UTAH CODE ANNOTATED 1953, RELATING TO TRANSFERRING FROM ONE VOTING DISTRICT TO ANOTHER, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 142 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 20-3-29, UTAH CODE ANNOTATED 1953, PROVIDING FOR COUNTING, RECORDING AND RETURNING OF BALLOTS TO COUNTY CLERK, was read the first time and referred to the Committee on Revision and Enrolling.

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, 23; Nos, 0; Absent, 0.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

H. B. No. 37 was read the second time.

Committee report read and adopted.

H. B. No. 37 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

H. B. No. 38 was read the second time.

Committee report read and adopted.

H. B. No. 38 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

H. B. No. 39 was read the second time.

Committee report read and adopted.

H. B. No. 39 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

SPECIAL ORDER

S. J. R. No. 7, being a special order of business, was before the Senate.

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

Committee report read and adopted.

S. B. No. 10, being a special order of business, was before the Senate.

On motion of Senator Clegg, the Senate recessed for fifteen minutes.

The Senate re-assembled.

On motion of Senator Thorn, *S. B. No. 10* and *S. J. R. No. 7* were made a special order of business for Friday, February 6, at 2:30 P.M.

S. B. No. 36, being a special order of business, was before the Senate.

On motion of Senator Gibson, *S. B. No. 36* was amended as follows:

Page 1, line 9, insert after the word "who" the following: "acting in the course of his employment".

S. B. No. 36 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts and Mr. President.

Absent and not voting: Senators Hopkin, Jenkins, Watson and Woolley.

S. B. No. 36 was transmitted to the House.

President Paxton recognized members of the Wasatch High School Student Body, also members of the Dixie Junior High School, Provo, Utah, together with their instructors, Messrs. Lynn Smith and Don L. McConkie.

President Paxton recognized former Senator Rue L. Clegg.

On motion of Senator Muir, the Senate adjourned until Thursday, February 5, at 2:00 P.M.

TWENTY-FIFTH DAY

February 5, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 5, 1953

Mr. President:

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

Respectfully,

C. TAYLOR BURTON,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 47*, by Messrs. Jones, Sheffield and Cope, entitled, "AN ACT TO PLACE THE SUBORDINATES OF THE HEALTH DEPARTMENTS OF CITIES OF THE FIRST CLASS UNDER CIVIL SERVICE BY AMENDING SECTIONS 10-10-9, 10-10-10 AND 10-10-19, UTAH CODE ANNOTATED, 1953," and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B .No. 47 was read the first time and referred to the Committee on Judiciary.

February 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 55*, by Messrs. Edward C. Larsen, Froerer, Gardner, Grover, and Kerr, entitled:

AN ACT ENACTING A NEW SECTION OF THE UTAH CODE TO BE KNOWN AS SECTION 10-8-50.10, UTAH CODE ANNOTATED 1953, RELATING TO THE POWERS OF THE GOVERNING BODIES OF CITIES AND AUTHORIZING SUCH GOVERNING BODIES TO PROVIDE FOR THE ESCHEAT OR FORFEITURE TO THE CITY OF CERTAIN PERSONAL PROPERTY, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 55 was read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

February 4, 1953

Mr. President:

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

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF LLOYD BAUM AND LOUISE BAUM, HIS WIFE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

February 4, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 122*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 122 was ordered printed and referred to the Committee on Highways.

February 4, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 123*, by Messrs. Day and Openshaw, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 123 was ordered printed and referred to the Committee on Judiciary.

February 4, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 124*, by Messrs. Day, Mabey, Burton and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 124 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 4, 1953

Mr. President:

Your Committee on Highways to which was referred *H. B. No. 12*, by Mr. W. G. Larson, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

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

February 4, 1953

Mr. President:

Your Committee on Highways to which was referred *H. B. No. 13*, by Mr. W. G. Larson, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

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

February 4, 1953

Mr. President:

Your Committee on Highways to which was referred *H. B. No. 15*, by Mr. W. G. Larson, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

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

February 4, 1953

Mr. President:

Your Committee on Highways to which was referred *H. B. No. 25*, by Messrs. Gardner, Kerr, L. B. Johnson, Edward C. Larsen, W. G. Larson and Hopkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

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

February 4, 1953

Mr. President:

Your Committee on Highways to which was referred *H. B. No. 26*, by Messrs. Gardner, Kerr, L. Johnson, E. C. Larsen, W. G. Larson and Hopkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

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

February 4, 1953

Mr. President:

Your Committee on Highways to which was referred *H. B. No. 14*, by Mr. W. G. Larson, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

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

February 4, 1953

Mr. President:

Your Committee on Highways to which was referred *S. B. No. 86*, by Mr. Hopkin, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 86 was placed on the Second Reading Calendar.

February 4, 1953

Mr. President:

Your Committee on Highways to which was referred *S. B. No. 81*, by Messrs. Thorn, Burton and Cannon, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 81 was placed on the Second Reading Calendar.

February 4, 1953

Mr. President:

Your Committee on Highways to which was referred *S. B. No. 82*, by Messrs. Thorn, Burton and Cannon, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 82 was placed on the Second Reading Calendar.

February 4, 1953

Mr. President:

Your Committee on Highways to which was referred *S. B. No. 60*, by Messrs. Openshaw, Muir, Adams and Tippetts, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 60 was placed on the Second Reading Calendar.

February 5, 1953

Mr. President:

Your Committee on Highways to which was referred *H. B. No. 11*, by Mr. W. G. Larson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

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

February 5, 1953

Mr. President:

Your Committee on Banking and Commerce to which was referred *S. B. No. 12*, by Messrs. Fowles, Tietjen, Thorn and Stringham, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report filed.

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

PRESENTATION OF RESOLUTIONS

S. J. R. No. 10 By Messrs. Stringham and Woolley

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA WITH REFERENCE TO PROCEEDING WITH THE DEVELOPMENT OF THE COLORADO RIVER IN THE UPPER BASIN STATES BY AUTHORIZING THE COLORADO RIVER STORAGE PROJECT AND PARTICIPATING PROJECTS, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 143 By Mr. Openshaw

AN ACT AMENDING CHAPTER 5, TITLE 13, UTAH CODE ANNOTATED 1953, RELATING TO THE UNFAIR PRACTICES ACT, DEFINING WORDS WITHIN THE ACT AND ENLARGING THE MEANING OF THE WORD VENDOR AS USED IN THE ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 144 By Mr. Hafen

AN ACT AMENDING SECTIONS 17-6-1, 17-6-2 AND 17-6-3, UTAH CODE ANNOTATED 1953, RELATING TO THE CREATION OF IMPROVEMENT DISTRICTS, AUTHORITY TO ACQUIRE AND OPERATE CERTAIN IMPROVEMENTS, ISSUE BONDS AND BOUNDARIES; AND ENACTING FOURTEEN NEW SECTIONS TO BE KNOWN AS SECTIONS 17-6-3.1, 17-6-3.2, 17-6-3.3, 17-6-3.4, 17-6-3.5, 17-6-3.6, 17-6-3.7, 17-6-3.8, 17-6-3.9, 17-6-3.10, 17-6-3.11, 17-6-3.12, 17-6-3.13, AND 17-6-3.14, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICTS; MANNER OF ISSUING AND PAYING FOR BONDS; POWERS AND DUTIES OF BOARD OF TRUSTEES AND SUCH DISTRICTS; MANNER OF CHOOSING AND ELECTING BOARD OF TRUSTEE MEMBERS; TERMS OF OFFICE; CREATING POLITICAL SUB-DIVISIONS WITH THE RIGHT TO SUE AND BE SUED AND ENTER CONTRACTS; COMPENSATION OF BOARD MEMBERS; DELINQUENT CHARGES TO BE A LIEN ON REAL PROPERTY; MANNER OF LEVYING TAXES AND COLLECTING FEES; SELL WATER; GRANTING POWERS OF EMINENT DOMAIN; PUBLICATION; VALIDATING CERTAIN ACTS DONE UNDER AUTHORITY OF CHAPTER 6 OF TITLE 17, UTAH CODE ANNOTATED 1953; AN EMERGENCY CLAUSE; AND REPEALING SECTIONS 17-6-4, 17-6-5, 17-6-6, 17-6-7, 17-6-8, 17-6-9, 17-6-10, 17-6-11, 17-6-12, 17-6-13, 17-6-14 AND 17-6-15, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 145 By Messrs. Openshaw and Day

AN ACT AMENDING SECTIONS 42-2-1, 42-2-2, 42-2-3 AND 42-2-4, UTAH CODE ANNOTATED 1953, RELATING TO CONDUCTING BUSINESS UNDER AN ASSUMED NAME BY REQUIRING ALL SUCH INDIVIDUALS, ASSOCIATIONS, PARTNERSHIPS, CORPORATIONS OR OTHERWISE TO FILE WITH THE SECRETARY OF STATE WITHIN 30 DAYS OF COMMENCING OR TRANSACTING SUCH BUSINESS A CERTIFICATE SETTING FORTH SUCH INFORMATION AS THE NAME OF THE BUSINESS AND THE BUSINESS ADDRESS AND THE NAMES AND ADDRESSES OF ALL PERSONS OWNING AND CONDUCTING SUCH BUSINESS; AND REQUIRING NEW CERTIFICATES TO BE FILED AFTER ANY CHANGE IN THE PERSONS OWNING OR CONDUCTING SUCH BUSINESS; AND REQUIRING AN ALPHABETICAL INDEX TO BE KEPT OF SUCH CERTIFICATES AND PROVIDING FOR A $1.00 FEE FOR FILING ALL SUCH CERTIFICATES; AND PROVIDING THAT VIOLATORS OF THE CHAPTER CANNOT MAINTAIN ANY LEGAL ACTION OR COUNTERCLAIM IN ANY COURT OF THIS STATE AND SHALL ALSO BE GUILTY OF A MISDEMEANOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 146 By Messrs. Stringham and Tietjen

AN ACT AMENDING SECTION 73-5-1, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT AND QUALIFICATIONS OF WATER COMMISSIONERS – PROCEDURE – DETERMINE ADEQUACY OF UNDERGROUND WATER SUPPLY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 147 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 20-3-28, UTAH CODE ANNOTATED 1953, ESTABLISHING THE HOURS THE POLLS SHALL BE OPENED AND CLOSED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 148 By Messrs. Day and Fowles

AN ACT AMENDING SECTION 20-7-17, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE MANNER OF VOTING, PROVIDING FOR WATCHERS, THE DUTIES, SELECTION AND ABSENCE THEREOF, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 149 By Messrs. Day and Fowles

AN ACT AMENDING SECTIONS 20-6-1, 20-6-3, 20-6-4, 20-6-5 AND 20-6-6, UTAH CODE ANNOTATED 1953, RELATING TO VOTING BY ABSENT ELECTORS AND PHYSICALLY DISABLED ELECTORS, AND PROVIDING THAT PERSONS CONFINED MAY VOTE, was read the first time and referred to the Commitee on Revision and Enrolling.

S. B. No. 150 By Mr. Woolley

AN ACT AMENDING SECTION 63-1-8, UTAH CODE ANNOTATED 1953, RELATING TO THE ENGINEERING ADVISORY COUNCIL, APPOINTMENTS AND NUMBERS, AND REPEALING SECTION 63-1-9, UTAH CODE ANNOTATED 1953, RELATING TO THE ENGINEERING ADVISORY COUNCIL, TERMS, CONFIRMATION AND VACANCIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 151 By Mr. Woolley

AN ACT AMENDING SECTION 63-2-8, UTAH CODE ANNOTATED 1953, RELATING TO THE ADVISORY COUNCIL, MEMBERSHIP AND PAYMENT OF EXPENSES OF THE ADVISORY COUNCIL TO THE DEPARTMENT OF FINANCE, AND REPEALING SECTION 63-2-9 RELATING TO THE ADVISORY COUNCIL, TERMS OF OF-

FICE AND VACANCIES OF THE ADVISORY COUNCIL TO THE DEPARTMENT OF FINANCE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 152 By Mr. Woolley

AN ACT AMENDING SECTION 13-1-8, UTAH CODE ANNOTATED 1953, RELATING TO THE ADVISORY COUNCIL, MEMBERS, QUALIFICATIONS AND EXPENSES OF THE ADVISORY COUNCIL TO THE COMMISSION OF BUSINESS REGULATION, AND REPEALING SECTION 13-1-9, UTAH CODE ANNOTATED 1953, RELATING TO ADVISORY COUNCIL APPOINTMENT AND TERMS OF THE MEMBERS OF THE ADVISORY COUNCIL OF THE DEPARTMENT OF BUSINESS REGULATION, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Day, the Senate recessed to meet with the House in Joint Convention.

JOINT CONVENTION

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

Prayer by the Chaplain.

On motion of Representative Clair R. Hopkins, President Paxton appointed a joint committee consisting of Senators Kerr, Openshaw and Jenkins and Representatives C. W. Larsen, Messinger and Jacobsen to notify the Governors that the Legislature is in Joint Convention.

On motion of Representative Hopkins, the Joint Convention resolved itself into a Committee of the Whole.

The Joint Committee returned escorting His Excellency, Governor J. Bracken Lee, and His Excellency, Governor Dan Thornton, of the State of Colorado.

President Paxton presented Governor Lee, who introduced the Honorable Dan Thornton, Governor of the State of Colorado.

Governor Thornton addressed the members of the Legislature and guests.

Mr. Howard W. Price, President of the Salt Lake Chamber of Commerce, made presentations to Governor Lee and Governor Thornton.

On motion of Senator Gibson, the President of the Senate announced the Committee of the Whole dissolved.

The Senate re-assembled.

CONSIDERATION OF BILLS ON THIRD READING

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, 22; Nos, 0; Absent, 1.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senator Woolley.

H. B. No. 20 was returned to the House.

H. B. No. 37 was read the third time and placed on its final passage.

H. B. No. 37 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Openshaw and Woolley.

H. B. No. 37 was returned to the House.

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, 22; Nos, 0; Absent, 1.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senator Woolley.

H. B. No. 38 was returned to the House.

H. B. No. 39 was read the third time and placed on its final passage.

H. B. No. 39 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senator Woolley.

H .B. No. 39 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

H. B. No. 7 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Clegg, Day, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Fowles, Gibson, Hafen, Hopkin, Thorn, Tietjen and Woolley.

Absent and not voting: Senators Adams and Cannon.

SPECIAL ORDER

S. B. No. 19, being a special order of business, was before the Senate.

On motion of Senator Clegg, the Secretary was directed to send a letter of appreciation to the Salt Lake Area Vocational School, for courtesies extended to members of the Senate February 4, 1953.

President Paxton recognized former Senator Lewis H. Larsen and visiting Utah County officials.

On motion of Senator Clegg, the Senate adjourned until Friday, February 6, 1953, at 2:00 P.M.

TWENTY-SIXTH DAY

February 6, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 6, 1953

Mr. President:

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

Respectfully,

C. TAYLOR BURTON,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 5, 1953

Dear Mr. President and Members of the Senate:

In my opening message to the Legislature, I recommended that a study be made to reorganize State government. The comments I shall make in this letter will amplify this recommendation, but they should not be construed to limit the scope of the study.

The Council of State Governments has published a summary of the trends in reorganization among the various states which provides a wealth of material on this subject. It has concluded that the need for governmental reorganization is a perennial one. The need for reorganization in Utah is long overdue, for State government has become larger and more un-co-ordinated over the years.

Basic principles of reorganiaztion are to establish twin goals of administrative effectiveness and political responsibility in the executive branch of government. It has been suggested that reorganization might well be extended to the other branches of government (see Salt Lake Tribune editorial, December 18, 1952), but my recommendation is to consider only the executive branch at this time. To implement the principles of reorganization, it has been proposed that administrative reorganization proceed as follows:

1. Consolidate all administrative agencies into a small number of departments organized by function and eliminate overlapping and duplication.
2. Establish clear lines of authority running from the chief executive through the entire organization.
3. Establish appropriate staff agencies responsible to the Governor.
4. So far as possible, eliminate the use of boards and commissions for administrative work.
5. Provide an independent auditor, with authority of post-audit only, whose responsibility is to the Legislature.

The reorganization study also should include a survey of State-owned buildings in Salt Lake City to the end that a more equitable division of this space can be made and a more logical grouping of departments achieved. It might be possible to alleviate the crowded office conditions in the Capitol

building by moving entire departments to such buildings as the State Road Commission warehouse and shop, the State-owned Salt Lake Area Vocational School, and the Crippled Children's hospital.

Inasmuch as an implemented reorganizational plan would cause many changes in our statutes, it would be well to include in the overall study a revision of all State statutes which need to be amended or modernized and the repeal of other statutes which may be obsolete. I believe the State Bar would co-operate in this phase of the study if it were invited to participate.

There may be other points to be considered in this study; therefore, I repeat, these comments should not limit the scope of the study. I suggest that the reorganization study be completed in time to be considered by the thirty-first Legislature.

Sincerely yours,

J. BRACKEN LEE,
Governor of Utah

Communication filed.

February 6, 1953

Dear Mr. President and the Members of the Senate:

The States of Arizona and California maintain inspection stations with the objective of prohibiting the entry to these states of disease-bearing insects or produce. The inspections are not wholly effective in that they are confined primarily to highway points of entry and are not extended to rail and air points of entry.

Furthermore, the very nature of the inspections makes the value of them questionable. Some vehicles are inspected thoroughly, some haphazardly, to the point that many highway users feel the inspections are not only ineffective but are a harassment and a nuisance as well.

There are legislators in both Arizona and California who are concerned with the illwill being created by these inspections. I believe that if a joint resolution were enacted by the Utah Legislature requesting the abolishment of these inspections, considerable headway could be made in the two States to achieve this end.

A joint resolution has been prepared for this purpose and has been given to members of this Legislature for introduction. In view of the fact that both Arizona and California legislatures are now in session, I would appreciate prompt action on the Utah resolution so it may be transmitted at an early date to these states.

Sincerely yours,

J. BRACKEN LEE,
Governor of Utah

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 5, 1953

Mr. President:

I am directed 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. 9,* by Mr. Muir, entitled:

A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF CARL W. SANDERS – IN MEMORIAM, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. J. R. No. 9 was transmitted to the Secretary of State.

February 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 91,* by Messrs. Durham and Howe, entitled:

AN ACT PROVIDING FOR THE SURVIVAL OF A CAUSE OF ACTION ARISING OUT OF AN INJURY OR DEATH AFTER DEATH OF THE WRONGDOER, AND PROVIDING THAT SUCH CAUSE OF ACTION SHALL NOT ABATE UPON THE DEATH OF THE WRONGDOER, AND PROVIDING FURTHER THAT THE INJURED PERSON OR PERSONAL REPRESENTATIVES OF ONE MEETING DEATH SHALL HAVE A CAUSE OF ACTION AGAINST THE PERSONAL REPRESENTATIVES OF THE WRONGDOER, AND PROVIDING THAT THE INJURED PERSON IN SUCH CASES SHALL NOT BE ENTITLED TO A RECOVERY EXCEPT UPON COMPETENT EVIDENCE OTHER THAN THE TESTIMONY OF THE INJURED PERSON, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 91 was read the first time and referred to the Committee on Judiciary.

February 5, 1953

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. 1,* by Messrs. Day, Openshaw, Cannon, Hammond and Burton, entitled:

AN ACT AMENDING SECTIONS 59-14-17 AND 59-14-19 UTAH CODE ANNOTATED, 1953, PROVIDING FOR TIME FOR FILING INCOME TAX RETURNS, EXTENSIONS OF TIME FOR FILING INCOME TAX RETURNS AND PROVIDING FOR THE DATE FOR THE PAYMENT OF THE TAX, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

REPORTS OF STANDING COMMITTEES

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 125*, by Mr. Mabey, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 125 was ordered printed and referred to the Committee on Judiciary.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 127*, by Messrs. Clegg and Thorn, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 127 was ordered printed and referred to the Committee on Public Institutions.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 130*, by Mr. Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 130 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 131*, by Mr. Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 131 was ordered printed and referred to the Committee on Public Institutions.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 132*, by Mr. Kerr for Special Committee on Statutory Salaries, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 132 was ordered printed and referred to the Special Committee on Statutory Salaries.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 133*, by Messrs. Adams and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 133 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 6, 1953

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 117*, by Messrs. Openshaw and Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 117 was placed on the Second Reading Calendar.

February 6, 1953

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 108*, by Messrs. Tietjen, Jenkins, Kerr and Stringham, has carefully considered said bill and reports the same out favorably.

Respectfully,

B. H. STRINGHAM,
Chairman

Report filed.

S. B. No. 108 was placed on the Second Reading Calendar.

February 6, 1953

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 120*, by Messrs. Stringham, Hopkin, Tippetts, Watson and Clegg, has carefully considered said bill and reports the same out favorably.

Respectfully,

B. H. STRINGHAM,
Chairman

Report filed.

S. B. No. 120 was placed on the Second Reading Calendar.

February 6, 1953

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 119*, by Messrs. Cannon and Clegg, has carefully considered said bill and reports the same out favorably.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

S. B. No. 119 was placed on the Second Reading Calendar.

February 6, 1953

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 115,* by Messrs. Clegg, Day and Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

S. B. No. 115 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 153 By Messrs. Fowles, Stringham and Gibson

AN ACT ENACTING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 29-1-2 AND 29-1-3, UTAH CODE ANNOTATED 1953, LIMITING THE LIABILITY OF AN INNKEEPER, HOTEL KEEPER, BOARDING OR LODGING HOUSE KEEPER AS TO PERSONAL PROPERTY PLACED IN HIS CARE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 154 By Messrs. Gibson, Hopkin and Thorn

AN ACT CREATING A PUBLIC HEALTH CODE FOR THE STATE OF UTAH TO BE ADMINISTERED BY THE HEALTH DEPARTMENT; PROVIDING FOR THE ORGANIZATION AND ADMINISTRATION OF THE STATE DEPARTMENT OF HEALTH, ITS MEMBERSHIP, TERM OF OFFICE, POWERS AND DUTIES AND SALARY; CREATING A BOARD OF HEALTH, ITS MEMBERSHIP, TERM OF OFFICE, POWERS, DUTY AND SALARY; ESTABLISHING AN OFFICE OF DIRECTOR OF PUBLIC HEALTH, APPOINTMENT, QUALIFICATIONS, SALARY, POWERS, DUTIES, AND MANNER OF REMOVING FROM OFFICE; PROVIDING FOR THE REGISTRATION OF VITAL STATISTICS AND REQUIRING CERTAIN PERSONS UNDER CERTAIN CONDITIONS TO FILE REPORTS WITH SAID REGISTRAR; ESTABLISHING PROCEDURES AND REQUIREMENTS FOR THE ORGANIZATION OF LOCAL HEALTH DEPARTMENTS; PROVIDING FOR THE REGULATION, LICENSING AND CONTROL OF HOSPITALS, NURSING AND CONVALESCENT HOMES, HOMES FOR AGED AND NEEDY, INFIRMARIES, ORPHANAGES, PRIVATE SANITARIUMS AND MATERNITY HOMES; PROVIDING FOR CONTROLS AND RECORDS ON COMMUNICABLE DISEASES; TO ESTABLISH AND ENFORCE STANDARDS FOR DRINKING WATER, SEWAGE SYSTEMS, INDUS-

TRIAL WASTES, GARBAGE, FEEDING GARBAGE TO SWINE, POLLUTION OF WATER, PROCESSING FOOD, HOTELS, SERVICE STATIONS, RESTAURANTS, SCHOOLS, FACTORIES, BARBER AND BEAUTY SHOPS, PHYSICIANS' OFFICES, DENTISTS' OFFICES, SWIMMING POOLS, PACKING PUBLIC GATHERINGS, AUTOPSIES AND NUMEROUS OTHER ACTIVITIES, OCCUPATIONS, INSTITUTIONS AND PLACES; PROVIDING THAT VIOLATIONS OF CERTAIN PROVISIONS OF THIS ACT SHALL BE A MISDEMEANOR; TO IMPOUND EDIBLES UNFIT FOR HUMAN CONSUMPTION; PROVIDING FOR ATTORNEY-GENERAL TO BE LEGAL ADVISOR OF DEPARTMENT AND DISTRICT ATTORNEYS TO PROSECUTE FOR DEPARTMENT; PROVIDING FOR HEARINGS, JUDICIAL REVIEW; PENALTIES, AMENDING SECTIONS 26-11-5 AND 26-6-36 AND REPEALING CHAPTERS 1, 2, 3 AND 4 OF TITLE 26, SECTIONS 26-5-3, 26-5-10, 26-5-11, 26-5-12, 26-5-13, 26-5-14, 26-5-15, 26-5-16, 26-5-17, 26-5-18, 26-5-19, 26-5-20, 26-5-21, 26-5-22, 26-5-23, 26-5-24, 26-5-25, 26-5-26, 26-5-27, 26-5-28, 26-5-29, 26-5-30, 26-5-31, 26-5-32, 26-6-3, 26-6-4, 26-6-5, 26-6-6, 26-6-7, 26-6-8, 26-6-9, 26-6-10, 26-6-11, 26-6-12, 26-6-13, 26-6-14, 26-6-15, 26-6-21, 26-6-22, 26-6-23, 26-6-24, 26-6-25, 26-6-26, 26-6-27, 26-6-28, 26-6-29, 26-6-30, 26-6-31, 26-6-32, 26-6-33, 26-6-35, 26-6-37, 26-6-38, 26-7-48, 26-7-49, 26-6-50, CHAPTERS 8, 10, 12 AND 13 OF TITLE 26, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 155 By Mr. Openshaw

AN ACT AMENDING SECTION 20-3-28, UTAH CODE ANNOTATED 1953, RELATING TO POLLS IN DIRECT PRIMARIES AND CHANGING CLOSING TIME FROM 7:00 P.M. TO 8:00 P.M., was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 156 By Messrs. Openshaw and Watson

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS 27-1-29.1, UTAH CODE ANNOTATED 1953, PROHIBITING THE TRANSPORTATION OF INFLAMMABLE LIQUIDS IN TRAILERS AND PROHIBITING THE TRANSPORTATION OF INFLAMMABLE LIQUIDS IN ANY QUANTITY IN EXCESS OF THIRTY-FIVE HUNDRED GALLONS, UPON ANY OF THE PUBLIC HIGHWAYS OF THIS STATE. DEFINITIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 157 By Messrs. Openshaw and Watson

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS 41-6-46.1, UTAH CODE ANNOTATED 1953, LIMITING THE SPEED OF VEHICLES ON PUBLIC HIGHWAYS CARRYING INFLAMMABLE LIQUIDS, AND DEFINING INFLAMMABLE LIQUIDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 158 By Mr. Day

AN ACT ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 64-3-18.1, 64-3-18.2, 64-3-18.3, AND 64-3-18.4, UTAH CODE ANNOTATED 1953, RELATING TO THE CREATION OF THE UTAH COMMISSION FOR THE BLIND, APPOINTMENT, TERMS OF OFFICE, AND SETTING FORTH THE DUTIES THEREOF, AND REPEALING SECTION 64-3-15, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 159 By Mr. Hafen

AN ACT APPROPRIATING $300,000.00 OUT OF THE RESERVE BUILDING FUND OF THE STATE TREASURY FOR THE CONSTRUCTION OF A GYMNASIUM AT DIXIE JUNIOR COLLEGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 160 By Mr. Kerr for the Committee on Highways

AN ACT AMENDING SECTIONS 27-6-2, 27-6-3, 27-6-4, 27-6-5, 27-6-6, 27-6-7, 27-6-8, 27-6-9, 27-6-10, 27-6-11, 27-6-12, 27-6-13, 27-6-14, 27-6-15, 27-6-16, 27-6-17, 27-6-18, 27-6-19, 27-6-20, 27-6-21, 27-6-22, 27-6-23, 27-6-24, 27-6-25, 27-6-26, AND 27-6-27, UTAH CODE ANNOTATED 1953; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 27-6-27.10, UTAH CODE ANNOTATED 1953, RELATING TO THE DESIGNATION OF CERTAIN ROADS AS STATE ROADS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 161 By Mr. Selvin

AN ACT AMENDING SECTION 55-10-49, UTAH CODE ANNOTATED 1953, MAKING IT THE DUTY OF EACH COUNTY TO MAKE PROVISION FOR THE DETENTION OF CHILDREN, CHARGING THE PUBLIC WELFARE COMMISSION WITH THE DUTY OF ESTABLISHING MINIMUM DETENTION STANDARDS, PROVIDING FOR THE CREATION OF DETENTION DISTRICTS, A DETENTION BOARD, AND FOR A METHOD OF APPOINTING MEMBERS THERETO, DESCRIBING THE POWERS OF SAID DETENTION BOARD AND PROVIDING FOR THE COSTS OF DETENTION TO BE BORNE BY THE COUNTIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 162 By Mr. Selvin

AN ACT AMENDING SECTION 55-10-16, UTAH CODE ANNOTATED 1953, RELATING TO MANNER OF SERVING SUMMONS IN JUVENILE COURTS, PROVIDING FOR PROOF OF SERVICE AND CONFERRING JURISDICTION IN CASES OF SERVICE BY REGISTERED MAIL OR BY PUBLICATION, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 19, being unfinished business, was before the Senate.

On motion of Senator Stringham, *S. B. No. 19* was amended as follows:

Page 1, line 1, strike the words "a department to be known as".

Page 1, line 2, strike the words "Department of Tourist Information and Publicity" and insert in lieu thereof the words "Tourist and Publicity Council."

Page 1, line 5, strike the words "Department of" and "Information" and insert following the word "publicity" the word "Council".

Page 1, line 7, strike the words "who shall be chairman thereof,".

Page 1, line 10, following the word "Senate" insert the following: "Each such appointor shall appoint one of such members from each congressional district and major political party."

Page 1, line 12, insert a period after the word "trade", and strike the words "no more than".

Page 1, line 13, strike all the material on line 13.

Page 1, line 14, following the figure "1953" strike the words "three members" and insert in lieu thereof "each appointor", after the word "shall" strike the words "be appointed for" and insert in lieu thereof the words "appoint one member for a". Strike the "s" from the word "terms".

Page 1, line 15, strike the word "three" and insert in lieu thereof the word "one." Strike the "s" from the word "members" and strike the word "shall" at the end of the line.

Page 1, line 16, strike the words "be appointed" and the word "the". Strike the "s" from the word "terms".

Page 2, line 9, after the words "Section 3." insert the following: "The Council shall annually elect one of its members as Chairman." Strike the word "board" and insert in lieu thereof the word "Council".

Page 2, line 11, strike the word "board" and insert in lieu thereof the word "Council".

Page 2, line 13, strike the word "board" and insert in lieu thereof the word "Council".

Page 2, line 14, strike the word "Board" and insert in lieu thereof the word "Council".

Page 2, line 15, strike the word "board" and insert in lieu thereof the word "Council".

Page 2, line 17, strike the word "board" and insert in lieu thereof the word "Council".

Page 2, line 19, strike the word "department" and insert in lieu thereof the word "Council".

Page 2, line 24, strike the word "board" and insert in lieu thereof the word "Council".

Page 2, line 25, strike the word "board" and insert in lieu thereof the word "Council".

Page 2, line 27, strike the word "board" and insert in lieu thereof the word "Council".

Page 2, line 29, strike the word "department" and insert in lieu thereof the word "Council".

Page 2, line 30, strike the word "department" and insert in lieu thereof the word "Council".

Page 3, line 1, strike the "semicolon" after the word "large" and insert in lieu thereof a "period". Strike the words "to edit and publish a".

Page 3, line 2, strike all the material on line 2.

Page 3, line 3, strike all the material on line 3.

Page 3, line 4, strike the word "department" and insert in lieu thereof the word "Council".

Page 3, line 8, after the words "Section 9" insert the following: "The Council shall have the power and authority to prescribe rules and regulations for the conduct and administration of its affairs and to enter into contracts and agreements necessary for the performance of its duties." Strike the word "board" and insert in lieu thereof the word "Council".

Page 3, line 11, strike the word "department" and insert in lieu thereof the word "Council".

Page 3, line 11, strike the word "board" and insert in lieu thereof the word "Council".

Page 3, line 13, strike the word "department" and insert in lieu thereof the word "Council".

Page 3, lines 24 and 25, strike the word "depart-" "ment" and insert in lieu thereof the word "Council".

Page 3, line 28, strike the word "board" and insert in lieu thereof the word "Council".

Page 3, line 29, strike the word "board" and insert in lieu thereof the word "Council".

Page 3, line 33, strike the word "department" and insert in lieu thereof the word "Council".

Page 4, line 3, strike the word "department" and insert in lieu thereof the word "Council".

Page 4, after line 4 insert a new Section: "Section 12. Not more than 20% of available funds shall be used by the council for administrative expenses," and renumber the remaining sections.

Page 4, line 9, after the word "the" insert "Council.", and strike the balance of the paragraph.

Page 4, line 11, after the number "35" strike the words "Utah Code Annotated 1953".

On motion of Senator Stringham, the title was amended as follows:

Page 1, line 1, following the word "ESTABLISHING" strike the words "UNDER THE SECRETARY OF STATE" and insert in lieu thereof the words "UTAH TOURIST AND PUBLICITY COUNCIL".

Strike all of line 2.

Line 4, strike the word "BOARD" and insert in lieu thereof the word "COUNCIL".

S. B. No. 19 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, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin (explained vote), Jenkins, Mabey, Openshaw, Selvin, Stringham, Tippetts (explained vote) and Mr. President.

Those voting in the negative were: Senators Thorn and Watson.

Absent and not voting: Senators Gibson, Kerr, Muir, Tietjen and Woolley.

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

The Senate re-assembled.

SPECIAL ORDER

S. B. No. 10, being a special order of business, was before the Senate.

On motion of Senator Gibson, the Senate resolved itself into a Committee of the Whole.

On motion of Senator Tippetts, the Committee of the Whole was dissolved.

On motion of Senator Mabey, the President was authorized to appoint a Sifting Committee to begin its functions at the end of the 34th legislative

day, and all bills on the Second Reading Calendar at the end of the 34th legislative day and all bills subsequently reported by the standing and/or special committees are to be referred to this committee.

On motion of Senator Burton, *H. B. Nos. 34, 35* and *36* were lifted from the Welfare Committee and referred to the Committee on Healh and Labor.

President Paxton recognized former Senator Clair Ashton.

On motion of Senator Tippetts, the Senate adjourned until Monday, February 9, 1953, at 2:00 P.M.

TWENTY-NINTH DAY

February 9, 1953

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

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

Prayer by the Chaplain.

February 9, 1953

Mr. President:

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

Respectfully,

C. TAYLOR BURTON,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 5, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 38*, by Mr. Woolley, entitled:

AN ACT AMENDING SECTION 54-7-6, UTAH CODE ANNOTATED 1953, RELATING TO THE CHARGING AND COLLECTING OF FEES BY THE PUBLIC SERVICE COMMISSION OF UTAH FOR

THE FILING OF APPLICATIONS, FOR COPIES OF RECORDS, FOR CERTIFIED COPIES OF EVIDENCE AND PROCEEDINGS BEFORE THE COMMISSION, AND FOR EXEMPTION OF PAYMENT OF FEES BY PUBLIC OFFICERS, AND FOR DISPOSITION OF FEES COLLECTED HEREUNDER, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 38 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 6, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 53*, by Messrs. Edward C. Larsen, Froerer, Gardner, Grover and Kerr, entitled:

AN ACT AMENDING SECTION 32-8-28, UTAH CODE ANNOTATED 1953, REQUIRING ALL FINES AND FORFEITURES LEVIED UNDER THE LIQUOR CONTROL ACT TO BE PAID TO THE STATE TREASURER, AND PROVIDING FOR REMITTING SAID FINES IN CERTAIN INSTANCES TO TOWNS, CITIES AND COUNTIES, AND DIRECTING PAYMENT TO LOCAL GOVERNMENTAL UNITS WHEN THE EVIDENCE FOR CONVICTION IS SUPPLIED BY THE OFFICERS OF SAID LOCAL GOVERNMENTAL UNITS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 53 was read the first time and referred to the Committee on State and Municipal Affairs.

February 6, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 22*, by Messrs. Kerr, Edward C. Larsen and Postma, entitled:

AN ACT AMENDING SECTIONS 8-1-6, 8-1-7, 8-1-12 AND 8-1-20, UTAH CODE ANNOTATED 1953, RELATING TO THE CREATION, ORGANIZATION AND MAINTENANCE OF CEMETERY DISTRICTS

AND PROVIDING FOR THE LEVYING OF TAXES BY THE CEMETERY BOARDS THEREOF, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 22 was read the first time and referred to the Committee on State and Municipal Affairs.

February 6, 1953

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. 23*, by Mr. W. G. Larson, entitled:

"AN ACT REPEALING SECTIONS 55-2-2, 55-2-20 AND 55-2-33, UTAH CODE ANNOTATED 1953, AND AMENDING SECTIONS 55-2-4, 55-2-5, 55-2-10, 55-2-13 AND 55-2-29, UTAH CODE ANNOTATED 1953, RELATING TO THE TRANSFER OF PROPERTY BY APPLICANTS AND RECIPIENTS OF PUBLIC ASSISTANCE, PROVIDING FOR AN AFFIDAVIT BY APPLICANTS AND RECIPIENTS OF ALL PROPERTY HELD, LIMITING THE AMOUNT OF PROPERTY A RECIPIENT MAY OWN, INCREASING THE LEGAL MAXIMUM FOR A SINGLE-PERSON CASE, PROVIDING FOR THE TAKING OF LIENS ON REAL PROPERTY AND A METHOD BY WHICH THE AMOUNT OF SUCH LIENS IS DETERMINED AND THE TIME AT WHICH SUCH LIENS ARE TO BE SATISFIED, AND AUTHORIZING THE ASSIGNMENT OF FINAL ASSISTANCE CHECKS," and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 23 was read the first time and referred to the Committee on Welfare.

REPORTS OF STANDING COMMITTEES

February 9, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 1*, by Messrs. Day, Openshaw, Cannon, Hammond and Burton, entitled:

AN ACT AMENDING SECTIONS 59-14-17 AND 59-14-19 UTAH CODE ANNOTATED, 1953, PROVIDING FOR TIME FOR FILING IN-

COME TAX RETURNS, EXTENSIONS OF TIME FOR FILING INCOME TAX RETURNS AND PROVIDING FOR THE DATE FOR THE PAYMENT OF THE TAX, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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 6, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 126* by Mr. Day, has carefully examined the bill and compared it with *S. B. No. 118* and *H. B. No. 155* and finds them the same and recommends that the enacting clause in *S. B. No. 126* be stricken.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

On motion of Senator Day, the enacting clause in *S. B. No. 126* was struck.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 128*, by Messrs. Fowles, Stringham, Gibson, Hammond and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 128 was ordered printed and referred to the Committee on Judiciary.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 129*, by Messrs. Fowles, Stringham, Hopkin and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 129 was ordered printed and referred to the Committee on Judiciary.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 134*, by Messrs. Openshaw and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 134 was ordered printed and referred to the Committee on Judiciary.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 135*, by Messrs. Openshaw and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 135 was ordered printed and referred to the Committee on Judiciary.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 136*, by Mr. Kerr for the Special Committee on Statutory Salaries, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 136 was ordered printed and referred to the Special Committee on Statutory Salaries.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 137*, by Mr. Mabey with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 137 was ordered printed and referred to the Committee on Judiciary.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 138*, by Mr. Hafen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 138 was ordered printed and referred to the Committee on Banking and Commerce.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 139*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 139 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 140*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 140 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 141*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 141 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 6, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 142*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 142 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 5, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 93*, by Messrs. Woolley and Mabey, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 93 was placed on the Second Reading Calendar.

February 5, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 72*, by Messrs. Woolley and Muir, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 72 was placed on the Second Reading Calendar.

February 5, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 99*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 99 was placed on the Second Reading Calendar.

February 5, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 95*, by Messrs. Gibson, Hopkin and Woolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 95 was placed on the Second Reading Calendar.

February 5, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 75*, by Messrs. Hafen, Fowles and Tippetts, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 75 was placed on the Second Reading Calendar.

February 5, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 85*, by Messrs. Openshaw, Woolley and Fowles, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 85 was placed on the Second Reading Calendar.

February 5, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 73*, by Mr. Woolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 73 was placed on the Second Reading Calendar.

February 5, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 94*, by Messrs. Woolley and Mabey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 94 was placed on the Second Reading Calendar.

February 6, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 16*, by Messrs. W. G. Larson and Sheffield, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

February 6, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 28*, by Messrs. Day, Tietjen, Thorn and Hammond, has carefully reconsidered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

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

February 6, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 18*, by Messrs. Thomas, Young, L. L. Peterson, Dunn, White, H. V. Davis, Esplin, R. Clair Anderson, Gardner, Russell, Messinger, Mrs. Cazier, Messrs. Edward P. Larsen, Cope, Jones, Sanders, Fullmer, Monson, Brian, Sheffield, Sevy, Kerr, Gunther, Barlow, Durham, Rowberry, Dalebout, C. E. Peterson, and Jacobsen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

H. B. No. 18 was placed on the Second Reading Calendar.

February 5, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 96*, by Messrs. Fowles, Thorn, Jenkins and Muir, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 96 was placed on the Second Reading Calendar.

February 5, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 103*, by Messrs. Openshaw and Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 103 was placed on the Second Reading Calendar.

February 5, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 105*, by Messrs. Day, Gibson, Fowles and Tietjen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 105 was placed on the Second Reading Calendar.

February 6, 1953

Mr. President:

Your Committee on Banking and Commerce to which was referred *H. B. No. 19*, by Messrs. Sheffield, Lionel L. Peterson, and Harold V. Davis, has carefully considered said bill and reports the same out favorably.

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report filed.

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

On motion of Senator Hopkin, the rules were suspended and *S. B. No. 28* and *H. B. No. 18* were placed at the head of the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. C. R. No. 5 By Messrs. Woolley and Muir

A CONCURRENT RESOLUTION MEMORIALIZING THE LEGISLATORS OF THE STATES OF CALIFORNIA AND ARIZONA TO DISCONTINUE THE IMPOSITION OF AN INSPECTION UPON THE LUGGAGE AND CONTENTS OF AUTOMOBILES ENTERING INTO THOSE STATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 11 By Mr. Day

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES PROPOSING AN AMENDMENT TO SECTION 3 OF ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO ALLOCATION OF REVENUES RECEIVED FROM

TAXES ON INCOME AND ON INTANGIBLE PROPERTY, BY DELETING THE REQUIREMENT THAT SUCH REVENUE BE ALLOTTED TO PUBLIC SCHOOL SUPPORT, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 12 By Messrs. Day and Hopkin

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES PROPOSING AN AMENDMENT TO SECTION 7 OF ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO TAXATION OF TANGIBLE PROPERTY, BY PROVIDING THAT THERE SHALL BE NO TAX IMPOSED BY THE LEGISLATURE ON TANGIBLE PROPERTY, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 163 By Messrs. Fowles and Hammond

AN ACT AMENDING SECTIONS 39-1-3, 39-1-12, 39-1-18, 39-1-21, 39-1-26, 39-1-46, AND 39-1-51, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 39-1-61, UTAH CODE ANNOTATED 1953, RELATING TO THE POWERS OF THE GOVERNOR AS COMMANDER IN CHIEF OF THE NATIONAL GUARD; THE COMPOSITION OF THE STAFF OF THE COMMANDER IN CHIEF; THE OFFICE OF THE ADJUTANT GENERAL AND THE APPOINTMENT, QUALIFICATIONS AND DUTIES OF THE ADJUTANT GENERAL; THE DUTIES, QUALIFICATIONS AND SALARIES OF THE ASSISTANT ADJUTANT GENERAL; THE DUTIES, QUALIFICATIONS AND SALARY OF THE PERSONNEL OFFICER; THE SALARY AND BOND OF THE ADJUTANT GENERAL; THE DUTIES, QUALIFICATIONS AND SALARY OF THE ASSISTANT QUARTERMASTER; THE MAINTENANCE OF AN ARSENAL AND THE MAINTENANCE AND REQUISITION OF MILITARY SUPPLIES AND PLACING RESPONSIBILITY FOR LOSS DUE TO CARELESSNESS AND NEGLIGENCE; PROVIDING FOR PAY OF MEMBERS OF THE NATIONAL GUARD WHILE IN STATE SERVICE; AND CREATING A NATIONAL GUARD ADVISORY BOARD, AND DEFINING ITS PURPOSE, DUTIES AND POWERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 164 By Messrs. Day, Hopkin, Fowles, Stringham, Burton, Hammond and Cannon

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, SELECTNG 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 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 20-3-1, 20-3-2, 20-3-3, 20-3-4, 20-3-8, 20-3-9, 20-3-10, 20-3-11, 20-3-12, 20-3-13, 20-3-14, 20-3-15, 20-3-16, 20-3-17, 20-3-18, 20-3-19, 20-3-20, 20-3-21, 20-3-22, 20-3-23, 20-3-24, 20-3-25, 20-3-26, 20-3-27, 20-3-28, 20-3-29, 20-3-30, 20-3-31, 20-3-32, 20-3-33, 20-3-34, 20-3-35, 20-3-36, 20-3-37, 20-3-38, 20-3-39, 20-3-40, 20-3-41, AND 20-3-42, UTAH CODE ANNOTATED 1953, RELATING TO PRIMARY ELECTIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 165 By Messrs. Selvin, Tippetts and Hafen

AN ACT APPROPRIATING $10,000.00 TO THE STATE BOARD OF AGRICULTURE TO PROVIDE A PROGRAM OF MORMON CRICKET-GRASSHOPPER ERADICATION AND CONTROL IN COOPERATION WITH FEDERAL OR STATE AGENCIES, COUNTIES, MUNICIPALITIES, FIRMS, CORPORATIONS OR INDIVIDUALS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 166 By Mr. Mabey

AN ACT APPROPRIATING $15,000 TO THE BOARD OF EXAMINERS FROM THE GENERAL FUND TO CAST IN BRONZE THE STATUE OF MASSASOIT IN THE ROTUNDA OF THE STATE CAPITOL BUILDING; AND AUTHORIZING SAID BOARD TO DIRECT SAID WORK, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 167 By Mr. Muir

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. 168 By Mr. Muir

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS 53-6-28, UTAH CODE ANNOTATED 1953, RELATING TO POWERS OF BOARDS OF EDUCATION, PROHIBITING SUCH BOARDS FROM REDUCING THE NUMBER OF TEACHERS OR GRADES OR THE EXTENT OF FINANCIAL OR EDUCATIONAL SUPPORT FOR ANY SCHOOL, OR CLOSING OR DISCONTINUING ANY SCHOOL IN ANY SCHOOL DISTRICT WITHOUT THE APPROVAL OF TWO-THIRDS OF THE REGISTERED VOTERS OF SUCH DISTRICT, AT AN ELECTION DULY CALLED BY SUCH BOARD FOR SUCH PURPOSE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 169 By Messrs. Day and Hopkin

AN ACT AMENDING SECTION 59-16-25, UTAH CODE ANNOTATED 1953, TO PROVIDE THAT ALL USE TAX REVENUE BE CREDITED TO THE STATE GENERAL FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 170 By Messrs. Day and Hopkin

AN ACT AMENDING SECTION 59-15-21, UTAH CODE ANNOTATED 1953, TO PROVIDE THAT ALL SALES TAX REVENUE BE CREDITED TO THE STATE GENERAL FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 171 By Messrs. Day and Hopkin

AN ACT AMENDING SECTIONS 53-8-1, 53-8-2 AND 53-8-5, UTAH CODE ANNOTATED 1953, TO PROVIDE THAT APPROPRIATIONS FOR THE SCHOOL LUNCH PROGRAM BE MADE BY THE LEGISLATURE FROM THE STATE GENERAL FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 172 By Mr. Day

AN ACT AMENDING SECTIONS 63-10-14, 63-10-15, 63-10-16 AND 63-10-18, UTAH CODE ANNOTATED 1953, TO ABOLISH THE RESERVE BUILDING FUND AND TO PROVIDE IN ITS PLACE THAT FUNDS AUTHORIZED BY LAW FOR THE PLANNING AND CONSTRUCTION OF STATE BUILDINGS SHALL BE TRANSFERRED FROM THE STATE GENERAL FUND, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 29, being unfinished business, was before the Senate.

On motion of Senator Hopkin, *S. B. No. 29* retained its position on the calendar as unfinished business.

SPECIAL ORDER

S. B. No. 10 and *S. J. R. No. 7*, being special orders of business, were before the Senate.

On motion of Senator Mabey, *S. B. No. 10* and *S. J. R. No. 7* were made a Special Order of Business for February 10, at 10:30 A.M.

On motion of Senator Mabey, *S. B. Nos. 2, 3, 4, 5, 6, 7* and *8* and *H. B. Nos. 1* and *3* were lifted from the table.

On motion of Senator Mabey, President Paxton appointed a special committee consisting of Senators Fowles, Mabey and Kerr to consider and make recommendations re: *S. B. Nos. 2, 3, 4, 5, 6, 7* and *8* and *H. B. Nos. 1* and *3*.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 32 was read the third time.

On motion of Senator Hopkin, the rules were suspended and the Senate voted to now consider *S. B. No. 33*.

S. B. No. 33 was read the third time and placed on its final passage.

S. B. No. 33 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton (explained vote), Cannon, Fowles, Gibson, Hammond, Mabey, Muir, Openshaw, Selvin (explained vote), Tippetts (explained vote), Watson, Woolley and Mr. President.

Those voting in the negative were: Senators Clegg, Day, Hopkin, Jenkins, Kerr, Stringham (explained vote), Thorn and Tietjen.

Absent and not voting: Senator Hafen.

S. B. No. 33 was transmitted to the House.

SPECIAL ORDER

S. B. No. 19 was read the third time and placed on its final passage.

On motion of Senator Day, *S. B. No. 19* was amended as follows:

Page 1, line 1, strike the words "a department to be known as".

Line 2, strike the words "Department of Tourist Information and Publicity" and insert in lieu thereof the words "Tourist and Publicity Council".

Line 5, strike the words "Department of" and "Information" and insert following the word "publicity" the word "Council".

Line 7, strike the words "who shall be chairman thereof,".

Line 10, following the word "Senate" insert the following: "Each such appointor shall appoint one of such members from each congressional district and major political party."

Line 12, insert a period after the word "trade", and strike the words "no more than".

Line 13, strike all the material on line 13.

Line 14, following the number "1953" strike the words "three members" and insert in lieu thereof "each appointor", after the word "shall" strike the words "be appointed for" and insert in leu thereof the words "appoint one member for a". Strike the "s" from the word "terms".

Line 15, strike the word "three" and insert in lieu thereof the word "one". Strike the "s" from the word "members" and strike the word 'shall" at the end of the line.

Line 16, strike the words "be appointed" and the word "the". Strike the "s" from the word "terms".

Page 2, line 9, after the words "Section 3." insert the following: "The Council annually shall elect one of its members as Chairman." Strike the word "board" and insert in lieu thereof the word "Council".

Line 11, strike the word "board" and insert in lieu thereof the word "Council".

Line 13, strike the word "board" and insert in lieu thereof the word "Council".

Line 14, strike the word "Board" and insert in lieu thereof the word "Council". Strike the word "board" and insert in lieu thereof the word "Council".

Line 15, strike the word "board" and insert in lieu thereof the word "Council".

Line 17, strike the word "board" and insert in lieu thereof the word "Council".

Line 19, strike the word "department" and insert in lieu thereof the word "Council".

Line 24, strike the word "board" and insert in lieu thereof the word "Council".

Line 25, strike the word "board" and insert in lieu thereof the word "Council".

Line 27, strike the word "board" and insert in lieu thereof the word "Council".

Line 29, strike the word "department" and insert in lieu thereof the word "Council".

Line 30, strike the word "department" and insert in lieu thereof the word "Council".

Page 3, line 1, strike the "semicolon" after the word "large" and insert in lieu thereof a "period". Strike the words "to edit and publish a".

Line 2, strike all the material on line 2.

Line 3, strike all the material on line 3.

Line 4, strike the word "department" and insert in lieu thereof the word "Council".

Line 8, after "Section 9." insert the following: "The Council shall have the power and authority to prescribe rules and regulations for the conduct and administration of its affairs and to enter into contracts and agreements necessary for the performance of its duties." Strike the word "board" and insert in lieu thereof the word "Council".

Line 11, strike the word "board" and insert in lieu thereof the word "Council".

Line 13, strike the word "board" and insert in lieu thereof the word "Council".

Line 24, strike the word "depart" and insert in lieu thereof the word "Council".

Line 25, strike the word "ment".

Line 28, strike the word "board" and insert in lieu thereof the word "Council".

Line 29, strike the word "board" and insert in lieu thereof the word "Council".

Line 33, strike the word "department" and insert in lieu thereof the word "Council".

Page 4, line 3, strike the word "department" and insert in lieu thereof the word "Council".

After line 4, insert a new Section: "Section 12. Not more than 20% of available funds shall be used by the council for administrative expenses," and renumber the remaining sections.

Line 9, after the word "the" insert the word "Council.", and strike the balance of the paragraph.

Line 11, after the number "35" strike the words "Utah Code Annotated 1953".

On motion of Senator Stringham, *S. B. No. 19* was amended as follows:

Page 2, Sec. 4, line 13, after the word "council" strike the period and insert "and the board of examiners."

On motion of Senator Woolley, *S. B. No. 19* was amended as follows:

Page 1, Sec. 2, line 6, after the word "member" strike the words "consisting of the Secretary", all of lines 7-8-9-10-11-12-13, and insert the following: "one from each judicial District shall be appointed by the governor, with the consent of the Senate."

On motion of Senator Day, *S. B. No. 19* was made a special order of business for February 10, at 2:30 P.M.

President Paxton recognized former Senator P. S. Marthakis and Mrs. Thelma McKean.

President Paxton appointed Senators Muir, Stringham and Watson to read and revise the Journal for two weeks, commencing February 9, 1953.

On motion of Senator Hopkin, the Senate adjourned until Tuesday, February 10, 1953, at 10:00 A.M.

THIRTIETH DAY

MORNING SESSION

February 10, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 10, 1953

Mr. President:

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

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

COMMUNICATIONS

February 6, 1953

Honorable Mark Paxton
President of the Senate

Dear Mr. Paxton:

I am enclosing herewith a copy of a letter I have just received from Dr. Avard Fairbanks of the College of Fine Arts at the University of Utah.

In his letter, Dr. Fairbanks suggests a very interesting demonstration of sculpturing which should be very appropriate for Lincoln's birthday.

Dr. Fairbanks has demonstrated the sculpturing of the head of Lincoln before a group which has proved most interesting and profitable.

Should time allow for such a demonstration by the joint session of both Houses for Wednesday, February 11th, at a time convenient for both Houses, please let me know so that I may make the necessary arrangements.

There is an excellent possibility of securing the services of Dr. Fairbanks for sculpturing appropriate statues for our Capitol Building which will follow the pioneer theme and this will be worked out at no expense to the State.

I will discuss this matter further with Dr. Fairbanks as I feel that Salt Lake City and Utah could be made the sculpturing center of America by accepting and assisting Dr. Fairbanks in his endeavors.

Respectfully yours,

LAMONT F. TORONTO,
Secretary of State

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of February, 1953, approve and transmit to the Secretary of State, *H. B. No. 2,* by Messrs. Hopkins, Patterson, Monson, C. E. Peterson, Conover, Fullmer, Davis, Gardner, Jones, Sheffield, Barlow, Sevy, Thomas, Lester Taylor, G. Douglas Taylor, Froerer, Butters, Poulson, Bunderson, Brian, Esplin, C. Wilford Larsen, L. L. Peterson, Kerr, Jacobsen, and Wm. E. Anderson, entitled:

AN ACT AMENDING SECTIONS 59-14-73, 59-14-74, AND 59-14-75, UTAH CODE ANNOTATED, 1953, RELATING TO ALTERNATIVE OPTIONAL TAX (SHORT FORM) IN CASE OF RESIDENT INDIVIDUALS AND PROVIDING THAT EACH INDIVIDUAL RESIDENT TAXPAYER SHALL HAVE THE PRIVILEGE AND OPTION OF PAYING TAX BASED UPON INCOME AS DETERMINED UNDER THE FED-

ERAL INTERNAL REVENUE CODE BUT AT THE RATES SPECIFIED IN THE UTAH INDIVIDUAL INCOME TAX LAW.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of February, 1953, approve and transmit to the Secretary of State, *H. B. No. 4*, by Messrs. Hopkins, Patterson, Monson, C. E. Peterson, Conover, Fullmer, Davis, Gardner, Jones, Sheffield, Barlow, Lester Taylor, Thomas, Sevy, Froerer, G. Douglas Taylor, Butters, Bunderson, Brian, Esplin, C. Wilford Larson, Lionel L. Peterson, Kerr, Poulson, Jacobsen, and William E. Anderson, entitled:

AN ACT MAKING AN APPROPRIATION FROM THE UNAPPROPRIATED SURPLUS IN THE STATE GENERAL FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS TO REPLACE REVENUE FROM THE INDIVIDUAL INCOME TAX.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of February, 1953, approve and transmit to the Secretary of State, *H. B. No. 5*, by Messrs. Hopkins, C. E. Peterson, Jones, Sheffield, Barlow, Sevy, Thomas, Froerer, G. Douglas Taylor, Butters, Poulson, Bunderson, Brian, Esplin, C. W. Larsen, L. L. Peterson, Jacobsen and Wm. E. Anderson, entitled:

AN ACT MAKING AN APPROPRIATION FROM THE EMERGENCY RELIEF FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS TO REPLACE THE REDUCTION IN INDIVIDUAL INCOME TAX REVENUE.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of February, 1953, approve and transmit to the Secretary of State, *H. B. No. 6*, by Messrs. Hopkins, C. E. Peterson, Jones, Sheffield, Barlow, Sevy, Thomas, Froerer, G. Douglas Taylor, Butters, Poulson, Bunderson, Brian, Esplin, C. W. Larsen, L. L. Peterson, Jacobsen, and Wm. E. Anderson, entitled:

AN ACT MAKING AN APPROPRIATION FROM THE EMERGENCY RELIEF FUND TO THE UNIFORM SCHOOL FUND FOR THE SUPPORT OF PUBLIC SCHOOLS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 20*, by Messrs. Sheffield, Lionel L. Peterson, and Davis, entitled:

AN ACT PROVIDING FOR THE DISPOSITION OF PROPERTY WHERE THERE IS NO SUFFICIENT EVIDENCE THAT PERSONS HAVE DIED OTHERWISE THAN SIMULTANEOUSLY, AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 37*, by Mr. Kerr, Hopkins, Mrs. Cazier and White, entitled:

AN ACT AMENDING SECTION 10-6-3, UTAH CODE ANNOTATED 1953, VESTING THE MUNICIPAL GOVERNMENT OF THIRD

CLASS CITIES IN A MAYOR AND CITY COUNCIL COMPOSED OF FIVE COUNCILMEN, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 37 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 9, 1953

Mr. President:

I am directed 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. Kerr, Hopkins, Mrs. Cazier and White, entitled:

AN ACT AMENDING SECTION 10-6-30, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE APPOINTMENT OF CITY TREASURERS IN CITIES OF THE THIRD CLASS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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.

February 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 39*, by Messrs. Kerr, Hopkins, Mrs. Cazier and White, entitled:

AN ACT AMENDING SECTION 10-6-7, UTAH CODE ANNOTATED 1953, RELATING TO THE ELECTION AND TERMS OF OFFICE OF MUNICIPAL OFFICIALS AND DELETING THEREFROM REFERENCE TO TREASURERS OF CITIES OF THE THIRD CLASS AS ELECTED OFFICALS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 39 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 1*, by Messrs. Jacobsen, Jones, Hopkins, Brotherson, Wm. E. Anderson, Charles E. Peterson, Sheffield and Froerer, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH PROPOSING TO AMEND ARTICLE VII, SECTION 1, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE TIME OF ELECTION OF GOVERNOR, SECRETARY OF STATE, STATE AUDITOR, STATE TREASURER AND ATTORNEY GENERAL, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 1 was read the first time and referred to the Committee on State and Municipal Affairs.

February 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 76*, by Messrs. Dunn, E. C. Larsen, and Kerr, entitled:

AN ACT AMENDING SECTION 53-6-20 UTAH CODE ANNOTATED 1953, RELATING TO POWERS OF BOARDS OF EDUCATION AND ENABLING SAID BOARDS TO EMPLOY TEACHERS AND OTHER PERSONNEL UPON A CONTINUING TENURE BASIS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 76 was read the first time and referred to the Committee on Education.

February 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 97*, by Messrs. Kerr, Dunn and Postma, entitled:

AN ACT AMENDING SECTIONS 41-2-6, 41-2-13 AND 41-2-18, UTAH CODE ANNOTATED 1953, RELATING TO THE APPLICATION

FOR OPERATOR'S OR CHAUFFEUR'S LICENSE, EXAMINATION OF APPLICANTS, LICENSE CERTIFICATE, REVOCATION AND SUSPENSION OF DRIVER'S LICENSE, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 97 was read the first time and referred to the Committee on Highways.

REPORTS OF STANDING COMMITTEES

February 9, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 10*, by Messrs. Stringham and Woolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 10 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 9, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 143*, by Mr. Openshaw, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 143 was ordered printed and referred to the Committee on Education.

February 9, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 145*, by Messrs. Openshaw and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 145 was ordered printed and referred to the Committee on Education.

February 9, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 146*, by Messrs. Stringham and Tietjen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 146 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 9, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 147*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 147 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 9, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 148*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 148 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 9, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 149*, by Messrs. Day and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 149 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 9, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 150*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 150 was ordered printed and referred to the Committee on Welfare.

February 9, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 151*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 151 was ordered printed and referred to the Committee on Welfare.

February 9, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 152*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 152 was ordered printed and referred to the Committee on Welfare.

February 9, 1953

Mr. President:

Your Committee on Welfare to which was referred *S. C. R. No. 4*, by Messrs. Day and Openshaw, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

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

February 9, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 101*, by Messrs. Woolley, Day, Kerr, et al, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 101 was placed on the Second Reading Calendar.

February 9, 1953

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 122*, by Mr. Woolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 122 was placed on the Second Reading Calendar.

February 9, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 47*, by Messrs. Jones, Sheffield and Cope, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

H. B. No. 47 was placed on the Second Reading Calendar.

February 9, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 113*, by Messrs. Gibson, Thorn and Fowles, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 113 was placed on the Second Reading Calendar.

February 9, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 112*, by Messrs. Gibson, Thorn and Fowles, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 112 was placed on the Second Reading Calendar.

February 9, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 111*, by Messrs. Gibson, Thorn and Fowles, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 111 was placed on the Second Reading Calendar.

February 9, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 124*, by Messrs. Day, Mabey, Burton and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 124 was placed on the Second Reading Calendar.

February 9, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 109*, by Messrs. Mabey, Kerr, Woolley, Hopkin, Hammond and Watson, has carefully considered said bill and reports the same out favorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S . B. No. 109 was placed on the Second Reading Calendar.

February 9, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 121*, by Messrs. Gibson and Woolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 121 was placed on the Second Reading Calendar.

February 9, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 106*, by Messrs. Day, Hopkin and Woolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 106 was placed on the Second Reading Calendar.

February 9, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 100*, by Messrs. Openshaw, Day and Woolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 100 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 13 By Mr. Day

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA TO SPEEDILY ENACT 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.

INTRODUCTION OF BILLS

S. B. No. 173 By Mr. Day

AN ACT TO BE KNOWN AS SECTION 76-9-9, UTAH CODE ANNOTATED 1953, PROVIDING FOR PUNISHMENT FOR UNLAWFUL ENTRY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 174 By Mr. Day

AN ACT AMENDING SECTION 77-21-31, UTAH CODE ANNOTATED 1953, 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 COURTS IN THE SAME INFORMATION, INDICTMENT OR COMPLAINT, AND PROCEDURE RELATING THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 175 By Messrs. Tietjen and Day

AN ACT AMENDING SECTION 70-2-4, UTAH CODE ANNOTATED 1953, RELATING TO THE UNLAWFUL USE OF MARKED CONTAINERS – DEFACING OR REMOVING MARKS – PROVIDING THAT BURLAP OR COTTON SACKS OR BAGS UPON WHICH ANY REGISTERED MARK OR BRAND IS IMPRINTED SHALL BE REVERSED OR MARKINGS OBLITERATED BEFORE RE-USE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 176 By Messrs. Day and Tietjen

AN ACT AMENDING SECTION 17-5-50, UTAH CODE ANNOTATED 1953, 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, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 177 By Messrs. Day and Jenkins

AN ACT AMENDING SECTION 10-6-16, UTAH CODE ANNOTATED 1953, RELATING TO GENERAL POWERS AND DUTIES OF CITY COMMISSIONERS, AUTHORIZING CITY COMMISSIONERS TO POST REWARDS FOR THE APPREHENSION OF CRIMINALS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 178 By Messrs, Fowles, Stringham and Gibson

AN ACT AMENDING TITLE 29, UTAH CODE ANNOTATED 1953, BY ADDING NEW SECTIONS TO BE KNOWN AS SECTION 29-1-2 AND SECTION 29-1-3, LIMITING THE LIABILITY OF AN INNKEEPER, HOTEL KEEPER, BOARDING OR LODGING HOUSE KEEPER AS TO PERSONAL PROPERTY PLACED IN HIS CARE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 179 By Mr. Hopkin

AN ACT AMENDING SECTIONS 41-11-1, 41-11-3, 41-11-4, 41-11-5, 41-11-6, 41-11-7, 41-11-11, 41-11-13, 41-11-15 AND 41-11-17, UTAH CODE ANNOTATED 1953, PROVDING FOR THE ELIMINATION OF THE REQUIREMENT OF LICENSE AND THE COLLECTION OF MOTOR FUELS TAX FROM RETAIL DEALERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 180 By Mr. Day

AN ACT RELATIVE TO PRINTING FOR THE STATE OF UTAH; TO PRESCRIBE PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ACT; TO QUALIFY AS A RESPONSIBLE BIDDER; TO PERMIT PRINTING BY CERTAIN STATE INSTITUTIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 181 By Messrs. Watson and Day

AN ACT PRESCRIBING LIFE PRESERVERS AS STANDARD EQUIPMENT ON ALL SHIPS, VESSELS OR BOATS ON UTAH LAKES, RIVERS, RESERVOIRS, CANALS AND NAVIGABLE STREAMS; REQUIRING THE DEPARTMENT OF PUBLIC SAFETY TO ENFORCE THE SAME; AND PROVIDING A PENALTY AND MAKING IT PRIMA FACIE NEGLIGENCE FOR FAILURE TO COMPLY WITH THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 182 By Messrs. Gibson and Cannon

AN ACT AMENDING 59-14-35, UTAH CODE ANNOTATED 1953, RELATING TO THE STATUTE OF LIMITATIONS FOR ASSESSING TAXES OR STARTING COURT PROCEEDINGS WHERE FALSE OR FRAUDULENT RETURNS ARE FILED OR WHERE NO RETURNS ARE FILED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 183 By Mr. Kerr

AN ACT APPROPRIATING $50,000 FROM THE GENERAL FUND TO THE STATE BOARD OF EXAMINERS FOR THE ERECTION ON THE UTAH STATE CAPITOL GROUNDS OF A PONY EXPRESS MEMORIAL OF THE DESIGN USED IN THE 1947 UTAH CENTENNIAL CELEBRATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 184 By Mr. Woolley

AN ACT REPEALING SECTION 76-47-1, UTAH CODE ANNOTATED 1953, MAKING IT A CRIME TO ENGAGE IN OR PROMOTE PRIZE FIGHTS, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 10, being a special order of business, was before the Senate.

On motion of Senator Tietjen, the Senate resolved itself into a Committee of the Whole.

On motion of Senator Kerr, the Committee of the Whole was dissolved.

On motion of Senator Kerr, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Paxton in the chair.

COMMUNICATIONS

February 4, 1953

Hon. Mark Paxton
President
Utah State Senate
and
Hon. Merrill K. Davis
Speaker of the House

30th Utah Legislature
State Capitol Building
Salt Lake City, Utah

Gentlemen:

Two years ago during the regular session of the Utah State Legislature we had the pleasure of having the members of the Legislature and their partners visit our Geneva Steel Works. I believe the occasion was enjoyed by everyone who participated, and it gave the legislators a first-hand picture of our operations as well as giving many of our management representatives an opportunity of becoming better acquainted with members of the Legislature.

I should like to extend a cordial invitation again this year to members of this Legislature and regular employees of the Legislature and their partners to visit Geneva. Transportation would be provided from the State Capitol Building to Geneva Works and return by bus. Busses could leave the Capitol Building at 9:00 a.m. and tour the plant during the morning. Luncheon would be served at the plant from 12:00 to 1:00, and the buses would arrive back at the Capitol at approximately 2:00 p.m.

If the invitation is accepted, it is suggested that February 12, Lincoln's birthday, would be an appropriate day for such a visit. However, any day thereafter that suits the convenience of the visitors would be entirely satisfactory to us.

Please advise if and when the proposed visit might be arranged.

Yours very truly,

L. J. WESTHAVER,
Vice President and Manager
Utah Operations

Communication filed.

On motion of Senator Thorn, the Senate voted to accept Mr. Westhaver's invitation.

COMMUNICATIONS FROM THE HOUSE

February 10, 1953

Mr. President:

I am directed 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. Day, Openshaw, Cannon, Hammond and Burton, entitled:

AN ACT AMENDING SECTIONS 59-14-17 AND 59-14-19 UTAH CODE ANNOTATED, 1953, PROVIDING FOR TIME FOR FILING INCOME TAX RETURNS, EXTENSIONS OF TIME FOR FILING INCOME TAX RETURNS AND PROVIDING FOR THE DATE FOR THE PAYMENT OF THE TAX, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

February 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. J. R. No. 9*, by Mrs. Gerald Cazier and Mr. Robert J. Henderson, entitled:

A RESOLUTION OF CONDOLENCE TO REPRESENTATIVE JAMES H. C. WEST UPON THE DEATH OF HIS MOTHER, MARY A. C. WEST, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 9 was read the first time.

On motion of Senator Thorn, the rules were suspended and *H. J. R. No. 9* was read the second and third times and placed on its final passage.

H. J. R. No. 9 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Selvin, Stringham, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Gibson, Jenkins, Openshaw, Thorn and Woolley.

H. J. R. No. 9 was returned to the House.

REPORTS OF STANDING COMMITTEES

February 9, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 38*, by Mr. Woolley, entitled:

AN ACT AMENDING SECTION 54-7-6, UTAH CODE ANNOTATED 1953, RELATING TO THE CHARGING AND COLLECTING OF FEES BY THE PUBLIC SERVICE COMMISSION OF UTAH FOR THE FILING OF APPLICATIONS, FOR COPIES OF RECORDS, FOR CERTIFIED COPIES OF EVIDENCE AND PROCEEDINGS BEFORE THE COMMISSION AND FOR EXEMPTION OF PAYMENT OF FEES BY PUBLIC OFFICERS, AND FOR DISPOSITION OF FEES COLLECTED HEREUNDER, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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.

February 10, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 153*, by Messrs. Fowles, Stringham and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 153 was ordered printed and referred to the Committee on Judiciary.

February 10, 1953

Mr. President:

Your Committee on Revision and Enrolling to which has been referred *S. B. No. 155*, by Mr. Openshaw, has examined and carefully compared the bill with *S .B. No. 147* and finds them the same and recommends that the enacting clause of *S. B. No. 155* be stricken.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

On motion of Senator Openshaw, the enacting clause of *S. B. No. 155* was struck.

February 10, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 159*, by Mr. Hafen, wih a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 159 was ordered printed and referred to the Committee on Education.

February 10, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 161*, by Mr. Selvin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 161 was ordered printed and referred to the Committee on Welfare.

February 10, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 162*, by Mr. Selvin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 162 was ordered printed and referred to the Committee on Welfare.

February 10, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 127*, by Messrs. Clegg and Thorn, has carefully considered said bill and reports the same out favorably.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 127 was referred to the Committee on Appropriations and Claims.

February 10, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 98*, by Messrs. Fowles, Jenkins and Selvin, has carefully considered said bill and reports the same out favorably.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 98 was referred to the Committee on Appropriations and Claims.

February 10, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 102*, by Messrs. Fowles and Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 102 was referred to the Committee on Appropriations and Claims.

February 10, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 54*, by Messrs. Thorn, Clegg, Gibson, Selvin, Jenkins, Mabey, Cannon and Openshaw, has carefully considered said bill and reports the same out favorably.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 54 was referred to the Committee on Appropriations and Claims.

February 10, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 55*, by Messrs. Thorn, Clegg, Gibson, Selvin, Jenkins, Cannon, Mabey and Openshaw, has carefully considered said bill and reports the same out favorably.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 55 was referred to the Committee on Appropriations and Claims.

February 10, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 131*, by Mr. Gibson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 131 was referred to the Committee on Appropriations and Claims.

February 10, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 87*, by Messrs. Mabey, Clegg, Burton, Selvin, Tippetts, Muir and Hammond, has carefully considered said bill and reports the same out favorably.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 87 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 84*, by Mr. Muir, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 84 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Appropriations and Claims, to which was referred *S. B. No. 118*, by Mr. Woolley, entitled, "AN ACT APPROPRIATING TO THE STATE FINANCE COMMISSION THE SUM OF $71,850.00 FROM THE GENERAL FUND FOR THE PURPOSE OF COSTS OF ADMIN-

ISTRATION DURING THE REMAINDER OF THE PRESENT BIENNIUM," has carefully considered said bill, has deleted the amount of the appropriation, and reports the same back without recommendation.

Respectfully,

DILWORTH S. WOOLLEY,
Chairman

Report filed.

S. B. No. 118 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 14 By Mr. Day

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO SPEEDILY ENACT SENATE BILL 1747 INTO LAW, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 185 By Mr. Day

AN ACT AMENDING SECTION 64-5-6, UTAH CODE ANNOTATED 1953, RELATING TO THE STATE HISTORICAL SOCIETY BY PROVIDING FOR THE APPOINTMENT OF MEMBERS OF THE BOARD OF CONTROL BY THE GOVERNOR WITH THE CONSENT OF THE SENATE; AND DELETING ALL REFERENCES TO THE BOARD'S AUTHORITY TO CHOOSE A PRESIDENT AND VICE PRESIDENT; DELETING ALL REFERENCES TO THE OFFICE OF THE STATE ARCHIVIST; DELETING THE PROVISION THAT EMPLOYEES' COMPENSATION SHALL BE FIXED BY THE BOARD OF CONTROL AND APPROVED BY THE FINANCE COMMISSION; AND DELETING ALL REFERENCE TO MICROFILMING PUBLIC RECORDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 186 By Mr. Hafen

AN ACT APPROPRIATING $190,512.00 FOR CONSTRUCTION OF AND EQUIPMENT FOR A LIBRARY BUILDING; $180,000.00 FOR MAJOR REPAIRS AND RENOVATION OF AND EQUIPMENT FOR THE SCIENCE BUILDING; $63,225.00 FOR MAJOR REPAIRS AND RENOVATIONS OF AND EQUIPMENT FOR AGRICULTURAL BUILDINGS; $66,975.00 FOR MAJOR REPAIR AND RENOVATION OF AND EQUIPMENT FOR TRADE AND INDUSTRIAL SHOPS; $52,000.00 FOR CONSTRUCTION OF AND EQUIPMENT FOR A HOME SCIENCE ADDI-

TION; AND $27,000.00 FOR ASH AND COAL HANDLING FACILITIES AND EQUIPMENT 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. 187 By Messrs. Mabey, Kerr, Stringham and Jenkins

AN ACT AMENDING SECTION 63-5-19, UTAH CODE ANNOTATED, 1953, RELATING TO THE STATE COUNCIL OF DEFENSE AND EXTENDING THE TERMINATION DATE THEREOF, was read the first time.

On motion of Senator Mabey, the rules were suspended and *S. B. No. 187* was read the second and third times and placed on its final passage.

S. B. No. 187 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senator Stringham.

S. B. No. 187 was transmitted to the House.

S. B. No. 188 By Mr. Woolley

AN ACT RELATING TO THE COMPENSATION FOR PUBLIC POSITIONS OR OFFICES HELD BY MEMBERS OF THE LEGISLATURE, AND PROVIDING THAT NO COMPENSATION OTHER THAN ACTUAL AND NECESSARY EXPENSES SHALL BE PAID FOR SUCH POSITION OR OFFICE DURING THE PERIOD OF TIME FOR WHICH SAID MEMBER OF THE LEGISLATURE WAS ELECTED TO SERVE AS A MEMBER OF THE LEGISLATURE, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 10 and *S. J. R. No. 7*, being unfinished business was before the Senate for its consideration.

On motion of Senator Kerr, *S. B. No. 10* and *S. J. R. No. 7*, were made a Special Order of Business for Wednesday, February 11, 1953, at 2:30 P.M.

On motion of Senator Kerr, President Paxton appointed a special committee consisting of seven Senators, Senators Mabey, Cannon, Hopkin, Tietjen, Tippetts, Hafen and Gibson to consider and recommend re: *S. B. No. 10* and *S. J. R. No. 7*.

SPECIAL ORDER

S. B. No. 19, being a special order of business, was before the Senate.

On motion of Senator Day, *S. B. No. 19* was amended as follows:

Page 1, line 15, strike the word "three" and insert the word "four".

Page 2, line 3, strike the word "either" and the comma after the word Governor and insert a period.

On motion of Senator Gibson, *S. B. No. 19* was tabled.

COMMUNICATIONS FROM THE HOUSE

February 10, 1953

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. 187*, by Messrs. Mabey, Kerr, Stringham, and Jenkins, entitled:

AN ACT AMENDING SECTION 63-5-19, UTAH CODE ANNOTATED, 1953, RELATING TO THE STATE COUNCIL OF DEFENSE AND EXTENDING THE TERMINATION DATE THEREOF, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 187 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

On motion of Senator Openshaw, the rules were suspended and the Senate voted to now consider *H. B. No. 47*.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Openshaw, the rules were suspended and *H. B. No. 47* was read the second and third times and placed on its final passage.

H. B. No. 47 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Voting in the negative was Senator Woolley.

Absent and not voting: Senators Adams and Selvin.

H. B. No. 47 was returned to the House.

On motion of Senator Openshaw, the enacting clause of *S. B. No. 32* was struck.

REPORTS OF STANDING COMMITTEES

February 10, 1953

Mr. President:

Your Committee on Revision and Enrolling to which has been referred *S. B. No. 187*, by Messrs. Mabey, Kerr, Stringham, and Jenkins, entitled:

AN ACT AMENDING SECTION 63-5-10, UTAH CODE ANNOTATED, 1953, RELATING TO THE STATE COUNCIL OF DEFENSE AND EXTENDING THE TERMINATION DATE THEREOF, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider *H. B. No. 18*.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

The Senate re-assembled.

On motion of Senator Tippetts, *H. B. No. 18* was amended as follows:

Page 1, line 14, after the word "prepared" delete ";" and insert in lieu thereof ", and the sale of perishable products marketed by the producer thereof."

On motion of Senator Adams, *H. B. No. 18* was amended as follows:

Page 1, line 10, after the word "houses," insert the word "restaurants,".

Line 13, after the word "supplies," strike the remainder of the line.

Line 14, strike the word "prepared."

On motion of Senator Hafen, *H. B. No. 18* was amended as follows:

Page 1, line 10, after the word "hotels" insert ", motels".

Line 14, after "the" insert the words "harvesting and".

On motion of Senator Gibson, *H. B. No. 18* was amended as follows:

Page 1, line 14, delete the words "the harvesting and sale of perishable products marketed by the producer thereof."

H. B. No. 18 was placed on the Third Reading Calendar on the following roll call:

Ayes, 13; Nos, 10; Absent, 0.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Muir, Openshaw, Thorn, and Tietjen.

Those voting in the negative were: Senators Adams, Fowles, Gibson, Mabey, Selvin (explained vote), Stringham, Tippetts (explained vote), Watson (explained vote), Woolley and Mr. President (explained vote).

COMMUNICATIONS FROM THE HOUSE

February 10, 1953

Mr. President:

I am directed 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. Mabey, Kerr, Stringham and Jenkins, entitled:

AN ACT AMENDING SECTION 63-5-19, UTAH CODE ANNOTATED, 1953, RELATING TO THE STATE COUNCIL OF DEFENSE AND EXTENDING THE TERMINATION DATE THEREOF, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 187 was transmitted to the Governor.

President Paxton appointed a special committee consisting of Senators Jenkins, Stringham and Burton to confer with three Representatives of the

House and determine the time and date for the annual party of the Legislature.

President Paxton recognized Honorable Wallace F. Bennett, United States Senator, who briefly addressed the Senate.

On motion of Senator Mabey, the Senate adjourned until Wednesday, February 11, 1953, at 2:00 P.M.

THIRTY-FIRST DAY

February 11, 1953

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

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

Prayer by the Chaplain.

February 11, 1953

Mr. President:

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

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 11, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved *S. B. No. 1* by Messrs. Day, Openshaw, Cannon, Hammond, and Burton, entitled:

AN ACT AMENDING SECTIONS 59-14-17 AND 59-14-19 UTAH CODE ANNOTATED, 1953, PROVIDING FOR TIME FOR FILING INCOME TAX RETURNS, EXTENSIONS OF TIME FOR FILING INCOME TAX RETURNS AND PROVIDING FOR THE DATE FOR THE PAYMENT OF THE TAX, on February 10, 1953, and I am transmitting it to the Secretary of State as of this date.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

February 11, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved *S. B. No. 187*, by Messrs. Mabey, Kerr, Stringham, and Jenkins, entitled:

AN ACT AMENDING SECTION 63-5-19, UTAH CODE ANNOTATED, 1953, RELATING TO THE STATE COUNCIL OF DEFENSE AND EXTENDING THE TERMINATION DATE THEREOF, on February 10, 1953, and I am transmitting it to the Secretary of State as of this date.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

February 10, 1953

Mr. President:

I have been instructed by the House of Representatives to advise the Senate that Dr. Avard Fairbanks and Dr. N. A. Pedersen have been invited to appear before the House at 3:00 P.M., Thursday, to present a Lincoln Day Program. The House invites the members of the Senate to meet with them as a Committee of the Whole.

Sincerely yours,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Day, the Senate voted to accept the invitation for February 12, at 3:00 P.M.

February 10, 1953

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. Jacobsen, G. Douglas Taylor, Thomas, Froerer, Conover and Sheffield, entitled:

AN ACT AMENDING SECTION 58-1-5, UTAH CODE ANNOTATED 1953, ADDING PARAGRAPH (19) THERETO AUTHORIZING A REPRESENTATIVE COMMITTEE FOR CONTRACTORS, and the same is transmitted herewith for your action.

Respectfully submitted,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 31 was read the first time and referred to the Committee on Health and Labor.

February 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 99*, by Messrs. Wm. E. Anderson, and G. Douglas Taylor, entitled:

AN ACT PROVIDING THAT PROOF OF OWNERSHIP OF VEHICLE SHALL NOT BE PRIMA-FACIE EVIDENCE OF VIOLATION OF LAW OR ORDINANCE IN ANY COURT OF THIS STATE, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 99 was read the first time and referred to the Committee on State and Municipal Affairs.

February 11, 1953

Mr. President:

I am directed 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. 38*, by Mr. Woolley, entitled:

AN ACT AMENDING SECTION 54-7-6, UTAH CODE ANNOTATED 1953, RELATING TO THE CHARGING AND COLLECTING OF FEES BY THE PUBLIC SERVICE COMMISSION OF UTAH FOR THE FILING OF APPLICATIONS, FOR COPIES OF RECORDS, FOR CERTIFIED COPIES OF EVIDENCE AND PROCEEDINGS BEFORE THE COMMISSION, AND FOR EXEMPTION OF PAYMENT OF FEES BY PUBLIC OFFICERS, AND FOR DISPOSITION OF FEES COLLECTED HEREUNDER, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 38 was transmitted to the Governor.

February 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. J. R. No. 9*, by Mrs. Gerald Cazier and Mr. Robert J. Henderson, entitled:

A RESOLUTION OF CONDOLENCE TO REPRESENTATIVE JAMES H. C. WEST UPON THE DEATH OF HIS MOTHER, MARY A. C. WEST, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 9 was signed by the President in open session in the presence of the Senate and was returned in the House for transmission to the Secretary of State.

REPORTS OF STANDING COMMITTEES

February 10, 1953

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 76*, by Messrs. Openshaw, Thorn, Watson and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 76 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 14*, by Messrs. Stringham, Mabey, Tippetts, et al, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

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

February 10, 1953

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 110*, by Messrs. Openshaw and Cannon, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 110 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 77*, by Mr. Selvin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

FRANK M. OPENSHAW,
Chairman

Report filed.

S. B. No. 77 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Health and Labor, to which was referred *S. B. No. 83*, by Messrs. Cannon, Hafen and Kerr, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

FRANK M. OPENSHAW,
Chairman

Report filed.

S. B. No. 83 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 36*, by Messrs. W. G. Larson, Jacobsen, Rowberry, et al, has carefully considered said bill and reports the same out favorably.

Respectfully,

FRANK M. OPENSHAW,
Chairman

Report filed.

H. B. No. 36 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 33*, by Messrs. W. G. Larson, Jacobsen, Rowberry, et al, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

FRANK M. OPENSHAW,
Chairman

Report filed.

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

February 10, 1953

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 35*, by Messrs. W. G. Larson, Jacobsen, Rowberry, et al, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

FRANK M. OPENSHAW,
Chairman

Report filed.

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

February 10, 1953

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 34*, by Messrs. W. G. Larson, Jacobsen ,Rowberry, et al, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

FRANK M. OPENSHAW,
Chairman

Report filed.

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

February 10, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 107*, by Mr. Kerr, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 107 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 116*, by Messrs. Openshaw and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 116 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 189 By Messrs. Day, Cannon and Hammond

AN ACT TO GRANT MUNICIPALITIES OF THE STATE OF UTAH THE RIGHT TO LEVY NOT TO EXCEED FOUR MILLS ON THE DOLLAR ON ALL PROPERTY WITHIN THE MUNICIPALITY FOR THE PURPOSE OF BUILDING FACILITIES FOR TREATING CULINARY WATER OF THE MUNCIPALITY AND FACILITIES FOR THE DISPOSITION, TREATMENT AND CARE OF THE SEWAGE OF THE MUNICIPALITY OR THE CREATION OF A RESERVE FUND THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 190 By Messrs. Thorn and Kerr

AN ACT AMENDING SECTIONS 41-6-3, 41-6-134, 41-6-135, 41-6-140, UTAH CODE ANNOTATED 1953, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 41-6-140.10 AND 41-6-140.20, UTAH CODE ANNOTATED 1953, RELATING TO LIGHTING EQUIPMENT ON MOTOR VEHICLES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 191 By Messrs. Gibson, Tippetts, Hopkin and Mabey

AN ACT AMENDING SECTION 23-3-22, UTAH CODE ANNOTATED 1953, RELATING TO GAME ANIMALS, SPECIFYING 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. 192 By Mr. Woolley

AN ACT AMENDING SECTION 76-20-11, UTAH CODE ANNOTATED 1953, RELATING TO THE ISSUANCE OF CHECKS, DRAFTS OR ORDERS WITHOUT SUFFICIENT FUNDS OR CREDIT, AND RELATING TO PRESUMPTIVE EVIDENCE OF CRIMINAL INTENT, PRESENTATION AND NON-PAYMENT, DEFINING "CREDIT" AS USED IN THIS SECTION, AND PROVIDING THAT VIOLATION OF THIS SECTION SHALL BE MISDEMEANOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 193 By Messrs. Tippetts, Hafen and Woolley

AN ACT APPROPRIATING $30,000.00 TO THE COORDINATING BOARD; CREATING A COORDINATING BOARD FOR HIGHER EDUCATION FOR THE STATE OF UTAH; PROVIDING FOR THE MEMBERSHIP AND ORGANIZATION OF SUCH BOARD AND PRESCRIBING ITS POWERS AND DUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 7 was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Kerr, Mabey, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Gibson, Jenkins, Muir, Openshaw and Woolley.

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

On motion of Senator Mabey, the Senate recessed for five minutes.

The Senate re-assembled.

H. B. No. 18 was read the third time and placed on its final passage.

On motion of Senator Hopkin, *H. B. No. 18* was amended as follows:

Page 1, line 6, strike the period and insert in lieu thereof: "; provided, that this Act shall not apply in any county or incorporated city or town of this state which has enacted an ordinance providing for the exemption of such county, city or town from the provisions of this Act."

On motion of Senator Day, *H. B. No. 18* was amended as follows:

After Section 2, insert:

"Section 3. Section 76-55-6, Utah Code Annotated 1953, is enacted to read:

76-55-6. If any provision of this act or the application thereof to any person, commodity or circumstance shall be held invalid, such invalidity shall not affect the provisions or application of this Act which can be given effect without the invalid provisions or application, and to this end the provisions of the Act are declared to be severable."

On motion of Senator Cannon, *H. B. No. 18* was amended as follows:

Page 2, line 1, after the word "airlines" insert ", and other forms of transportation;".

On motion of Senator Day, the title was amended as follows:

Page 1, line 2, strike the word "A" and insert in lieu thereof "TWO".

Line 3, after "TION" add the letter "S".

Line 3, after "76-55-5" insert "AND 76-55-6".

H. B. No. 18 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Muir, Openshaw, Selvin, Thorn and Tietjen.

Those voting in the negative were: Senators Adams, Fowles, Mabey, Stringham, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senator Gibson.

H. B. No. 18 was returned to the House.

On motion of Senator Day, *S. B. No. 28* was tabled.

On motion of Senator Mabey, *S. B. No. 10* and *S. J. R. No. 7* were made a Special Order of Business for Friday, February 13, at 10:30 A.M.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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, Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Gibson, Stringham and Thorn.

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

Committee report read and adopted.

H. B. No. 13 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Openshaw, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Gibson, Hopkin, Muir, Selvin and Thorn.

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

Committee report read and adopted.

On motion of Senator Woolley, the rules were suspended and the Senate voted to now consider *H. B. No. 11*.

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

Committee report read and adopted.

On motion of Senator Tippetts, the rules were suspended and *H. B. No. 11* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Gibson and Thorn.

H. B. No. 11 was returned to the House.

UNFINISHED BUSINESS

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

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Hopkin, Selvin and Thorn.

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

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 25 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen, the rules were suspended and *H. B. No. 25* was read the third time and placed on its final passage.

H. B. No. 25 then passed on the following roll call:

Ayes, 17; Nos, 3; Absent, 3.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Stringham, Tietjen, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Fowles, Openshaw and Woolley.

Absent and not voting: Senators Gibson, Selvin and Thorn.

H. B. No. 25 was returned to the House.

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

Committee report read and adopted.

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

On motion of Senator Mabey, a call of the Senate was made.

On motion of Senator Day, the call of the Senate was lifted.

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Tippetts and Mr. President.

Those voting in the negative were: Senators Thorn and Woolley.

Absent and not voting: Senators Gibson, Hopkin and Watson.

REPORTS OF SPECIAL COMMITTEES

On motion of Senator Mabey, for the Special Committee, *S. B. Nos. 2, 3, 4, 5, 6, 7* and *8* and *H. B. Nos. 1* and *3* were lifted from the Committee.

On motion of Senator Mabey, the rules were suspended and *H. B. No. 3* was placed at the head of the Second Reading Calendar.

On motion of Senator Mabey, the rules were suspended and *S. B. Nos. 2, 3, 4, 5, 6, 7* and *8* and *H. B. No. 1* were tabled.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider *H. B. No. 3*.

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

President Paxton recognized former Senators Ray Greenwood and George A. Christensen.

On motion of Senator Mabey, the Senate adjourned until Thursday, February 12, 1953, at 2:00 P.M.

THIRTY-SECOND DAY

February 12, 1953

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

Roll Call – All Senators present except Senators Adams, Gibson and Thorn, excused.

Prayer by the Chaplain.

February 12, 1953

Mr. President:

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

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 26*, by Mr. Mabey, entitled:

AN ACT AMENDING SECTION 10-6-12, UTAH CODE ANNOTATED 1953, RELATING TO THE ENACTMENT OF MUNICIPAL ORDINANCES AND ENABLING MUNICIPALITIES TO ADOPT RULES AND REGULATIONS IN CODE BOOK FORM BY REFERENCE, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 26 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 11, 1953

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. 125* by Messrs. H. V. Davis, Thomas, Sheffield, Jacobsen, G. D. Taylor, and Barlow, entitled:

AN ACT ENACTING NEW SECTIONS TO BE KNOWN AS 63-9-10, 63-9-11, AND 63-9-12, UTAH CODE ANNOTATED 1953, AUTHORIZING THE STATE BOARD OF EXAMINERS TO MAKE RULES AND REGULATIONS GOVERNING THE PARKING OF VEHICLES ON THE STATE GROUNDS SURROUNDING THE STATE CAPITOL BUILDING AND CAPITOL GROUNDS AND PRESCRIBING PENALTY FOR THE VIOLATION THEREOF, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 125 was referred to the Committee on State and Municipal Affairs.

February 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected, as amended by the Senate and the House, *S. B. No. 9,* by Messrs. Hopkin, Gibson, Tietjen, Jenkins and Thorn (Legislative Council), entitled:

AN ACT AMENDING SECTION 59-14-4, UTAH CODE ANNOTATED 1953, RELATING TO GROSS INCOME – WHAT CONSTITUTES, AMENDING SECTION 59-14-5, RELATING TO DEDUCTIONS FROM GROSS INCOME, AND PROVIDING FOR DEDUCTION OF MEDICAL EXPENSES AND ALIMONY PAYMENTS, AMENDING SECTION 59-14-7, UTAH CODE ANNOTATED 1953, RELATING TO CREDITS AGAINST NET INCOME, AMENDING SECTION 59-14-9, UTAH CODE ANNOTATED 1953, RELATING TO RECOGNITION OF GAIN OR LOSS – EXCEPTIONS, TO PROVIDE FOR TAX FREE EXCHANGE OF PERSONAL RESIDENCE, AMENDING SECTION 59-14-16, UTAH CODE ANNOTATED 1953, RELATING TO RETURNS REQUIRED – WHO MUST FILE, PROVIDING FOR APPLICATION TO TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 1951, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 9 was filed.

REPORTS OF STANDING COMMITTEES

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. C. R. No. 5*, by Messrs. Woolley and Muir, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

February 11, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 11 was ordered printed and referred to the Committee on Revenue and Taxation.

February 11, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 12 was ordered printed and referred to the Committee on Revenue and Taxation.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 144*, by Mr. Hafen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 144 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 156*, by Messrs. Openshaw and Watson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 156 was ordered printed and referred to the Committee on Highways.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 157*, by Messrs. Openshaw and Watson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 157 was ordered printed and referred to the Committee on Highways.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 158*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 158 was ordered printed and referred to the Committee on Education.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back S. *B. No. 160,* by Mr. Kerr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. *B. No. 160* was ordered printed and referred to the Committee on Highways.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back S. *B. No. 163,* by Messrs. Fowles and Hammond, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. *B. No. 163* was ordered printed and referred to the Committee on Military Affairs.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back S. *B. No. 165,* by Messrs. Selvin, Tippetts and Hafen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. *B. No. 165* was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back S. *B. No. 166,* by Mr. Mabey, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 166 was ordered printed and referred to the Committee on Mining and Smelting.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 167*, by Mr. Muir, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 167 was ordered printed and referred to the Committee on Education.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 168*, by Mr. Muir, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 168 was ordered printed and referred to the Committee on Education.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 169*, by Messrs. Day and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 169 was ordered printed and referred to the Committee on Revenue and Taxation.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 170*, by Messrs. Day and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 170 was ordered printed and referred to the Committee on Revenue and Taxation.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 171*, by Messrs. Day and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 171 was ordered printed and referred to the Committee on Revenue and Taxation.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 172*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 172 was ordered printed and referred to the Committee on Revenue and Taxation.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 173*, by Mr. Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 173 was ordered printed and referred to the Committee on Judiciary.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 174*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 174 was ordered printed and referred to the Committee on Judiciary.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 175*, by Messrs. Tietjen and Day, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 175 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 176*, by Messrs. Day and Tietjen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 176 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 177*, by Messrs. Day and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 177 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 178*, by Messrs. Fowles, Stringham and Gibson, has examined and carefully compared the bill with *S. B. No. 153* and finds them the same and recommends that the enacting clause be stricken.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

On motion of Senator Tippetts, the enacting clause of *S. B. No. 178* was struck.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 180*, by Mr. Day with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 180 was ordered printed and referred to the Committee on Public Institutions.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 181*, by Messrs. Watson, Day and Tippetts, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 181 was ordered printed and referred to the Committee on Heatlh and Labor.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 182*, by Messrs. Gibson and Cannon, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 182 was ordered printed and referred to the Committee on Judiciary.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 183*, by Mr. Kerr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 183 was ordered printed and referred to the Committee on Public Institutions.

February 11, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 184*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 184 was ordered printed and referred to the Committee on Welfare.

February 11, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 149*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 149 was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 130*, by Mr. Gibson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 130 was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 133*, by Messrs. Adams and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 133 was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. J. R. No. 1*, by Messrs. Jacobsen, Jones, Hopkins, Brotherson, Wm. E. Anderson, Charles E. Peterson, Sheffield, and Froerer, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

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

February 11, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 53*, by Messrs. Edward C. Larsen, Froerer, Gardner, Grover and Kerr, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

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

February 11, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 22*, by Messrs. Kerr, Edward C. Larsen, and Postma, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

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

February 11, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 142*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 142 was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 141*, by Messrs. Day and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 141 was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 140,* by Messrs. Day and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 140 was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 139,* by Messrs. Day and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 139 was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 147,* by Messrs. Day and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 147 was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 148,* by Messrs. Day and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 148 was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 99*, by Messrs. Wm. E. Anderson, and G. Douglas Taylor, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

H. B. No. 99 was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on Highways, to which was referred *H. B. No. 97*, by Messrs. Kerr, Dunn and Postma, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

H. B. No. 97 was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 153*, by Messrs. Fowles, Stringham and Gibson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 153 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 91*, by Messrs. Durham and Howe, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

H. B. No. 91 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 55*, by Messrs. Edward C. Larsen, Froerer, Gardner, Grover and Kerr, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

H. B. No. 55 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 114*, by Messrs. Gibson, Thorn and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 114 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 135*, by Messrs. Openshaw and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 135 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 134*, by Messrs. Openshaw and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 134 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 125*, by Mr. Mabey, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 125 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 123*, by Messrs. Day and Openshaw, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 123 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 128*, by Messrs. Fowles, Stringham, Gibson, Hammond and Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 128 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 129*, by Messrs. Fowles, Stringham, Hopkin and Gibson, has considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 129 was placed on the Second Reading Calendar.

February 10, 1953

Mr. President:

Your Committee on Judiciary, to which was referred S. *B. No. 137*, by Mr. Mabey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. *B. No. 137* was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on Welfare, to which was referred S. *B. No. 150*, by Mr. Woolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

S. *B. No. 150* was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on Welfare, to which was referred S. *B. No. 151*, by Mr. Woolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

S. *B. No. 151* was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on Welfare, to which was referred S. *B. No. 152*, by Mr. Woolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

S. *B. No. 152* was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 161*, by Mr. Selvin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

S. B. No. 161 was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 162*, by Mr. Selvin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

S. B. No. 162 was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on Welfare, to which was referred *H. B. No. 23*, by Mr. W. G. Larson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

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

PRESENTATION OF RESOLUTIONS

S. C. R. No. 6 By Messrs. Fowles, Selvin and Jenkins

A CONCURRENT RESOLUTION EXTENDING CONDOLENCES TO THE FAMILY OF THE HONORABLE ELBERT D. THOMAS, WHO DIED FEBRUARY 11, 1953, was read the first time.

On motion of Senator Tippetts, the rules were suspended and *S. C. R. No. 6* was read the second and third times and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Gibson and Thorn.

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

INTRODUCTION OF BILLS

S. B. No. 194 By Mr. Woolley

AN ACT APPROPRIATING FROM THE STATE HIGHWAY FUND THE SUM OF $900,000.00 TO THE STATE ROAD COMMISSION FOR OPERATIONAL EXPENSE DURING THE PRESENT BIENNIUM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 195 By Mr. Day

AN ACT AMENDING SECTIONS 59-18-5 AND 59-18-13, UTAH CODE ANNOTATED 1953, RELATING TO THE PENALTY FOR FAILURE TO AFFIX AND CANCEL STAMPS TO CIGARETTES; CIGARETTE PAPERS AND OLEOMARGARINE AND ADDING A SECTION MAKING PERSONS IMPORTING CIGARETTES FOR THEIR OWN USE RESPONSIBLE FOR PAYMENT OF THE TAX, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 196 By Mr. Kerr

AN ACT AMENDING SECTIONS 41-11-22, 41-11-30, 41-11-31, 41-11-32, 41-11-35, 41-11-36, 41-11-37, 41-11-39, 41-11-41, ENACTING A NEW SECTION 41-11-34.10, AND REPEALING SECTION 41-11-38, UTAH CODE ANNOTATED 1953, ESTABLISHING SPECIFICATIONS AND GRADES FOR MOTOR FUELS SOLD OR OFFERED FOR SALE IN THE STATE OF UTAH, REQUIREMENTS RELATIVE TO THE ADVERTISING THEREOF, AND CONFERRING POWERS AND IMPOSING DUTIES OF THE STATE ROAD COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 197 By Mr. Clegg

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 31-2-17, UTAH CODE ANNOTATED 1953, DEFINING OTHER DUTIES OF THE INSURANCE COMMISSIONER, INCLUDING APPOINTING AN ADVISORY BOARD AND ISSUING REGULATIONS TO UNAUTHORZED OR SURPLUS LINE INSURORS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 198 By Mr. Day

AN ACT AMENDING SECTION 41-1-64, UTAH CODE ANNOTATED 1953, RELATING TO REQUIREMENTS FOR ISSUANCE OF CERTIFICATE OF TITLE AND REGISTRATION OF VEHICLES PRIOR TO OPERATION UPON THE HIGHWAYS, AND ELIMINATING REQUIREMENT THAT SAFETY INSPECTION CERTIFICATE BE PRESENTED TO STATE TAX COMMISSION AT THE TIME OF TRANSFER OF TITLE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 199 By Mr. Day

AN ACT AMENDING SECTION 41-1-70, UTAH CODE ANNOTATED 1953, RELATING TO THE TRANSFER OF TITLE TO NOT MORE THAN TWO MOTOR VEHICLES, TRAILERS OR SEMI-TRAILERS NOT EXCEEDING THE VALUE OF $2,500.00 FOR EACH VEHICLE IN THE EVENT OF THE DEATH OF AN OWNER OR LIEN HOLDER, WITHOUT LEAVING OTHER PROPERTY NECESSITATING THE PROCURING OF LETTERS OF ADMINISTRATION OR LETTERS TESTAMENTARY, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Clegg, the Senate recessed to meet with the House as a Committee of the Whole for a Lincoln Day Program.

The Senate re-assembled.

On motion of Senator Tippetts, the Senate voted to re-consider the final passage of *H. B. No. 26* on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Adams, Gibson, Hopkin, Muir, Thorn and Watson.

H. B. No. 26 was placed on the Third Reading Calendar.

On motion of Senator Woolley, the Senate voted to meet with the House as a Committee of the Whole on Thursday, February 19, at 2:30 P.M. to hear a report from the Public School Survey Commission.

On motion of Senator Clegg, the Secretary was directed to send a letter of appreciation to the Weber College, for the courtesies extended to members of the Senate on February 11, 1953.

On motion of Senator Day, the Secretary was directed to send a letter of appreciation to Dr. N. A. Pedersen and to Dr. Avard Fairbanks for their contribution to the Lincoln Day program.

On motion of Senator Mabey, the Senate adjourned until Friday, February 13, 1953, at 10:00 A.M.

THIRTY-THIRD DAY

MORNING SESSION

February 13, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 13, 1953

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 amendments noted on the final copy.

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 12, 1953

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. Rowberry and E. C. Larsen, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH MEMORIALIZING THE UTAH SENATORIAL AND CONGRESSIONAL REPRESENTA-

TIVES IN THE NATIONAL CONGRESS TO TAKE NECESSARY ACTION FOR IMMEDIATE MODERNIZATION AND WIDENING TO FOUR LANES OF TRANS-SIERRA HIGHWAY, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
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, 17; Nos, 0; Absent, 6.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hammond, Jenkins, Kerr, Muir, Selvin, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Hafen, Hopkin, Mabey, Openshaw and Stringham.

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

February 12, 1953

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. 6* by Messrs. Fowles, Selvin and Jenkins, entitled:

A CONCURRENT RESOLUTION EXTENDING CONDOLENCES TO THE FAMILY OF THE HONORABLE ELBERT D. THOMAS, WHO DIED FEBRUARY 11, 1953, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

REPORTS OF STANDING COMMITTEES

February 11, 1953

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. J. R. No. 10*, by Messrs. Stringham, and Woolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

B. H. STRINGHAM,
Chairman

Report filed.

S. J. R. No. 10 was placed on the Second Reading Calendar.

February 12, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 104*, by Messrs. Burton, Cannon and Hammond, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 104 was placed on the Second Reading Calendar.

February 11, 1953

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 138*, by Mr. Hafen, has carefully considered said bill and reports the same out favorably.

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report filed.

S. B. No. 138 was placed on the Second Reading Calendar.

February 12, 1953

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 76*, by Messrs. Dunn, E. C. Larsen, and Kerr, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

H. B. No. 76 was placed on the Second Reading Calendar.

February 12, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 145*, by Messrs. Openshaw and Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 145 was placed on the Second Reading Calendar.

February 12, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 148*, by Mr. Openshaw, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 148 was placed on the Second Reading Calendar.

February 12, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 159*, by Mr. Hafen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 159 was placed on the Second Reading Calendar.

REPORTS OF SPECIAL COMMITTEES

February 12, 1953

Mr. President:

Your Special Committee on Statutory Salaries to which was referred *S. B. No. 132*, by Mr. Kerr for Special Committee on Statutory Salaries, has carefully considered said bill and reports the same out favorably with the following amendments:

Page 2,

Line 1, after the first deletion mark insert "$10,000"; after the second deletion mark insert "$6,500".

Line 2, after the first deletion mark insert "$5,500"; after the second deletion mark insert "$5,500".

Line 3, after the first deletion mark insert "$7,200"; after the second deletion mark insert "$8,000".

Line 6, at the beginning of the line insert "$5,000"; after the second deletion mark insert "$2,000".

Line 7, after the deletion mark insert "$1,500".

Line 9, after the deletion mark insert "$9,000".

Line 11, after the deletion mark insert "$7,000".

Line 16, after the deletion mark insert "$2,750".

Line 17, after the first deletion mark insert "$3,600"; after the second deletion mark insert "$5,400".

Line 18, after the deletion mark insert "$3,800".

Line 19, after the first deletion mark insert "$3,600"; after the second deletion mark insert "$3,250".

Line 20, after the deletion mark insert "$3,600".

Line 23, after the deletion mark insert "$6,000".

Line 24, after the deletion mark insert "$6,000".

Line 25, after the first deletion mark insert "$6,000".

Line 26, at the beginning of the line insert "$6,000"; after the first deletion mark insert "$6,000".

Line 27, after the second deletion mark insert "$6,000".

Line 28, after the deletion mark insert "$6,000".

Line 29, after the deletion mark insert "$6,000".

Line 30, after the deletion mark insert "$6,000".

Line 31, after the deletion mark insert "$6,000".

Line 32, after the first deletion mark insert "$6,000".

Line 33, after the deletion mark insert "$6,000".

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 132 was placed on the Second Reading Calendar.

February 12, 1953

Mr. President:

Your Special Committee on Statutory Salaries to which was referred *S. B. No. 23*, by Messrs. Openshaw, Day, Fowles and Cannon, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

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

February 12, 1953

Mr. President:

Your Special Committee on Statutory Salaries to which was referred *S. B. No. 49*, by Messrs. Day, Clegg, Cannon, Selvin and Hafen, has carefully considered said bill and reports the same out favorably with the following amendment:

Page 1, line 3, delete "$5,200.00" and insert in lieu thereof "$4,500.00".

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

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

February 12, 1953

Mr. President:

Your Special Committee on Statutory Salaries to which was referred *S. B. No. 136*, by Mr. Kerr for the Special Committee on Statutory Salaries, has carefully considered said bill and reports the same out favorably with the following amendment:

Page 1, line 17, after the deletion mark insert "$6,000".

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 136 was placed on the Second Reading Calendar.

February 12, 1953

Mr. President:

Your Special Committee on Statutory Salaries to which was referred *S. B. No. 37*, by Messrs. Day, Cannon and Hafen, has carefully considered said bill and reports the same out favorably with the following amendments:

Page 1, line 4, after the deletion mark delete "$8,500.00" and insert in lieu thereof "$6,000.00".

Line 6, after the deletion mark delete "$7,500.00" and insert in lieu thereof "$6,000.00".

Line 8, after the deletion mark delete "$7,500.00" and insert in lieu thereof "$6,000.00".

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

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

February 12, 1953

Mr. President:

Your Special Committee on Statutory Salaries to which was referred *S. B. No. 48*, by Messrs. Day, Tietjen, Thorn and Fowles, has compared the bill with *S. B. No. 132* and finds this bill included therein and recommends that the enacting clause in *S. B. No. 48* be stricken.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

On motion of Senator Kerr, the enacting clause of *S. B. No. 48* was struck.

February 12, 1953

Mr. President:

Your Special Committee on Statutory Salaries to which was referred *S. B. No. 20*, by Messrs. Clegg, Gibson, Cannon, Day and Mabey, has compared the bill with *S. B. No. 132* and finds this bill included therein and recommends that the enacting clause in *S. B. No. 20* be stricken.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

On motion of Senator Kerr, the enacting clause of *S. B. No. 20* was struck.

February 12, 1953

Mr. President:

Your Special Committee on Statutory Salaries to which was referred *S. B. No. 41*, by Messrs. Mabey, Fowles, Openshaw and Hafen, has carefully considered said bill and reports the same out favorably with the following amendments:

Page 2, strike all of lines 6 to 15 inclusive and insert the following:

"

	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6
Commissioners (each)	() $6000	() $4000	() $3000	() $2500	() $2000	() $2000
Sheriff	() $6000	() $4000	() $4000	() $3500	() $3000	() $3000
Assessor	() $6000	() $4000	() $4000	() $3500	() $3000	() $3000
Clerk	() $6000	() $4000	() $4000	() $3500	() $3000	() $3000
Recorder	() $6000	() $4000	() $4000	() $3500	() $3000	() $3000
Treasurer	() $6000	() $4000	() $4000	() $3500	() $3000	() $3000
Attorney	() $6000	() $4000	() $4000	() $3500	() $3000	() $2500
Surveyor	() $6000	() $4000	() $3000	() $1500	() $1000	()
Auditor	() $6000	() $4000	() $4000".			

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 200 By Messrs. Openshaw and Cannon

AN ACT AMENDING SECTIONS 16-2-5 AND 16-2-24, UTAH CODE ANNOTATED 1953, RELATING TO THE NUMBER OF DIRECTORS OF CORPORATIONS, THEIR QUALIFICATIONS AND TERMS OF OFFICE, AND ELECTION AND REMOVAL AND RESIGNATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 201 By Mr. Kerr

AN ACT AMENDING SECTION 39-1-21, UTAH CODE ANNOTATED 1953, CHANGING AND FIXING THE AMOUNT NOT TO BE EXCEEDED BY THE BOARD OF EXAMINERS IN FIXING THE SALARY OF THE ADJUTANT GENERAL, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 202 By Messrs. Openshaw and Fowles

AN ACT AMENDING SECTION 76-20-11, UTAH CODE ANNOTATED 1953, RELATING TO THE FRAUDULENT DRAWING OR DELIVERING OF ANY CHECK, DRAFT OR ORDER AGAINST INSUFFI-

CIENT FUNDS, BY PROVIDING THAT THE FAILURE TO PAY THE SAME WITHIN FIVE DAYS AFTER NOTICE SHALL BE PRIMA FACIE EVIDENCE OF FRAUD, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 203 By Messrs. Stringham and Tietjen

AN ACT AMENDING SECTIONS 17-19-16 AND 17-19-17, UTAH CODE ANNOTATED 1953, RELATING TO THE APPORTIONMENT OF COSTS OF COLLECTING TAXES, AND REPEALING SECTION 17-19-18, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 204 By Messrs. Day and Openshaw

AN ACT REPEALING SECTION 64-8-2, UTAH CODE ANNOTATED 1953, RELATING TO THE CONTROL OF THE UTAH STATE TRAINING SCHOOL BY THE DEPARTMENT OF PUBLIC WELFARE, ADDING A NEW SECTION TO BE KNOWN AS 64-8-2.1 PROVIDING FOR THE APPOINTMENT OF A BOARD OF TRUSTEES TO CONTROL THE UTAH STATE TRAINING SCHOOL, AMENDING SECTIONS 64-8-3, 64-8-6, 64-8-7, UTAH CODE ANNOTATED 1953, AND AMENDING SECTION 64-8-8, UTAH CODE ANNOTATED 1953, 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, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Woolley, the rules were suspended and the Senate voted to now consider *S. B. No. 118*.

S. B. No. 118 was read the second time.

Committee report read and adopted.

On motion of Senator Woolley, the Senate voted to strike "(Introduced by Title only. See *H. B. No. 155*.)" and insert in lieu thereof:

Section 1. There is hereby appropriated out of moneys in the General Fund not otherwise appropriated, the sum of $71,850.00 to the State Finance Commission to be used for administration expenses to June 30, 1953.

Section 2. This act shall take effect upon approval.

On motion of Senator Woolley, the rules were suspended and *S. B. No. 118* was read the third time and placed on its final passage.

S. B. No. 118 then passed on the following roll call:

Ayes 21; Nos, 0; Absent, 2.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson and Hafen.

S. B. No. 118 was transmitted to the House.

SPECIAL ORDER

S. B. No. 10, being a special order of business was before the Senate.

On motion of Senator Mabey, the Senate resolved itself into a Committee of the Whole.

On motion of Senator Mabey, the Committee of the Whole was dissolved.

On motion of Senator Cannon, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Paxton in the chair.

COMMUNICATIONS FROM THE GOVERNOR

February 13, 1953

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
Dr. William D. O'Gorman, Ogden
Rex Hughes, Provo
N. Blaine Winters, Salt Lake City
Albert Scowcroft, Ogden

All for two year terms beginning March 1, 1953, and ending March 1, 1955.

COMMISSIONER, DEPARTMENT OF AGRICULTURE:

Ariel M. Jorgensen, Amalga, Cache County, for six-year term beginning March 1, 1953, and ending March 1, 1959.

COMMISSIONER, DEPARTMENT OF BUSINESS REGULATION:

Donald Hacking, Salt Lake City, for six-year term beginning March 1, 1953, and ending March 1, 1959.

STATE ENGINEER:

Joseph M. Tracy, Salt Lake City, for four-year term beginning March 1, 1953, and ending March 1, 1957.

COMMISSIONER, DEPARTMENT OF FINANCE:

A. N. Smith, Price, for six-year term beginning March 1, 1953, and ending March 1, 1959.

MEMBER, STATE BOARD OF HEALTH:

Dr. Charles Ruggeri, Jr., Salt Lake City, for seven-year term beginning March 1, 1953, and ending March 1, 1960.

MEMBERS, HISTORICAL SOCIETY, BOARD OF CONTROL:

Dr. Leland H. Creer, Salt Lake City
Mrs. Juanita Brooks, St. George
Joel E. Ricks, Logan
Russell B. Swenson, Provo
Paul Sullivan, Salt Lake City

All for four-year terms beginning April 1, 1953, and ending April 1, 1957.

COMMISSIONER, LIQUOR CONTROL COMMISSION

Charles H. Foote, Nephi, for six-year term beginning July 1, 1953, and ending July 1, 1959.

COMMISSIONER, DEPARTMENT OF PUBLIC WELFARE:

Edith E. Garner, Ogden, for six-year term beginning March 1, 1953, and ending March 1, 1959.

COMMISSIONERS, STATE TAX COMMISSION:

Patrick Healy, Jr., Ogden, and J. Welton Ward, Willard, for four-year terms beginning March 1, 1953, and ending March 1, 1957.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication referred to the Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

February 13, 1953

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 Mr. W. G. Larson, Mrs. Gerald Cazier, Mr. Albert J. Cope, Mrs. Elizabeth Vance, and Mr. Clarence Palmer, entitled:

A RESOLUTION OF CONDOLENCE TO REPRESENTATIVE MRS. C. L. JACK UPON THE DEATH OF HER HUSBAND, C. L. JACK, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
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, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Gibson, Hafen, Hammond, Hopkin, Jenkins, Mabey, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Kerr, Muir and Openshaw.

H. J. R. No. 14 was returned to the House.

REPORTS OF STANDING COMMITTEES

February 13, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. C. R. No. 6*, by Messrs. Fowles, Selvin and Jenkins, entilted:

A CONCURRENT RESOLUTION EXTENDING CONDOLENCES TO THE FAMILY OF THE HONORABLE ELBERT D. THOMAS, WHO DIED FEBRUARY 11, 1953, 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,

A. I. TIPPETTS,
Chairman

Report filed.

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

February 13, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 26*, by Mr. Mabey, entitled:

AN ACT AMENDING SECTION 10-6-12, UTAH CODE ANNOTATED 1953, RELATING TO THE ENACTMENT OF MUNICIPAL ORDINANCES AND ENABLING MUNICIPALTIES TO ADOPT RULES AND REGULATIONS IN CODE BOOK FORM BY REFERENCE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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 12, 1953

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,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 13 was ordered printed and referred to the Committee on Military Affairs.

February 13, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 14*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 14 was ordered printed and referred to the Committee on Judiciary.

February 12, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 179*, by Mr. Hopkin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 179 was ordered printed and referred to the Committee on Highways.

February 12, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 185*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 185 was ordered printed and referred to the Committee on Public Institutions.

February 12, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 186*, by Mr. Hafen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 186 was ordered printed and referred to the Committee on Education.

February 12, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 188*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 188 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 12, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 189*, by Messrs. Day, Cannon, and Hammond, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 189 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 12, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 190*, by Messrs. Thorn and Kerr, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 190 was ordered printed and referred to the Committee on Highways.

February 12, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 191*, by Messrs. Gibson, Tippetts, Hopkin, and Mabey, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 191 was ordered printed and referred to the Committee on Fish and Game.

February 12, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 192*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 192 was ordered printed and referred to the Committee on Banking and Commerce.

February 12, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 193*, by Messrs. Tippetts, Hafen and Woolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 193 was ordered printed and referred to the Committee on Education.

PRESENTATION OF RESOLUTION

S. J. R. No. 15 By Mr. Hopkin

A JOINT RESOLUTION PROPOSING TO AMEND SECTIONS 2, 3, AND 4 OF ARTICLE IX OF THE CONSTITUTION OF THE STATE OF UTAH PROVIDING FOR LEGISLATIVE APPORTIONMENT OF REPRESENTATIVES ACCORDING TO POPULATION BY COUNTIES AND PROVIDING FOR THE APPORTIONMENT OF SENATORS ACCORDING TO SENATORIAL DISTRICTS, was read the first time.

On motion of Senator Hopkin, the rules were suspended, *S. J. R. No. 15* was ordered printed and referred to the Sifting Committee.

INTRODUCTION OF BILLS

S. B. No. 205 By Messrs. Mabey, Hafen, Tippetts, Cannon and Tietjen

AN ACT AMENDING SECTIONS 36-1-1, 36-1-2 AND 36-1-4, UTAH CODE ANNOTATED 1953, RELATING TO REPRESENTATION IN THE LEGISLATURE OF THE STATE OF UTAH; PROVIDING FOR A REAPPORTIONMENT THEREOF; CREATING NEW SENATORIAL DISTRICTS; PROVIDING FOR THE ELECTION OF NEW SENATORS; DESIGNATING SENATORIAL AND REPRESENTATIVE DISTRICTS OF THE STATE OF UTAH AND NUMBERING THE SAME; PROVIDING FOR THE APPOINTMENT OF COMMITTEES TO FORM REPRESENTATIVE DISTRICTS IN COUNTIES HAVING MORE THAN ONE REPRESENTATIVE; ENACTING A NON-SEVERABILITY SECTION AND REPEALING SECTION 36-1-3, UTAH CODE ANNOTATED 1953, was read the first time.

On motion of Senator Mabey, the rules were suspended, *S. B. No. 205* was ordered printed and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

February 13, 1953

Mr. President:

Your Committee on State and Municipal Affairs to which was referred *H. B. No. 125,* by Messrs. H. V. Davis, Thomas, Sheffield, et al, has carefully considered said bill and reports the same out favorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

H. B. No. 125 was placed on the Second Reading Calendar.

UNFINISHED BUSINESS

H. B. No. 3 being unfinished business was before the Senate.

On motion of Senator Mabey, *H. B. No. 3* was amended as follows:

Page 2, line 14, strike "The following residents" and insert in lieu thereof: "Every resident having a net income for the taxable year in excess of exemptions allowed in section 59-14-7", and strike the word "each".

Line 17, strike the colon and insert in lieu thereof a period.

Strike all of lines 18, 19, 20, 21, 22, 23, and 24.

Line 26, after the words "of year" strike the balance of that line and all of line 27 and insert in lieu thereof the words "in excess of their allowable exemptions".

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Day, Gibson, Hammond, Hopkin, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Clegg, Fowles, Hafen, Jenkins, Kerr, and Muir.

H. B. No. 3 was transmitted to the House.

On motion of Senator Mabey, it was agreed that when the Senate adjourns today, it stand adjourned until Monday, February 16, 1953 at 10:00 A.M.

On motion of Senator Mabey *S. B. No. 10* and *S. J. R. No. 7* were made a Special Order of Business for Monday, February 19, 1953 at 10:30 A.M.

On motion of Senator Hopkin, the enacting clause in *S. B. No. 29* was struck.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 46 was read the second time.

Committee report read and adopted.

On motion of Senator Thorn, the rules were suspended and the Senate voted to now consider *S. B. No. 64*.

S. B. No. 64 was read the second time.

Committee report read and adopted.

On motion of Senator Kerr, *S. B. No. 64* was amended as follows:

Page 3, line 15, strike the figure "$10" and insert in lieu thereof "$5".

On motion of Senator Kerr, the rules were suspended and *S. B. No. 64* was read the third time and placed on its final passage.

S. B. No. 64 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Clegg, Muir and Thorn.

S. B. No. 64 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 26 was before the Senate for reconsideration.

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn (explained vote), Tietjen, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Fowles, Gibson and Woolley.

Absent and not voting: Senator Muir.

H. B. No. 26 was returned to the House.

On motion of Senator Mabey, the Senate recessed for fifteen minutes.

The Senate re-asembled.

On motion of Senator Day, *S. B. No. 19* was lifted from the table and placed on the Third Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 34 was read the second time.

Committee report read and adopted.

S. B. No. 34 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Mabey, Openshaw, Selvin, Stringham, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Hopkin, Kerr, Muir, Thorn and Watson.

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, 20; Nos, 0; Absent, 3.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Kerr, Muir and Watson.

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

Committee report read and adopted.

On motion of Senator Tietjen, the title of *S. B. No. 13* was amended as follows:

Page 1, line 1, strike the number "2" and insert in lieu thereof the number "3".

S. B. No. 13 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, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting Senators Muir, Thorn and Watson.

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

Committee report read and adopted.

On motion of Senator Tietjen, the title of *S. B. No. 16* was amended as follows:

Page 1, line 3, strike the word "MONTH" and insert in lieu thereof "YEAR".

S. B. No. 16 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, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Mabey, Openshaw, Selvin, Stringham, Tietjen, Tippetts and Mr. President.

Absent and not voting: Senators Kerr, Muir, Thorn, Watson and Woolley.

On motion of Senator Fowles, the Senate resolved itself into a Committee of the Whole.

Miss Olga Alexandria appeared before the Committee of the Whole.

On motion of Senator Kerr, the Committee of the Whole was dissolved.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 21* was read the third time and placed on its final passage.

S. B. No. 21 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Stringham, Tietjen, Tippetts, Woolley and Mr. President.

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

Absent and not voting: Senators Muir, Thorn and Watson.

S. B. No. 21 was transmitted to the House.

S. B. No. 43 was read the second time.

Committee report read and adopted.

S. B. No. 43 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, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Mabey, Openshaw, Selvin, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Kerr, Muir and Thorn.

On motion of Senator Hammond, the Secretary was directed to send a letter of appreciation to the Geneva Steel Company, for the very interesting tour and courtesies extended to members and employees of the Senate on February 12.

President Paxton appointed Senators Thorn, Stringham, Mabey, Gibson, Fowles, Hopkin and Cannon to serve as the Sifting Committee.

Pursuant to a motion adopted by the Senate on the 26th legislative day the following bills were referred to the Sifting Committee:

S. B. Nos. 46, 66; S. J. R. No. 5, 6; S. B. Nos. 44, 51, 69, 68, 40, 50; S. J. R. No 2; S. B. Nos. 30, 61, 39, 22, 27, 52, 31, 65, 56, 57, 47, 74, 11, 18, 70, 63, 79, 80, 62, 92, 78, 42, 53, 58, 59, 71; H. B. No. 14; S. B. Nos. 86, 81, 82, 60, 12, 117, 108, 120, 119, 115, 93, 72, 99, 95, 75, 85, 73, 94; H. B. No. 16; S. B. Nos. 96, 103, 105; H. B. No. 19; S. C. R. No. 4; S B. Nos. 101, 122, 113, 112, 111, 124, 109, 121, 106, 100, 87, 84, 76, 14, 110, 77, 83; H. B. Nos. 36, 33, 35, 34; S. B. Nos. 107, 116, 149, 130, 133; H. J. R. No. 1; H .B. Nos. 53 22; S. B. Nos. 142, 141, 140, 139, 147, 148; H. B. Nos. 99, 97; S. B. No. 153; H. B. Nos. 91, 55; S. B. Nos. 114, 135, 134, 125, 123, 128, 129, 137, 150, 151, 152, 161, 162; H. B. No. 23; S. J. R. No. 10; S. B. Nos. 104, 138; H. B. No. 76; S. B. Nos. 145, 143, 159, 132, 23, 49, 136, 37, 41; H. B. No. 125; S. J. R. No. 15.

On motion of Senator Clegg, the Senate adjourned until Monday, February 16, 1953, at 10:00 A.M.

THIRTY-SIXTH DAY

MORNING SESSION

February 16, 1953

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

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

Prayer by the Chaplain.

February 16, 1953

Mr. President:

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

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 13, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I have this day signed *Senate Bill No. 38*, and transmitted it to the Secretary of State. The Bill was entitled:

AN ACT AMENDING SECTION 54-7-6, UTAH CODE ANNOTATED 1953, RELATING TO THE CHARGING AND COLLECTING OF FEES BY THE PUBLIC SERVICE COMMISSION OF UTAH FOR THE FILING OF APPLICATIONS, FOR COPIES OF RECORDS, FOR CERTIFIED COPIES OF EVIDENCE AND PROCEEDINGS BEFORE THE COMMISSION, AND FOR EXEMPTION OF PAYMENT OF FEES BY PUBLIC OFFICERS, AND FOR DISPOSITION OF FEES COLLECTED HEREUNDER.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

February 13, 1953

Mr. President:

I am directed 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. 6*, by Messrs. Fowles, Selvin, and Jenkins, entitled:

A CONCURRENT RESOLUTION EXTENDING CONDOLENCES TO THE FAMILY OF THE HONORABLE ELBERT D. THOMAS, WHO DIED FEBRUARY 11, 1953, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. C. R. No. 6 was transmitted to the Governor.

February 13, 1953

Mr. President:

I am directed 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 Mr. W. G. Larson, Mrs. Cazier, Mr. Cope, Mrs. Vance and Mr. Palmer, entitled:

A RESOLUTION OF CONDOLENCE TO REPRESENTATIVE MRS. C. L. JACK UPON THE DEATH OF HER HUSBAND, C. L. JACK, and the same is forwarded herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 in the House for transmission to the Secretary of State.

February 16, 1953

Mr. President:

I am directed 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. Thomas, Young, L. L. Peterson, Dunn, White, H. V. Davis, Esplin, R. Clair Anderson, Gardner, Russell, Messinger, Mrs. Cazier, Messrs. Edward C. Larsen, Cope, Jones, Sanders, Fullmer, Monson, Brian, Sheffield, Sevy, Kerr, Gunther, Barlow, Durham, Rowberry, Dalebout, C. E. Peterson, and Jacobsen, entitled:

AN ACT AMENDING SECTIONS 76-55-1, 76-55-2 AND 76-55-4, UTAH CODE ANNOTATED 1953; ENACTING TWO NEW SECTIONS TO BE KNOWN AS 76-55-5 AND 76-55-6, UTAH CODE ANNOTATED 1953, RELATING TO THE CLOSING OF BUSINESS ON SUNDAY, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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.

February 13, 1953

Mr. President:

I am directed 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. Jones, Sheffield and Cope, entitled:

AN ACT TO PLACE THE SUBORDINATES OF THE HEALTH DEPARTMENTS OF CITIES OF THE FIRST CLASS UNDER CIVIL SERVICE BY AMENDING SECTIONS 10-10-9, 10-10-10 AND 10-10-19, UTAH CODE ANNOTATED, 1953, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 13, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 18*, by Messrs. Thomas, Young, L. L. Peterson, Dunn, White, H. V. Davis, Esplin, R. Clair Anderson, Gardner, Russell, Messinger, Mrs. Cazier, Messrs. Edward P. Larsen, Cope, Jones, Sanders, Fullmer, Monson, Brian, Sheffield, Sevy, Kerr, Gunther, Barlow, Durham, Rowberry, Dalebout, C. E. Peterson,and Jacobsen, entitled:

AN ACT AMENDING SECTIONS 76-55-1, 76-55-2 AND 76-55-4, UTAH CODE ANNOTATED 1953; ENACTING TWO NEW SECTIONS TO BE KNOWN AS 76-55-5 AND 76-55-6, UTAH CODE ANNOTATED 1953, RELATING TO THE CLOSING OF BUSINESS ON SUNDAY.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 13, 1953

Mr. President:

I am directed to inform your Honorable Body that it is agreeable with the House of Representatives to meet with the Senate in joint committee of the whole on Thursday, February 19, at 2:30 P.M., to hear the report of the Public School Survey Commission in presenting a preliminary report covering the survey of public schools in the State of Utah.

Very truly yours,

W. D. CALLISTER,
Chief Clerk

Communication filed.

REPORTS OF STANDING COMMITTEES

February 16, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 194*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 194 was ordered printed and referred to the Committee on Highways.

February 16, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 195*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 195 was ordered printed and referred to the Committee on Revenue and Taxation.

February 16, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 197*, by Mr. Clegg, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 197 was ordered printed and referred to the Committee on Welfare.

February 16, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 198*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 198 was ordered printed and referred to the Committee on Highways.

February 16, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 199*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 199 was ordered printed and referred to the Committee on Judiciary.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 16 By Mr. Clegg

A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF J. W. GILMAN, was read the first time.

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

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Gibson, Hafen, Hammond, Jenkins, Mabey, Muir, Selvin, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Fowles, Hopkin, Kerr, Openshaw, Stringham and Woolley.

S. J. R. No. 16 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 206 By Messrs. Fowles and Jenkins

AN ACT DECLARING A POLICY, AUTHORIZING WEBER COLLEGE, BY AND THROUGH THE PROPER OFFICIALS, TO SELL REAL PROPERTY AND THE BUILDING 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. 207 By Messrs. Fowles and Openshaw

AN ACT AMENDING SECTIONS 49-5-1, 49-5-2 AND 49-5-3, UTAH CODE ANNOTATED 1953, RELATING TO THE ESTABLISHMENT OF A POLICE PENSION FUND; SOURCE OF MONIES FOR THE FUND; THE GRANTING OF SERVICE AND DISABILITY PENSIONS TO EMPLOYEES OF POLICE DEPARTMENTS OF CITIES OF THE FIRST AND SECOND CLASS; THE AMOUNTS AND PAYMENTS THEREOF; PROVISION FOR ACTUARIAL PLAN AND STUDY; PROVISION FOR PAYMENT OF DEATH BENEFITS TO THE DEPENDENTS AND WIDOW OF ACTIVE OR RETIRED EMPLOYEES; ADMINISTRATION, AND MANDATORY RETIREMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 208 By Messrs. Fowles and Jenkins

AN ACT AUTHORIZING, EMPOWERING AND DIRECTING THE STATE BOARD OF EDUCATION TO PROVIDE FOR THE CONSTRUCTION OF CURB AND GUTTER, ROADS, BRIDGES, PARKING SPACE AND OTHER IMPROVEMENTS, DIRECTING THE CONSTRUCTION OF A SHOP BUILDING UPON THE UPPER CAMPUS OF WEBER COLLEGE, AT OGDEN, UTAH, TO PURCHASE FURNITURE AND FIXTURES FOR THE NEW CLASSROOMS OF SAID WEBER COLLEGE, AND TO PURCHASE CERTAIN NAMED REAL ESTATE FROM CERTAIN PERSONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 209 By Mr. Burton

AN ACT AMENDING SECTION 23-2-2, UTAH CODE ANNOTATED 1953, RELATING TO CARRYING OF LICENSE TO HUNT, FISH AND TRAP BY THE LICENSEE WITHOUT LICENSE BEING DISPLAYED IN A CONSPICUOUS PLACE UPON THE PERSON OF THE LICENSEE WHILE HUNTING, FISHING OR TRAPPING, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 210 By Mr. Muir

AN ACT ENACTING ONE NEW SECTION TO BE KNOWN AS SECTION 53-32-9.1, UTAH CODE ANNOTATED 1953, PROVIDING

THAT THE PRESIDENT OF THE UTAH STATE AGRICULTURAL COLLEGE SHALL BE AN EX-OFFICIO MEMBER OF THE BOARD OF TRUSTEES OF SAID COLLEGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 211 By Mr. Fowles

AN ACT GRANTING EMPLOYEES OF THE STATE OF UTAH AND EMPLOYEES OF ANY COUNTY OR MUNICIPALITY THEREOF WHO ARE MEMBERS OF THE RESERVE FORCES OF THE UNITED STATES ARMY, NAVY, AIR FORCE AND MARINES FULL PAY FOR ALL TIME SPENT ON DUTY AT ANNUAL ENCAMPMENT OR RIFLE COMPETITION OR OTHER DUTIES IN CONNECTION WITH THE RESERVE TRAINING AND INSTRUCTION REQUIREMENTS OF THE DEPARTMENTS OF THE ARMY, NAVY, AIR FORCE AND MARINES OF THE UNITED STATES, was read the first time and referred to the Committee on Revision and Enrolling.

REPORTS OF SPECIAL COMMITTEES

February 16, 1953

Mr. President:

Your Sifting Committee reports out the following bills:

S J. R. No. 15 and *S. B. Nos. 205, 66, 92 and 79.*

Your Sifting Committee recommends that bills as reported out daily by the Sifting Committee, when not acted upon while on Second Reading Calendar, be referred back to the Sifting Committee at the close of the Senate session of that day.

Respectfully,

GRANT S. THORN,
Chairman

Committee report read and adopted.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 19 was before the Senate.

On motion of Senator Day, the Senate voted to amend *S. B. No. 19* by striking lines 1 to 16 inclusive on Page 1 and all of Pages 2, 3 and 4 and insert in lieu thereof:

(Page 1)

"1 Section 1. There is hereby established the Utah Tourist and
2 Publicity Council, which shall be charged with the duties of publicizing
3 the scenic and tourist attractions of Utah, and promoting the tourist

trade.

Section 2. The Utah Tourist and Publicity Council shall be composed of a board of seven members. One from each Judicial District shall be appointed by the Governor, with the consent of the Senate for the year 1953. Three members shall be appointed for terms commencing July 1, 1953, and ending July 1, 1957, and four members shall be appointed for terms commencing July 1, 1953, and ending July 1, 1955. Thereafter all appointments shall be for terms of four years. Vacancies occuring by reason of death, resignation or other cause, shall be filled by the appointment of another person by the Governor. Speaker of the House of Representatives, or President of the Senate, depending upon which appointee was vacated.

Every member shall serve without pay, but shall be paid for his actual and necessary expenses as approved by the board incurred while attending meetings.

Section 3. The Council shall annually elect one of its members as chairman. Four members of the Council shall constitute a quorum for the transaction of business.

(Page 2)

Section 4. The Council shall appoint a director, and shall prescribe the powers and duties of said director and fix his compensation at the rate approved by the Council, and the Board of Examiners. The director shall act as the administrative officer of the Council. The Council shall not appoint the director from its own membership, and said appointee shall not have been a member of the Council within two years prior to his appointment. No person who is related to the director or any member of the Council by consanguinity or affinity within the fifth degree shall be appointed or employed under this act.

Section 5. The office of the Council shall be maintained in Salt Lake City, Utah.

Section 6. The director shall give a bond for the faithful performance

of his duties in such form and in such amount as the board of examiners shall determine. He shall have the power to administer oaths, to enter into contracts, which must have the final approval of the Council, and to perform such other business as may be authorized by the Council and required in the discharge of his duties.

Section 7. The Council shall have the power and authority to prescribe rules and regulations for the conduct of its own business, and the administration of the affairs of the Council.

Section 8. The Council is authorized and empowered and it shall be its duty

(A) To plan and conduct a program of information, advertising and publicity relating to the recreational, scenic, historic, highway, and tourist advantages and attractions of the State at large.

The Council shall encourage and assist in the co-ordination of the agencies engaged in publicizing, developing and promoting the scenic activities of persons, firms, associations, corporations, and governmental attractions and tourist advantages of the State.

Section 9. The Council is authorized to enter into agreements with the industrial commission or the state road commission and as a part of such agreements may accept services, quarters or facilities as a contribution in carrying out the duties and functions of the Council. Said Council is authorized to accept contributions of moneys, services,

(Page 3)

and facilities from any other sources, public or private, providing the Council shall not use said funds for publicizing the exclusive interest of the donor. Moneys received pursuant to this section shall be deposited in the promotion special fund and shall not operate to reduce the moneys available under legislative appropriation.

Section 10. There is hereby created in the State Treasury, a special fund to be known as, "The Publicity Promotion Special Fund." All moneys, other than those appropriated to the department by the legislature, which

are received as contributions shall be paid into this fund. It is further provided that any balance remaining in said fund, received from any source, shall remain in said fund and not lapse into the General Fund.

The moneys in this fund shall be continuously available to the council for expenditure in accordance with the provisions of the act and shall not lapse at any time or be transferred to any other fund except as herein otherwise provided. The state treasurer shall pay all warrants drawn upon him by the Council or its duly authorized agent in accordance with such regulations as said Council shall prescribe.

Moneys in this fund shall not be co-mingled with other state funds but shall be maintained in a separate account on the books of the depository bank.

Section 11. There is hereby appropriated to the Council from the state general funds, not otherwise appropriated, the sum of $200,000.00 or so much thereof as may be necessary in the biennium; said funds to be used by the Council in the administration of the powers and duties prescribed herein.

Section 12. Not more than 20% of available funds shall be used by the Council for administrative expenses.

Section 13. If any provision of this act is held invalid, the remainder of this act shall not be affected thereby.

Section 14. Upon the effective date of this act all properties, facilities, equipment and other tangible assets belonging to the department of publicity and industrial development shall be transferred to the Council.

Section 15. Chapter 5, Title 35 and Chapter 3, Title 63, Utah Code Annotated 1953, are hereby repealed."

On motion of Senator Day, *S. B. No. 19* was amended as follows:

Page 1, line 13, following the word "Governor" insert a period and delete the balance of line 13 and all of lines 14 and 15.

Page 3, line 23, strike the letter "s" on the word "funds".

Page 3, add a new section as follows:

"Section 16. This act shall take effect on approval."

On motion of Senator Hafen, *S. B. No. 19* was amended as follows:

Page 1, line 7, following the word "Senate" delete "for the year 1953".

Line 13, after the word "Governor" add a comma and insert "from the same judicial district or the person whose office was vacated".

On motion of Senator Selvin, *S. B. No. 19* was amended as follows:

Page 1, line 6, following the word "members" delete period and insert ", provided not more than four members can be of the same political party."

On motion of Senator Gibson, *S. B. No. 19* was amended as follows:

Page 1, line 13, after the comma following "Governor" insert "for the unexpired term of said person and shall be".

On motion of Senator Thorn, *S. B. No. 19* was amended as follows:

Page 2, line 14, after the word "determine" delete the balance of line 14 and all of lines 15, 16 and 17.

On motion of Senator Tippetts, *S. B. No. 19* was amended as follows:

Page 2, line 34, after the word "to" insert the words "solicit and".

On motion of Senator Woolley, *S. B. No. 19* was amended as follows:

Page 3, line 23, strike the figure "$200,000.00" and insert in lieu thereof "$100,000.00".

S. B. No. 19 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Mabey, Muir, Openshaw (explained vote), Selvin (explained vote), Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Voting in the negative was Senator Gibson.

Absent and not voting: Senators Kerr and Stringham.

S. B. No. 19 was transmitted to the House.

On motion of Senator Clegg, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate reconvened at 2:00 P.M. President Paxton in the chair.

COMMUNICATIONS FROM THE HOUSE

February 16, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 7*, by Messrs. Edward C. Larsen, Froerer, Gardner, Elswood, and Barlow, entitled:

AN ACT AMENDING SECTIONS 55-6-19 AND 55-6-20, UTAH CODE ANNOTATED 1953, RELATING TO THE ADMISSION OF INDIGENT PUBLIC PATIENTS AND NONINDIGENT PATIENTS TO THE TUBERCULOSIS SANATORIUM, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

February 16, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 11* by Mr. W. G. Larson, entitled:

AN ACT AMENDING SECTION 41-11-6, UTAH CODE ANNOTATED 1953, RELATING TO A TAX UPON THE SALE AND USE OF MOTOR FUELS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 11 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 16, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 15*, by Mr. W. G. Larson, entitled:

AN ACT AMENDING SECTION 41-11-50, UTAH CODE ANNOTATED 1953, RELATING TO A TAX ON THE SALE OR USE OF FUEL FOR PROPELLING VEHICLES ON THE HIGHWAYS OF THE STATE, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 15 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 16, 1953

Mr. President:

I am directed 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. Gardner, Kerr, L. B. Johnson, Edward C. Larsen, W. G. Larson and Hopkins, entitled:

AN ACT AMENDING SECTIONS 27-2-17 AND 27-2-18, UTAH CODE ANNOTATED 1953, RELATING TO THE MOTOR VEHICLE REGISTRATION FUND AND MAKING APPROPRIATIONS THERETO, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 13, 1953

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. 32*, by Messrs. Jacobsen, G. Taylor, Thomas, Froerer, Conover and Sheffield, entitled:

AN ACT AMENDING SECTION 58-6-4, UTAH CODE ANNOTATED 1953, DELETING THE REQUIREMENT THAT CONTRAC-

TORS LICENSES MUST BE ISSUED WITHIN TEN DAYS FROM RECEIPT OF APPLICATION, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 32 was read the first time and referred to the Committee on State and Municipal Affairs.

February 13, 1953

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. 63*, by Mr. Sheffield, entitled:

AN ACT AMENDING SECTION 57-3-7, UTAH CODE ANNOTATED 1953, RELATING TO DISCHARGE OF LIENS BY MARGINAL ENTRY AND ELIMINATING SUCH METHOD OF DISCHARGE IN COUNTIES WHERE COUNTY RECORDS ARE MICRO-FILMED, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 63 was read the first time and referred to the Committee on State and Municipal Affairs.

February 13, 1953

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 Mr. Wayne C. Durham, entitled:

AN ACT TO AMEND SECTION 58-1-25 OF THE UTAH CODE ANNOTATED 1953, RELATING TO THE REFUSAL, SUSPENSION, REVOCATION OF LICENSE AND GROUNDS FOR THE SAME, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 80 was read the first time and referred to the Committee on Public Institutions.

PRESENTATION OF RESOLUTIONS

S. C. R. No. 7 By Mr. Hafen

A CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO APPROVE LEGISLATION DESIGNED TO PROVIDE A STABILIZED MARKET FOR THE PRODUCTS OF WESTERN MINES, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 212 By Messrs. Clegg and Mabey

AN ACT AMENDING SECTION 63-2-15, UTAH CODE ANNOTATED 1953, RELATING TO THE AMOUNT TO BE PAID FOR TRAVEL FOR OFFICERS AND EMPLOYEES OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 213 By Messrs. Tietjen and Hafen

AN ACT AMENDING SECTIONS 4, 5, 6, 7, 8, 10, 14 AND 15, CHAPTER 86, LAWS OF UTAH 1951, RELATING TO A SCHOOL BUILDING SURVEY COMMISSION, DEFINING ITS DUTIES, PROVIDING FOR THE DETERMINATON OF SCHOOL BUILDING NEEDS IN SCHOOL DISTRICTS OF THE STATE, PROVIDING FOR STANDARDS OF ELIGIBILITY TO OBTAIN STATE FUNDS TO MEET EMERGENCY SUPPLEMENTAL NET BUILDING NEEDS; DIRECTING THE STATE BOARD OF EDUCATION AND THE SCHOOL SURVEY COMMISSION TO PRESCRIBE MINIMUM SCHOOL PLANT STANDARDS; APPROPRIATING THE SUM OF TWO MILLION ONE HUNDRED FIFTY SEVEN THOUSAND DOLLARS ($2,157,000) FOR EMERGENCY SUPPLEMENTAL STATE AID IN ADDITION TO THE APPROPRIATION PREVIOUSLY MADE; ESTABLISHING CERTAIN PRIORITIES AND PROVIDING FOR THE DISTRIBUTION OF STATE AID AND THE CONDITIONS PRECEDENT THERETO, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. B. No. 10 and *S. J. R. No. 7*, being a special order of business, were before the Senate.

On motion of Senator Mabey, *S. B. No. 10* and *S. J. R. No. 7* were retained on Special Order for Tuesday, February 17, 1953 at 10:30 A.M.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 34 was read the third time and placed on its final passage.

S. B. No. 34 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond. Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Thorn, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Selvin, Stringham and Tippetts.

S. B. No. 34 was transmitted to the House.

S. B. No. 35 was read the third time and placed on its final passage.

S. B. No. 35 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond. Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Selvin and Stringham.

S. B. No. 35 was transmitted to the House.

S. B. No. 13 was read the third time and placed on its final passage.

On motion of Senator Hafen, *S. B. No. 13* was amended as follows:

Page 2, line 3 after the word "responsible" insert the following:

"for the failure to stop payment thereon."

On motion of Senator Tietjen, *S. B. No. 13* was made a special order of business for February 17, at 2:30 P.M.

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

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

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Hopkin, Selvin and Stringham.

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

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, 17; Nos, 0; Absent, 6.

Those voting in the affirmative were: Senators Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Cannon, Hopkin, Selvin, Stringham and Thorn.

S. B. No. 43 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 66 was read the second time.

Committee report read and adopted.

On motion of Senator Woolley, the Senate voted to amend *S. B. No. 66* as follows:

Page 1, strike line 1, and insert in lieu thereof:

(Page 1)

"Section 1. Whereas the pollution of the waters of this state constitutes a menace to public health and welfare, creates public nuisances, is harmful to wildlife, fish and aquatic life, and impairs domestic, agricultural, industrial, recreational and other legitimate beneficial uses of water, and whereas such pollution is contrary to the best interests of the state and its policy for the conservation of the water resources of the state, it is hereby declared to be the public policy of this state to conserve the waters of the state and to protect, maintain and improve the quality thereof for public water supplies, for the propagation of wildlife, fish and aquatic life, and for domestic, agricultural, industrial, recreational and other legitimate beneficial uses; to provide that no waste be discharged into any waters of the state without first being given the degree of treat-

(Page 2)

ment necessary to protect the legitimate beneficial uses of such waters; to provide for the prevention, abatement and control of new or existing water pollution; to place first in priority those control measures directed

toward elimination of pollution which creates hazards to the public health; to insure due consideration of financial problems imposed on water polluters through pursuit of these objectives; and to cooperate with other agencies of the state, agencies of other states and the Federal Government in carrying out these objectives.

Section 2. For the purposes of this act, the following words and phrases shall have the meanings ascribed to them in this section:

(a) "Pollution" means such contamination, or other alteration of the physical, chemical or biological properties, of any waters of the state, or such discharge of any liquid, gaseous or solid substance into any waters of the state as will create a nuisance or render such waters harmful or detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

(b) "Wastes" means sewage, industrial waste and all other liquid, gaseous or solid substances which pollute any waters of the state.

(c) "Sewerage system" means pipe lines or conduits, pumping stations and all other constructions, devices, appurtenances and facilities used for collecting or conducting wastes to a point of ultimate disposal.

(d) "Treatment works" means any plant, disposal field, lagoon, dam, pumping station, incinerator, or other works used for the purpose of treating, stabilizing or holding wastes.

(e) "Disposal system" means a system for disposing of wastes, and includes sewerage systems and treatment works.

(f) "Waters of the state" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through, or border upon this state or any portion thereof,

(Page 3)

except that bodies of water confined to and retained within the limits of

private property, and which do not develop into or constitute a nuisance, or a public health hazard, or a menace to fish or wildlife, shall not be considered to be "waters of the state" under this definition.

(g) The word "Person" includes bodies politic and corporate, partnerships, associations and companies.

Section 3. There is hereby created and established in the state department of health a state water pollution control board hereinafter referred to as the "Board" which shall be composed of nine members, all residents and citizens of this state, and all appointed by the governor, by and with the consent of the Senate, as follows: the state health commissioner; one representing the mineral industries; one representing the food processing industries; one representing other manufacturing industies; one representing city and town governments; one representing agriculture and livestock interests; one representing fish, wildlife, and recreation interests; and two at large, selected with due consideration of the areas of the state affected by water pollution, and neither of whom shall represent other interests named in this paragraph. The terms of office for such board members shall be eight years. Of the members first appointed by the governor, excepting the state health commissioner, the term of one shall expire March 1, 1954, and the terms of the others shall expire on the same date of different consecutive years, beginning with 1955, and ending with 1961. The governor shall name the year each appointee's term expires at the time he makes the appointment. The board is directed to carry out the functions and duties conferred on it by this act.

No member of the board shall receive any compensation for his services rendered in that capacity, but the actual and necessary travel and other expenses incurred by members in the discharge of their official duties as members of the board shall be paid out of any funds which are or may become available for the purposes of this act, provided that any member of the board who is not on the public payroll shall receive compensation in addition to other expenses in the sum of $10.00 per diem.

The board shall organize and annually select one of its members to

(Page 4)

serve as chairman and one of its members to serve as vice-chairman, shall hold at least four regular meetings each calendar year and shall keep minutes of its proceedings which shall be open to the public for inspection. Special meetings may be called by the chairman, and must be called by him upon receipt of a written request therefor signed by three or more members of the board. Each member of the board and the executive secretary shall be notified in writing of the time and place of each meeting. A majority of the members of the board shall constitute a quorum.

The board shall appoint as executive secretary the chief sanitary engineering officer of the state health department. Such secretary shall be a registered engineer in the state of Utah, with at least 4 years of experience in the field of sanitary engineering, and he shall administer and carry out all water pollution control policies as directed by the board.

The board may employ, compensate, and prescribe the powers and duties of such officers, employees, and consultants as are considered necessary in accordance with the provisions of this act. However, technical, legal or other services shall be performed, insofar as practicable, by personnel of the department of health and by other state departments, agencies and offices.

The board may delegate to the executive secretary, officers, employees, and consultants of the board such of its functions and duties as it considers necessary, except that it may not delegate the authority to adopt and promulgate standards, rules and regulations, classify waters, revoke permits, and issue, modify, or revoke orders.

Section 4. The board shall have and may exercise the following powers and duties, with the understanding that pollution which results in hazards to the public health will be given first priority:

(a) To develop programs for the prevention, control and abatement of new or existing pollution of the waters of the state;

(b) To advise, consult, and cooperate with other agencies of the state, the Federal Government, other states and interstate agencies, and

with affected groups, political subdivisions, and industries in furtherance of the purposes of this act;

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(c) To accept and administer grants from the Federal Government and from other sources, public or private, for carrying out any of its functions;

(d) To encouage, participate in, or conduct studies, investigations, research and demonstrations relating to water pollution and causes thereof as it may deem advisable and necessary for the discharge of its duties under this act;

(e) To collect and disseminate information relating to water pollution and the prevention, control and abatement thereof;

(f) To adopt, modify or repeal and promulgate standards of quality of the waters of the state and classify such waters according to their reasonable uses in the interest of the public under such conditions as the board may prescribe for the prevention, control and abatement of pollution;

(g) To adopt, modify, repeal, promulgate and enforce rules and regulations implementing or effectuating the powers and duties of the board under this act;

(h) To issue, modify or revoke orders (1) prohibiting or abating discharges of wastes into the waters of the state; (2) requiring the construction of new treatment works or any parts thereof or the modification, extension or alteration of existing treatment works or any parts thereof, or the adoption of other remedial measures to prevent control or abate pollution; and (3) setting standards of water quality, classifying waters or evidencing any other determination by the board under this act;

(i) To review plans, specifications or other data relative to disposal systems or any part thereof in connection with the issuance of such permits as are required by this act;

(j) To issue, continue in effect, revoke, modify or deny, under such

reasonable conditions as it may prescribe, to prevent, control or abate pollution, permits for the discharge of wastes into the waters of the state, and for the installation or modification of treatment works or any parts thereof;

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(k) To give reasonable consideration, in the exercise of its powers and duties, to the financial requirements which may be imposed upon pollution as a result of its actions.

(l) To exercise all incidental powers necessary to carry out the purposes of this act.

Section 5. (a) It shall be unlawful for any person to cause pollution as defined in section 2 (a) of this act of any waters of the state or to place or cause to be placed any wastes in a location where they will cause pollution of any waters of the state. Any such action is hereby declared to be a public nuisance.

(b) It shall be unlawful for any person to carry on any of the following activities without first securing such permit from the board, as is required by it, for the disposal of all wastes which are or may be discharged thereby into the waters of the state: (1) the construction, installation, modification or operation of any treatment works or part thereof or any extension or addition thereto; (2) the increase in volume or strength of any wastes in excess of the permissive discharges specified under any existing permit; (3) the construction, installation, or operation of any establishment or any extension or modification thereof or addition thereto, the operation of which would cause an increase in the discharge of wastes into the waters of the state or would otherwise alter the physical, chemical or biological properties of any waters of the state in any manner not already lawfully authorized; (4) the construction or use of any new outlet for the discharge of any wastes into the waters of the state.

The board under such conditions as it may prescribe, may require the submission of such plans, specifications and other information as it deems

to be relevant in connection with the issuance of such permits.

Section 6. (a) In order to effectuate a program for the prevention, control and abatement of pollution of the waters of the state, the board is authorized to group such waters into classes according to their present and future most reasonable uses for the purpose of progressively improving the quality of such waters and upgrading them from time to time by

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reclassifying them, to the extent that is practical and in the public interest. Standards of quality for each such classification consistent with most reasonable present and future use of such waters may be adopted by the board and from time to time modified or changed.

(b) Prior to classifying waters or setting standards or modifying or repealing such classifications or standards the board shall conduct public hearings in connection therewith. Notice of public hearing for the consideration, adoption, or amendment of the classification of waters and standards of purity and quality thereof shall specify the waters concerning which a classification is sought to be made or for which standards are sought to be adopted and the time, date, and place of such hearing. Such notice shall be published at least twice in a newspaper of general circulation in the area affected and shall be mailed at least twenty days before such public hearing to the chief executive of each political subdivision of the area affected and to such other persons as the board has reason to believe will be affected by such classification and the setting of such standards.

(c) The adoption of standards of quality of the waters of the state and classification of such waters or any modification or change thereof shall be effectuated by an order of the board which shall be published in a newspaper of general circulation in the area affected. In classifying waters and setting standards of water quality or making any modification or change thereof, the board shall allow and announce a reasonable time for persons discharging wastes into the waters of the state to comply with such classification or standards.

Any discharge in accord with such classification or standards shall not be deemed to be pollution for the purpose of this act.

Section 7. (a) Whenever the board determines there are reasonable grounds to believe that there has been a violation of any of the provisions of this act or of any order of the board, it may give written notice to the alleged violator or violators specifying the causes of complaint. Such notice shall require that the matters complained of be corrected or that the alleged violator appear before the board at a time and place

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specified in the notice and answer the charges complained of. The notice shall be delivered to the alleged violator or violators in accordance with the provisions of subsection (e) of this section not less than thirty (30) days before the time set for the hearing.

(b) The board shall afford an opportunity for a fair hearing in accordance with the provisions of section 8 to the alleged violator or violators at the time and place specified in the notice or any modification thereof. On the basis of the evidence produced at the hearing the board shall make findings of fact and conclusions of law and enter such order as in its opinion will best further the purposes of this act and shall give written notice of such order to the alleged violator and to such other persons as shall have appeared at the hearings and made written request for notice of the order. The order of the board shall become final and binding on all such parties thirty (30) days after the service thereof unless prior to that time an application for rehearing has been filed, during which time the order shall stand suspended until such application is granted or denied. If any application for a rehearing is granted the board shall forthwith proceed to hear the matter with all dispatch and shall determine the same within thirty (30) days after final submission. And, if such determination is not made within said time it may be taken by any party to the rehearing that the order involved is affirmed. If, after such rehearing and consideration of all the facts including those arising since the making of the order, the board shall be of the opinion that the original order

or any part thereof is in any respect unjust, unreasonable, or unwarranted, or should be changed, the board shall abrogate, change or modify the same. The order of the board upon an application for or after a rehearing shall become final and binding upon all parties after the service thereof unless an appeal be taken in accordance with the provisions of section 11.

(c) Any person who is denied a permit by the board or who has such permit revoked or modified shall be afforded an opportunity for a hearing in connection therewith upon written application within thirty (30) days after receipt of notice from the board of such denial, revocation or modification.

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(d) Whenever the Governor declares that an emergency exists requiring immediate action, the board by a majority vote of said board, may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as it deems necessary to meet the emergency. Notwithstanding the provisions of subsection (b) of this section such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately but on application to the board shall be afforded a hearing as soon as possible. On the basis of such hearing the board shall continue such order in effect, revoke it or modify it.

(e) Except as otherwise expressly provided, any notice, order or other instrument issued by or under authority of the board may be served on any person affected thereby personally, and proof of such service shall be made in like manner as in case of service of a summons in a civil action, such proof to be filed in the office of the board; or such service may be made by mailing a copy of the notice, order, or other instrument by registered mail, directed to the person affected as his last known post office address, and proof thereof may be made by the affidavit of the person who did the mailing, filed in the office of the board.

Every certificate or affidavit of service made and filed as herein provided shall be prima facie evidence of the facts therein stated, and a certi-

fied copy thereof shall have like force and effect.

Section 8. The hearings herein provided may be conducted by the board at a regular or special meeting of the board, or by any examining officer designated by the board. All decisions shall be rendered by a majority of the board. A record or summary of the proceedings, of such hearings shall be taken together with findings of fact and conclusions of law made by the board. In any such hearing a member of the board shall have the power to administer oaths, examine witnesses and issue in the name of the board notice of the hearings or subpoenas requiring the testimony of witnesses and the production of evidence relevant to any manner involved in such hearing. Witnesses who are subpoenaed shall receive the same fees and mileage as in civil actions. In case of con-

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tumacy or refusal to obey a notice of hearing or subpoena issued under this section any district court shall have jurisdiction upon application of the board, to issue an order requiring such person to appear and testify or produce evidence as the case may require and any failure to obey such order of the court may be punished by such court as contempt thereof.

Section 9. The board or its duly authorized representative shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to pollution or the possible pollution of any waters of the state. Reasonable efforts shall be made to notify the persons responsible for private property of the proposed visit by the board or its representative, except that in the case of a corporation the managing officer of said corporation shall be so notified.

Any authorized representative of the board may examine records or memoranda pertaining to the operation of disposal systems. The board may require the maintenance of reasonable records relating to the operation of disposal systems. Copies of such records must be submitted to the board on request.

Section 10. (a) Any person who shall violate any of the provisions

of, or who fails to perform any duty imposed by this act or who after notice violates any order of the board promulgated pursuant to this act shall be guilty of a misdemeanor and in addition thereto may be enjoined from continuing such violation. Each day upon which such violation occurs shall constitute a separate violation.

(b) It shall be the duty of the attorney general on the request of the board to bring an action for an injunction against any person violating the provisions of this act, or violating any order of the board. In any action for an injunction brought pursuant to this section, any finding of the board after hearing or due notice giving an opportunity to be heard shall be prima facie evidence of the fact or facts found therein.

Section 11. Judicial review of a final determination of the state water pollution control board may be secured by any person adversely affected thereby by filing a petition in the district court within thirty (30)

(Page 11)

days after the date of the board's final order; provided, said person made an appearance at the board hearing or was not served with notice of said hearing, if notice is required by the provisions of this act. The petition, which shall be served upon a member of the board shall state the grounds upon which review is sought. With its answer, the board shall certify and file with the court all documents and papers and a transcript of all testimony taken in the matter, together with its findings of fact and conclusions of law. The appellant and the board shall in all cases be deemed to be original parties to the appeal. In any judicial proceeding under this section the court shall review both the law and the facts and may affirm, reverse or modify the decision of the board and may, in the discretion of the court, receive additional evidence.

A further appeal may be taken to the Supreme Court by any party to the action.

Section 12. This act shall not be construed as repealing any laws of the state relating to the pollution of waters thereof or any conservation laws, but shall be held and construed as auxiliary and supplementary there-

to, except to the extent that the same are in direct conflict herewith.

Section 13. It is the purpose of this act to provide additional and cumulative remedies to prevent, abate and control the pollution of the waters of the state. Nothing herein contained shall be construed to abridge or alter rights of action or remedies in equity or under the common law or statutory law, criminal or civil, nor shall any povision of this act, or any act done by virtue thereof, be construed as estopping the state, or any municipality or person, as riparian owners or otherwise, in the exercise of their rights in equity or under the common law or statutory law to suppress nuisances or to abate pollution.

Section 14. If any section, subsection, sentence, clause or phrase or word of this act is for any reason held to be unconstitutional, such degree shall not affect the validity of any remaining portion of this act.

On motion of Senator Woolley, *S. B. No. 66* was amended by adding a new section as follows:

"Section 15. There is hereby appropriated to the Board from the state general funds, not otherwise appropriated, the sum of $25,000.00 or so much thereof as may be necessary in the biennium; said funds to be used by the Board in the administration of the powers and duties prescribed herein."

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

The Senate re-assembled.

On motion of Senator Woolley, the title of *S. B. No. 66* was amended as follows:

Line 10, after the word "INVESTIGATION" insert: ", MAKING APPROPRIATIONS FOR THE PURPOSE OF THIS ACT".

On motion of Senator Day, *S. B. No. 66* was amended as follows:

Page 11, line 29, strike the word "degree" and insert in lieu thereof the word "decree."

S. B. No. 66 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, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Stringham and Watson.

S. B. No. 92 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen, *S. B. No. 92* was amended as follows:

Page 1, line 16, after the deletion mark underscore the word "April".

Line 18, after the deletion mark underscore the word "fourth".

Page 2, line 7, underscore the word "April".

Line 11, underscore the word "fourth".

On motion of Senator Hopkin, the rules were suspended and *S. B. No. 92* was read the third time and placed on its final passage.

S. B. No. 92 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Adams, Muir, Stringham and Woolley.

S. B. No. 92 was transmitted to the House.

S. B. No. 79 was read the second time.

Committee report read and adopted.

On motion of Senator Kerr, *S. B. No. 79* was amended as follows:

Page 2, line 3, strike the word "bi-monthly" and insert in lieu thereof the word "quarterly.' '

Page 2, line 4, strike the word "fifteenth" and insert in lieu thereof the word "thirtieth."

S. B. No. 79 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, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senator Stringham.

President Paxton recognized former Senators George M. Miller and David Smith.

President Paxton recognized Mr. C. W. Mathis, members of the Ephraim Jr. High School, members of the Provo High School, together with their teachers Mr. Distefano, Mr. Glen Bartholemew and Mr. Finley.

On motion of Senator Day, the Secretary was directed to send a letter to Mrs. Kate B. Carter, to acknowledge the copies of the Special Edition of "Riders of the Pony Express" presented the members of the Senate.

On motion of Senator Thorn, the Senate adjourned until Tuesday, February 17, 1953, at 10:00 A.M.

THIRTY-SEVENTH DAY

MORNING SESSION

February 17, 1953

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

Roll Call–All Senators present except Senator Stringham, excused.

Prayer by the Chaplain.

February 17, 1953

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 amendments noted on the final copy.

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

COMMUNICATIONS

February 13, 1953

Dear Senator Paxton:

I have received a certified copy of a Concurrent Resolution adopted by the Legislature of the State of Utah and am deeply grateful for the congratulations and good wishes which it conveys.

It is heartening to have this assurance of loyalty and support in the ensuing years, and I extend my warm thanks to each Member of the Senate.

Sincerely,

/s/ DWIGHT D. EISENHOWER

Communication filed.

February 16, 1953

The Honorable Mark Paxton
President of the Senate
State of Utah
State Capitol
Salt Lake City 1, Utah

Dear Mr. Paxton:

It was the consensus of opinion of the members of the Highway Committee of the Council of State Governments of the Eleven Western States that the legislative members of each state should be shown the final film covering the Maryland Test Road, known as "Road Test One-MD."

I have contacted the Bureau of Public Roads and they informed me that this film will be available for showing on February 27, 1953. It is my desire to show this film somewhere in the Capitol to members of the Legislature; therefore, will you please advise if the date mentioned above meets with your approval and also designate the best time of the day to show this film. If February 27th does not meet with your approval, it might be possible to show the film on Saturday morning, February 28th. This is a 16-millimeter color and sound film, in three reels, and has a running time of about an hour and a quarter.

If you will kindly let me know as soon as possible your approval of the above dates, I will see that all necessary arrangements are made and advise of the location.

Yours very truly,

/s/ E. G. JOHNSON,
Chief Engineer

Communication filed.

On motion of Senator Kerr, the Secretary was directed to acknowledge receipt of Mr. E. G. Johnson's invitation and express the Senate's regrets of having conflicting appointments.

COMMUNICATIONS FROM THE HOUSE

February 16, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate Amendments to *H. B. No. 3*, by Messrs. Hopkins, C. E. Peterson, Patterson, Monson, Conover, Fullmer, Davis, Gardner, Jones, Sheffield, Barlow, Sevy, Thomas, G. Douglas Taylor, Lester Taylor, Butters, Poulson, Bunderson, Brian, Esplin, Froerer, G. Wilford Larsen, Lionel L. Peterson, Kerr, and William E. Anderson, entitled:

AN ACT AMENDING SECTION 59-14-7, UTAH CODE ANNOTATED, 1953, AND AMENDING 59-14-16, UTAH CODE ANNOTATED, PROVIDING FOR CREDITS AGAINST NET INCOME.
1953, PROVIDING WHO MUST FILE INCOME TAX RETURNS AND

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 13, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected, as amended by the Senate, *S. B. No. 24*, by Messrs. Clegg, Selvin and Cannon, entitled:

AN ACT AMENDING SECTION 77-36-16 AND SECTION 77-36-17, UTAH CODE ANNOTATED 1953, AND PROVIDING THAT THE PUNISHMENT OF DEATH MUST BE INFLICTED BY LETHAL GAS AND THAT THE WARDEN OR AN APPOINTEE OF THE BOARD OF CORRECTIONS MUST EXECUTE A JUDGMENT OF DEATH, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 24 was filed.

REPORTS OF STANDING COMMITTEES

February 16, 1953

Mr. President:

Your Committee on Highways to which was referred *S. C. R. No. 5*, by Messrs. Woolley and Muir, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. C. R. No. 5 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Highways to which was referred *S. B. No. 156*, by Messrs. Openshaw and Watson, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 156 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Highways to which was referred *S. B. No. 157*, by Messrs. Openshaw and Watson, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 157 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Highways to which was referred *S. B. No. 160*, by Mr. Kerr for the Committee on Highways, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 160 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Highways to which was referred *S. B. No. 190*, by Messrs. Thorn and Kerr, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 190 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Military Affairs, 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,

D. E. HAMMOND,
Chairman

Report filed.

S. J. R. No. 13 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Military Affairs, to which was referred *S. B. No. 163*, by Messrs. Fowles and Hammond, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

S. B. No. 163 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. B. No. 166*, by Mr. Mabey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 166 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 180*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 180 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 183*, by Mr. Kerr, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 183 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 185*, by Mr. Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 185 was referred to the Sifting Committee.

February 17, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 186*, by Mr. Hafen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 186 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 184*, by Mr. Woolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

S. B. No. 184 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

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

Respectfully,

FRANK M. OPENSHAW,
Chairman

Report filed.

S. B. No. 17 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 176*, by Messrs. Day and Tietjen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 176 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 177*, by Messrs. Day and Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 177 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 188*, by Mr. Woolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 188 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 189*, by Messrs. Day, Cannon and Hammond, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 189 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 32*, by Messrs. Jacobsen, G. Taylor, Thomas, Froerer, Conover and Sheffield, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

H. B. No. 32 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 63*, by Mr. Sheffield, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

H. B. No. 63 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 169*, by Messrs. Day and Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 169 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 170,* by Messrs. Day and Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 170 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 171,* by Messrs. Day and Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 171 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 172,* by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 172 was referred to the Sifting Committee.

February 16, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. J. R. No. 11,* by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. J. R. No. 11 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 17, 1953

Mr. President:

Your Sifting Committee reports out the following bills:

S. J. R. No. 15 and S. B. Nos. 205, 53, 65, 107, 132, 136, 23, 37, 49, and 41.

Respectfully,

GRANT S. THORN,
Chairman

Committee report read and adopted.

INTRODUCTION OF BILLS

S. B. No. 214 By Mr. Day

AN ACT AMENDING SECTION 78-30-8, UTAH CODE ANNOTATED 1953, RELATING TO CONSENT OF PARENTS WHOSE CHILD IS BEING ADOPTED BY OTHERS AND PROVIDING THE METHOD OF ACKNOWLEDGING SUCH CONSENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 215 By Mr. Day

AN ACT AMENDING SECTIONS 78-12-5, 78-12-7 AND 78-12-12, UTAH CODE ANNOTATED 1953, AND ENACTING NEW LEWS TO BE KNOWN AS SECTIONS 78-12-5.10 AND 78-12-5.11, UTAH CODE ANNOTATED 1953, 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, was read the first time and referred to the Committee on Revision and Enrolling.

UNFINISHED BUSINESS

S. B. No. 13, being unfinished business, was before the Senate for its consideration.

On motion of Senator Gibson, *S. B. No. 13* was made a Special Order of Business for today at 2:30 P.M.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 66 was read the third time and placed on its final passage.

S. B. No. 66 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Muir, Stringham and Woolley.

S. B. No. 66 was transmitted to the House.

S. B. No. 79 was read the third time and placed on its final passage.

On motion of Senator Kerr, *S. B. No. 79* was amended as follows:

Page 2, line 4, delete "bi".

Page 2, line 5, delete "monthly" and insert in lieu thereof "quarterly".

Page 2, line 5, delete "fifteenth" and insert in lieu threof "thirtieth".

Page 2, line 6, delete "bi-monthly" and insert in lieu thereof "quarterly".

Page 2, line 7, delete "bi-monthly" and insert in lieu thereof "quarterly".

Page 2, line 23, delete "bi-monthly" and insert in lieu thereof "quarterly".

S. B. No. 79 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Adams, Gibson, Muir, Stringham and Woolley.

S. B. No. 79 was transmitted to the House.

On motion of Senator Kerr, the enacting clause of *S. B. No. 65* was struck.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Kerr, the rules were suspended and the Senate voted to now consider *S. B. No. 107*.

S. B. No. 107 was read the second time.

Committee report read and adopted.

On motion of Senator Kerr, *S. B. No. 107* was amended as follows:

Page 1, line 4, strike "bimonthly" and insert in lieu thereof "quarterly".

Lines 5 and 6, strike "bimonthly" and insert in lieu thereof "quarterly".

Line 8, strike "bimonthly" and insert in lieu thereof "quarterly".

Line 9, strike "thirty-first" and insert in lieu thereof the word "thirtieth"; strike the word "August" and insert in lieu thereof the word "September".

Line 10, strike "bimonthly" and insert in lieu thereof the word "quarterly".

Line 19, strike "bimonthly" and insert in lieu thereof the word "quarterly".

On motion of Senator Kerr, 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, 18; Nos, 0; Absent, 5.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Adams, Gibson, Muir, Stringham and Woolley.

S. B. No. 107 was transmitted to the House.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider *S. B. No. 205*.

S. B. No. 205 was read the second time.

On motion of Senator Mabey, *S. B. No. 205* was amended as follows:

Page 1, line 5, strike the figure "55,000" and insert in lieu thereof the words "fifty five thousand".

Page 2, line 18, strike the figure "12,000" and insert in lieu thereof the words "twelve thousand".

Page 4, line 11, after the word "one" strike "state senator and or more than one".

Page 3, between lines 17 and 18 insert the following: "Twenty Fifth District: Washington County – one representative."

On motion of Senator Hopkin, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE HOUSE

February 16, 1953

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. 118*, by Mr. Woolley, entitled:

AN ACT APPROPRIATING TO THE STATE FINANCE COMMISSION THE SUM OF $71,850.00 FROM THE GENERAL FUND FOR THE PURPOSE OF COSTS OF ADMINISTRATION DURING THE REMAINDER OF THE PRESENT BIENNIUM, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 118 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 16, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 42*, by Messrs. Sheffield and Grover, entitled:

AN ACT AMENDING SECTION 10-9-19, SECTION 10-9-26 AND SECTION 10-9-28, UTAH CODE ANNOTATED 1953, RELATING TO MUNICIPAL PLANNING; PROVIDING FOR THE APPOINTMENT OF PLANNING COMMISSION, PROVIDING FOR A PLANNING COMMISSION COMPENSATION, EXPENSES, ASSISTANCE AND CONSULTANCE, PROVIDING FOR VIOLATION, PENALTY AND INJUNCTION AND PROVIDING DEFINITIONS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 42 was read the first time and referred to the Committee on State and Municipal Affairs.

February 16, 1953

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. Sheffield and Grover, entitled:

AN ACT AMENDING SECTIONS 17-27-2, 17-27-3, 17-27-4, 17-27-6, 17-27-7, 17-27-8, 17-27-11, 17-27-17, 17-27-19, 17-27-21, 17-27-26, 17-27-27, 57-5-3 AND 57-5-5, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT AND TERMS OF OFFICE OF THE COUNTY PLANNING COMMISSION; PROVIDING FOR THE APPOINTMENT OF A CHAIRMAN, THE ADOPTION OF RULES, THE LIMITATIONS UPON EXPENSES AND THE PROCURING OF TECHNICAL ADVICE; DESCRIBING THE FUNCTION OF THE COUNTY PLANNING COMMISSION AND PERMITTING TWO OR MORE COUNTIES TO COOPERATE IN PLANNING; PROVIDING FOR THE ADOPTION OF THE MASTER PLAN; PROVIDING FOR THE ADOPTION OF AN OFFICIAL MAP; SETTING FORTH THE LEGAL FUNCTION OF THE OFFICIAL MAP; PROVIDING FOR REGULATION OF LAND USE; AUTHORIZING THE APPOINTMENT OF AND OUTLINING THE DUTIES OF DISTRICT PLANNING COMMISSIONS; PERMITTNG THE COUNTY COMMISSION TO EXTEND THE EXPIRATION DATE OF TEMPORARY ZONING REGULATIONS; PROVIDING FOR APPROVAL OF SUBDIVISION PLATS; PROVIDING FOR NONRETROACTIVE PROVISIONS OF ZONING; SUPPLYING DEFINITIONS; AND ENACTING A NEW SECTION TO BE KNOWN AS 17-27-7.10, UTAH CODE ANOTATED 1953, RELATING TO THE ISSUANCE OF BUILDING PERMITS IN MAPPED STREETS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 43 was read the first time and referred to the Committee on State and Municipal Affairs.

February 16, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 70*, by Messrs. C. E. Peterson, Gunther, W. G. Larson and C. W. Larsen, entitled:

AN ACT ENACTING A NEW ACT TO BE KNOWN AS SECTION 41-6-150.10 RELATING TO MOTOR VEHICLES AND PROVIDING THAT THE REAR WHEELS OF TRUCKS, TRAILERS, OR TRUCK-TRACTORS MUST BE EQUIPPED WITH FLAPS OR SUITABLE PROTECTORS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 70 was read the first time and referred to the Committee on Highways.

February 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 13th day of February, 1953, approve and transmit to the Secretary of State, *H. B. No. 20*, by Messrs. Sheffield, Lionel L. Peterson, and Davis, entitled:

AN ACT PROVIDING FOR THE DISPOSITION OF PROPERTY WHERE THERE IS NO SUFFICIENT EVIDENCE THAT PERSONS HAVE DIED OTHERWISE THAN SIMULTANEOUSLY, AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 13th day of February, 1953, approve and transmit to the Secretary of State, *H. B. No. 37*, by Messrs. Kerr, Hopkins, Mrs. Cazier, and White, entitled:

AN ACT AMENDING SECTION 10-6-3, UTAH CODE ANNOTATED 1953, VESTING THE MUNICIPAL GOVERNMENT OF THIRD CLASS CITIES IN A MAYOR AND CITY COUNCIL COMPOSED OF FIVE COUNCILMEN.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 13th day of February, 1953, approve and transmit to the Secretary of State, *H. B. No. 39*, by Messrs. Kerr, Hopkins, Mrs. Cazier, and White, entitled:

AN ACT AMENDING SECTION 10-6-7, UTAH CODE ANNOTATED 1953, RELATING TO THE ELECTION AND TERMS OF OFFICE OF MUNICIPAL OFFICIALS AND DELETING THEREFROM REFERENCE TO TREASURERS OF CITIES OF THE THIRD CLASS AS ELECTED OFICIALS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 16, 1953

Mr. President:

I am directed 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. Mabey, entitled:

AN ACT AMENDING SECTION 10-6-12, UTAH CODE ANNOTATED 1953, RELATING TO THE ENACTMENT OF MUNICIPAL ORDINANCES AND ENABLING MUNICIPALITIES TO ADOPT RULES AND REGULATIONS IN CODE BOOK FORM BY REFERENCE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

February 17, 1953

Mr. President:

I am directed to inform your Honorable Body that on the 16th day of February, 1953, the Governor did veto *H. B. No. 18*, by Messrs. Thomas, Young, L. L. Peterson, Dunn, White, H. V. Davis, Esplin, R. Clair Anderson, Gardner, Russell, Messinger, Mrs. Cazier, Messrs. Edward C. Larsen, Cope, Jones, Sanders, Fullmer, Monson, Brian, Sheffield, Sevy, Kerr, Gunther, Barlow, Durham, Rowberry, Dalebout, C. E. Peterson, and Jacobsen, entitled:

AN ACT AMENDING SECTIONS 76-55-1, 76-55-2 AND 76-55-4, UTAH CODE ANNOTATED 1953, ENACTING TWO NEW SECTIONS TO BE KNOWN AS 76-55-5 AND 76-55-6, UTAH CODE ANNOTATED 1953, RELATING TO THE CLOSING OF BUSINESS ON SUNDAY, and the House, after considering said veto message, this day, upon reconsideration, passed said bill by a vote of two-thirds of the members elected thereto, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 18 was before the Senate for reconsideration.

On motion of Senator Day, with the aid of five Senators, a call of the Senate was made.

On motion of Senator Day, the call of the Senate was lifted.

The Senate voted and failed to over-ride the Governor's veto of *H. B. No. 18* by the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Hafen, Hammond, Hopkin, Jenkins, Kerr, Muir, Openshaw, Selvin, Thorn, Tietjen and Tippetts (explained vote).

Those voting in the negative were: Senators Adams, Day, Fowles, Gibson, Mabey, Watson, Woolley and Mr. President.

Absent and not voting: Senator Stringham.

Senator Day gave notice of his intention to move for reconsideration of the final vote on *H. B. No. 18* on the next Legislative Day.

February 17, 1953

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. 16*, by Mr. Clegg, entitled:

A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF J. W. GILLMAN, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

REPORTS OF STANDING COMMITTEES

February 17, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. C. R. No. 7*, by Mr. Hafen, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. C. R. No. 7 was ordered printed and referred to the Committee on Mining and Smelting.

February 17, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back S. *B. No. 164*, by Messrs. Day, Hopkin, Fowles, Stringham, Burton, Hammond and Cannon, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 164 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 17, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back S. *B. No. 200*, by Messrs. Openshaw and Cannon, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 200 was ordered printed and referred to the Committee on Banking and Commerce.

February 17, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back S. *B. No. 201*, by Mr. Kerr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 201 was ordered printed and referred to the Committee on Military Affairs.

February 17, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back S. *B. No. 203*, by Messrs. Stringham and Tietjen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 203 was ordered printed and referred to the Committee on Revenue and Taxation.

February 17, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 206*, by Messrs. Fowles and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 206 was ordered printed and referred to the Committee on Education.

February 17, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 208*, by Messrs. Fowles and Jenkins, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 208 was ordered printed and referred to the Committee on Education.

February 17, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 210*, by Mr. Muir, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 210 was ordered printed and referred to the Committee on Education.

February 17, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 211*, by Mr. Fowles, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 211 was ordered printed and referred to the Committee on Military Affairs.

February 17, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 213*, by Messrs. Tietjen and Hafen, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 213 was ordered printed and referred to the Committee on Education.

February 17, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 16*, by Mr. Clegg, entitled:

A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF J. W. GILLMAN, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

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

February 17, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 118*, by Mr. Woolley, entitled:

AN ACT APPROPRIATING TO THE STATE FINANCE COMMISSION THE SUM OF $71,850.00 FROM THE GENERAL FUND FOR

THE PURPOSE OF COSTS OF ADMINISTRATION DURING THE REMAINDER OF THE PRESENT BIENNIUM, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

S. B. No. 118 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, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. J. R. No. 12*, by Messrs. Day and Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. J. R. No. 12 was referred to the Sifting Committee.

February 17, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 158*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 158 was referred to the Sifting Committee.

February 17, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 167*, by Mr. Muir, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 167 was referred to the Sifting Committee.

February 17, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 168*, by Mr. Muir, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 168 was referred to the Sifting Committee.

February 17, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 193*, by Messrs. Tippetts, Hafen and Woolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 193 was referred to the Sifting Committee.

UNFINISHED BUSINESS

S. B. No. 205, being unfinished business, was before the Senate.

On motion of Senator Hopkin, *S. B. No. 205* was amended as follows:

Page 2, line 4, after the word "Sanpete," insert "and Juab."

Page 2, line 8, after the colon strike "Juab and"; strike the word "counties" and insert in lieu thereof the word "county".

Senator Watson moved that *S. B. No. 205* be amended as follows:

Page 2, line 1, strike the figure "6" and insert in lieu thereof the figure "7".

On motion of Senator Hopkin, with the aid of five Senators, a call of the Senate was made.

On motion of Senator Hopkin, the call of the Senate was lifted.

The amendment failed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Day, Hammond, Jenkins, Openshaw, Selvin, Watson and Woolley.

Those voting in the negative were: Senators Adams, Cannon (explained vote), Clegg, Fowles, Gibson, Hafen, Hopkin, Kerr, Mabey, Muir, Thorn, Tietjen, Tippetts and Mr. President.

Absent and not voting: Senator Stringham.

S. B. No. 205 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, Burton, Cannon, Clegg, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw (explained vote), Selvin, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Those voting in the negative were: Senators Day, Muir and Watson (explained vote).

Absent and not voting: Senator Stringham.

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

The Senate re-assembled.

SPECIAL ORDER

S. B. No. 13, being a special order of business, was before the Senate.

On motion of Senator Tietjen, *S. B. No. 13* was amended as follows:

Strike all of page 2 and insert in lieu thereof: "prior to the delivery to it of an order stopping payment thereof shall not, for the failure to stop payment thereof, be responsible to the person ordering the payment thereof stopped, even though such payment may be made before or after regular banking hours."

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Thorn, Tietjen, Woolley and Mr. President.

Absent and not voting: Senators Muir, Stringham, Tippetts and Watson.

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

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 15 was read the second time.

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

Ayes, 12; Nos, 7; Absent, 4.

Those voting in the affirmative were: Senators Adams, Cannon, Gibson, Hafen, Hopkin, Kerr, Mabey, Selvin, Thorn, Tietjen, Tippetts and Mr. President.

Those voting in the negative were: Senators Burton (explained vote), Clegg, Day, Hammond, Jenkins, Openshaw and Woolley.

Absent and not voting: Senators Fowles, Muir, Stringham and Watson.

President Paxton recognized a group of students from the Wayne County High School, together with their teacher, Mr. Kenneth Baker; also a group of 9th Ward Explorers from Provo, Utah with their leaders, Mr. Johnson and Mr. Richard W. Hales.

On motion of Senator Gibson, the Senate adjourned until Wednesday, February 18, 1953, at 10:00 A.M.

THIRTY-EIGHTH DAY

MORNING SESSION

February 18, 1953

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

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

Prayer by the Chaplain.

February 18, 1953

Mr. President:

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

Respectfully,

VERN B. MUIR,

Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 13th day of February, 1953, approve and transmit to the Secretary of State, *H. B. No. 38*, by Messrs. Kerr, Hopkins, Mrs. Cazier, and White, entitled:

AN ACT AMENDING SECTION 10-6-30, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE APPOINTMENT OF CITY TREASURERS IN CITIES OF THE THIRD CLASS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 26*, by Messrs. Gardner, Kerr, L. Johnson, E. C. Larsen, W. G. Larson and Hopkins, entitled:

AN ACT AMENDING SECTION 41-1-141, UTAH CODE ANNOTATED 1953, RELATING TO THE DISPOSITION OF MOTOR VEHICLES REGISTRATION FUNDS AND PROVIDING FOR APPROPRIATIONS THEREFROM, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 26 was signed by the President in open session in the presence of the Senate and was returned in the House for transmission to the Governor.

February 17, 1953

Mr. President:

I am directed 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. Rowberry and E. C. Larsen, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH MEMORIALIZING THE UTAH SENATORIAL AND CONGRESSIONAL REPRESENTATIVES IN THE NATIONAL CONGRESS TO TAKE NECESSARY AC-

TION FOR IMMEDIATE MODERNIZATION AND WIDENING TO FOUR LANES OF TRANS-SIERRA HIGHWAY, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 in the House for transmission to the Secretary of State.

February 17, 1953

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. 34*, by Messrs. Hammond, Day, Clegg and Fowles, entitled:

AN ACT AMENDING SECTION 39-2-6, UTAH CODE ANNOTATED 1953, RELATING TO THE SALE OF ARMORIES AND ARMY PREMISES WITHIN THE STATE OF UTAH AND APPROPRIATING THE FUNDS RECEIVED FROM SUCH SALES, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 34 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 17, 1953

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. 35*, by Messrs. Hammond, Day, Tippets, Selvin, Clegg and Fowles, entitled:

AN ACT AMENDING SECTION 39-2-7, UTAH CODE ANNOTATED 1953, RELATING TO THE MILITARY FUND OF THE STATE ARMORY BOARD AND AUTHORIZING SAID BOARD TO EXPEND MONEYS IN THE MILITARY FUND FOR THE PURPOSE OF CONSTRUCTING NEW ARMORIES, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 35 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and House, *S. B. No. 79*, by Mr. Woolley, entitled:

AN ACT AMENDING SECTION 59-15-5, UTAH CODE ANNOTATED 1953, RELATING TO COLLECTION OF TAX – REMISSION – RETURNS – DIRECT PAYMENT BY PURCHASER OF MOTOR VEHICLE – TOKENS – DEPOSIT OF SECURITY AND SALE THEREOF – REMISSION OF EXCESS AMOUNT COLLECTED – PENALTIES AND INTEREST FOR VIOLATIONS – FINE OR IMPRISONMENT, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate voted to concur with the House amendments of *S. B. No. 79* on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Muir, Selvin, Thorn, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Gibson, Mabey, Openshaw, Stringham and Tietjen.

S. B. No. 79 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and House, *S. B. No. 107*, by Mr. Kerr, entitled:

AN ACT AMENDING SECTION 59-16-7, UTAH CODE ANNOTATED 1953, RELATING TO THE TIME FOR FILING USE TAX RETURNS, BY CHANGING THE DATE THE RETURN IS TO BE FILED AND THE TAX PAID, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate voted to concur with the House amendments on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Gibson, Stringham and Tietjen.

S. B. No. 107 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

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

On motion of Senator Muir, the Senate resolved itself into Regular Session.

On motion of Senator Mabey, the Senate recessed for five minutes.

The Senate re-assembled.

REPORTS OF STANDING COMMITTEES

February 17, 1953

Mr. President:

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

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. J. R. No. 14 was referred to the Sifting Committee.

February 17, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 173*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 173 was referred to the Sifting Committee.

February 17, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 174*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 174 was referred to the Sifting Committee.

February 17, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 182*, by Messrs. Gibson and Cannon, has carefully considered said bill and reports the same out favorably.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 182 was referred to the Sifting Committee.

February 17, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 42*, by Messrs. Sheffield and Grover, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

H. B. No. 42 was referred to the Sifting Committee.

February 17, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *H. B. No. 43*, by Messrs. Sheffield and Grover, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

H. B. No. 43 was referred to the Sifting Committee.

February 17, 1953

Mr. President:

Your Committee on Highways, to which was referred *H. B. No. 70,* by Messrs. C. E. Peterson, Gunther, W. G. Larson, and C. W. Larsen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

H. B. No. 70 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 18, 1953

Mr. President:

Your Sifting Committee reports out the following bills:
H. B. Nos. 14, 19, 22, 23, 76, 97, 99, and 125 and S. B. Nos. 53, 109, 132, 136, 23, 37, 49, and 41.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

INTRODUCTION OF BILLS

S. B. No. 216 By Mr. Cannon

AN ACT AMENDING SECTION 65-1-47, UTAH CODE ANNOTATED 1953, RELATING TO DEFAULTS IN PAYMENT BY PURCHASERS OF STATE LANDS AND PROVIDING THAT THE PURCHASER'S MONEY SHALL BE REFUNDED UNDER CERTAIN CONDITIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 217 By Mr. Mabey

AN ACT AMENDING SECTIONS 78-12-5, 78-12-7, AND 78-12-12, UTAH CODE ANNOTATED 1953; AND ENACTING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 78-12-5.1 AND 78-12-5.2, UTAH CODE ANNOTATED 1953, RELATING TO THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR RECOVERY OF REAL PROPERTY OR THE POSSESSION THEREOF; AND RELATING TO THE PERIOD FOR THE RECOVERY OF PROPERTY SOLD FOR TAXES; AND ESTABLISHING PRIMA FACIE EVIDENCE OF POSSES-

SION; AND PROVIDING FOR THE PAYMENT OF TAXES NECESSARY TO ESTABLISH ADVERSE POSSESSION; AND A STATEMENT OF LEGISLATIVE INTENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 218 By Mr. Hopkin

AN ACT APPROPRIATING $44,380.00 FROM THE GENERAL FUND TO THIS IS THE PLACE MONUMENT COMMISSION FOR THE MAINTENANCE AND IMPROVEMENT OF THIS IS THE PLACE MONUMENT AND OF THE GROUNDS SURROUNDING THIS IS THE PLACE MONUMENT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 219 By Mr. Fowles

AN ACT AMENDING SECTIONS 73-3-16 AND 73-3-17, UTAH CODE ANNOTATED 1953, RELATING TO PROOF BY APPROPRIATION OR PERMANENT CHANGE OF USE OF WATER AND TO THE ISSUANCE BY THE STATE ENGINEER OF CERTIFICATES OF APPROPRIATION AND PERMANENT CHANGE, AND CHANGING THE PROOF OF APPROPRIATION FOR STATE AGENCIES POLITICAL SUBDIVISION, FEDERAL PROJECTS AND OTHER GOVERNMENTAL BODIES, was read the first time and referred to the Committee on Revision and Enrolling.

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, 17; Nos, 0; Absent, 6.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Openshaw, Selvin, Thorn, Tietjen, Tippetts and Watson.

Absent and not voting: Senators Adams, Jenkins, Muir, Paxton, Stringham and Woolley.

H. B. No. 12 was returned to the House.

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, 16; Nos, 0; Absent, 7.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Openshaw, Selvin, Thorn, Tietjen and Watson.

Absent and not voting: Senators Adams, Jenkins, Muir, Paxton, Stringham, Tippetts and Woolley.

H. B. No. 13 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Hopkin, *H. B. No. 14* was amended as follows:

Page 2, line 3, strike the figure "1,000" entered twice on same page and insert in lieu thereof the figure "2,000".

H. B. No. 14 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 Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Selvin, Thorn, Tietjen, Tippetts and Watson.

Absent and not voting: Senators Adams, Jenkins, Muir, Openshaw, Paxton, Stringham and Woolley.

On motion of Senator Clegg, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE HOUSE

February 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, *H. C. R. No. 2*, by Messrs. Jones, Hopkins, Peterson and Young, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO DISREGARD HOUSE CONCURRENT MEMORIAL NO. 1 ADOPTED BY THE UTAH LEGISLATURE IN 1945, THUS RESCINDING, RECALLING AND REVOKING THE AFORESAID MEMORIAL FROM THE STATE OF UTAH TO COMMIT THE UNITED STATES TO ACCEPT THE PRINCIPLES

OF WORLD FEDERATION AND CONVENING OF AN INTERNATIONAL CONVENTION TO FORMULATE A CONSTITUTION FOR THE FEDERATION OF THE WORLD, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

February 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 27*, by Messrs. Howe and Young, entitled:

AN ACT AMENDING SECTION 4-20-8, UTAH CODE ANNOTATED 1953, RELATING TO THE ADULTERATION OF DRUGS AND FOODS, DEFINING TERMS USED, AND AUTHORIZING THE STATE BOARD OF AGRICULTURE TO PROMULGATE REGULATIONS GOVERNING THE USE OF, AND ESTABLISHING OF STANDARDS AND TOLERANCES FOR, ANTISEPTIC AND PRESERVATIVE SUBSTANCES AND OTHER CHEMICAL ADDITIVES IN FOOD PRODUCTS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 27 was read the first time and referred to the Committee on Health and Labor.

February 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 107*, by Messrs. Jones, White, Spence, Durham, C. E. Peterson, Sheffield, Thomas, Davis, E. C. Larsen, W. G. Larson, Barlow, Mrs. Vance and Mr. Palmer, entitled:

AN ACT AMENDING SECTION 77-18-1, UTAH CODE ANNOTATED 1953, RELATING TO THE TIME WHEN A DISTRICT JUDGE MAY SUMMON A GRAND JURY, AND REQUIRING THAT A GRAND JURY MUST BE SUMMONED EVERY TWO YEARS IN EACH COUNTY HAVING A POPULATION EXCEEDING 100,000 AND EVERY FOUR YEARS IN EACH OTHER COUNTY, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 107 was read the first time and referred to the Committee on Judiciary.

February 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 108*, by Messrs. Spence, Jones, Sheffield, Thomas, H. V. Davis, Edward C. Larsen, White, W. G. Larson, Barlow, Mrs. Vance and Mr. Palmer, entitled:

AN ACT AMENDING SECTION 77-19-9 UTAH CODE ANNOTATED 1953, RELATING TO THE POWER OF THE GRAND JURY TO ASK ADVICE OF THE COURT OR DISTRICT ATTORNEY, TO THE PERSONS ENTITLED TO BE PRESENT BEFORE THE GRAND JURY AND THE PERSONS TO BE EXCLUDED, TO THE EMPLOYMENT OF A STENOGRAPHER AND THE MANNER OF TAKING AND KEEPING TRANSCRIPTS, TO THE SECRECY OF THE TRANSCRIPTS, AND EMPOWERING THE GRAND JURY TO EMPLOY COUNSEL OF ITS OWN CHOICE WHEN IT DEEMS IT NECESSARY, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 108 was read the first time and referred to the Committee on Judiciary.

February 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 67*, by Messrs. Howe and Young, entitled:

AN ACT AMENDING SECTIONS 4-20-36 AND 4-20-37, UTAH CODE ANNOTATED 1953, DEFINING STANDARDS AND LABELING REQUIREMENTS FOR VINEGAR, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 67 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 17, 1953

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. 110*, by Messrs. C. E. Peterson, G. D. Taylor, Mesdames Cazier and Vance, entitled:

AN ACT AMENDING SECTIONS 77-49-1 AND 77-49-7, UTAH CODE ANNOTATED 1953, RESPECTING MENTAL EXAMINATION, COMMITMENTS, RESTORATION AND RELEASE OF PERSONS CONVICTED OF CERTAIN SEXUAL OFFENSES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 110 was read the first time and referred to the Committee on Judiciary.

February 17, 1953

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 Messrs. C. E. Peterson, G. D. Taylor, Mesdames Cazier and Vance, entitled:

AN ACT REPEALING SECTIONS 85-7-18a AND 85-7-18b, UTAH CODE ANNOTATED 1943 (RETAINED IN THE FOOTNOTE OF SECTION 64-7-14, UTAH CODE ANNOTATED 1953), AMENDING SECTIONS 64-7-31, 64-7-32, 64-7-33, 64-7-34, 64-7-35, 64-7-36 AND 64-7-40, UTAH CODE ANNOTATED 1953, ENACTING A NEW SECTION TO BE DESIGNATED SECTION 64-7-55 UTAH CODE ANNOTATED 1953, ALL PERTAINING AND RELATING TO PROCEDURES FOR RECEPTION OF PATIENTS FOR CARE AND TREATMENT AT THE UTAH STATE HOSPITAL, AND OTHER HOSPITALS DESIGNATED FOR SUCH CARE AND TREATMENT, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 111 was read the first time and referred to the Committee on Welfare.

February 18, 1953

Mr. President:

I am directed 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. 118*, by Mr. Woolley, entitled:

AN ACT APPROPRIATING TO THE STATE FINANCE COMMISSION THE SUM OF $71,850.00 FROM THE GENERAL FUND FOR

THE PURPOSE OF COSTS OF ADMINISTRATION DURING THE REMAINDER OF THE PRESENT BIENNIUM, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 118 was transmitted to the Governor.

February 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. J. R. No. 16*, by Mr. Clegg, entitled:

A JOINT RESOLUTION OF CONDOLENCE TO THE FAMILY OF J. W. GILLMAN, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. J. R. No. 16 was transmitted to the Secretary of State.

REPORTS OF STANDING COMMITTEES

February 18, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 154*, by Messrs. Gibson, Hopkin and Thorn, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 154 was ordered printed and referred to the Committee on Welfare.

February 18, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 196*, by Mr. Kerr, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 196 was ordered printed and referred to the Committee on Highways.

February 18, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 202*, by Messrs. Openshaw and Fowles, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 202 was ordered printed and referred to the Committee on Banking and Commerce.

February 18, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 204*, by Messrs. Day and Openshaw, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 204 was ordered printed and referred to the Committee on Welfare.

February 18, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 207*, by Messrs. Fowles and Openshaw, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 207 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 209*, by Mr. Burton, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 209 was ordered printed and referred to the Committee on Fish and Game.

February 18, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 212*, by Messrs. Clegg and Mabey, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 212 was ordered printed and referred to the Committee on State and Municipal Affairs.

February 18, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 34*, by Messrs. Hammond, Day, Clegg, and Fowles, entitled:

AN ACT AMENDING SECTION 39-2-6, UTAH CODE ANNOTATED 1953, RELATING TO THE SALE OF ARMORIES AND ARMY PREMISES WITHIN THE STATE OF UTAH AND APPROPRIATING THE FUNDS RECEIVED FROM SUCH SALES, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 34 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 18, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 35*, by Messrs. Hammond, Day, Tippetts, Selvin, Clegg and Fowles, entitled:

AN ACT AMENDING SECTION 39-2-7, UTAH CODE ANNOTATED 1953, RELATING TO THE MILITARY FUND OF THE STATE ARMORY BOARD AND AUTHORIZING SAID BOARD TO EXPEND MONEYS IN THE MILITARY FUND FOR THE PURPOSE OF CONSTRUCTING NEW ARMORIES, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 35 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 18, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 79*, by Mr. Woolley, entitled:

AN ACT AMENDING SECTION 59-15-5, UTAH CODE ANNOTATED 1953, RELATING TO COLLECTION OF TAX – REMISSION – RETURNS – DIRECT PAYMENT BY PURCHASER OF MOTOR VEHICLE – TOKENS – DEPOSIT OF SECURITY AND SALE THEREOF – REMISSION OF EXCESS AMOUNT COLLECTED – PENALTIES AND INTEREST FOR VIOLATIONS – FINE OR IMPRISONMENT, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 79 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 18, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 107,* by Mr. Kerr, entitled:

AN ACT AMENDING SECTION 59-16-7, UTAH CODE ANNOTATED 1953, RELATING TO THE TIME FOR FILING USE TAX RETURNS, BY CHANGING THE DATE THE RETURN IS TO BE FILED AND THE TAX PAID, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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.

February 18, 1953

Mr. President:

Your Committee on Agriculture, to which was referred *S. B. No. 165,* by Messrs. Selvin, Tippetts and Hafen, has carefully considered said bill and reports the same out favorably.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 165 was referred to the Sifting Committee.

February 18, 1953

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *S. B. No. 175,* by Messrs. Tietjen and Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

LUKE CLEGG,
Acting Chairman

Report filed.

S. B. No. 175 was referred to the Sifting Committee.

February 18, 1953

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 192*, by Mr. Woolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report filed.

S. B. No. 192 was referred to the Sifting Committee.

INTRODUCTION OF BILLS

S. B. No. 220 By Messrs. Clegg and Thorn

AN ACT AMENDING SECTION 20-3-5, UTAH CODE ANNOTATED 1953, RELATING TO ELECTION OF JUSTICES OF SUPREME COURT AND JUDGES OF DISTRICT COURTS, BY PROVIDING THAT ALL CANDIDATES' NAMES SHALL BE IN ALPHABETICAL ORDER ON THE BALLOT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 221 By Messrs. Tietjen, Hopkin, Kerr and Clegg

AN ACT CREATING THE UTAH EDUCATIONAL TELEVISION COMMISSION; PRESCRIBING THE POWERS AND DUTIES THEREOF AND THE POWERS AND DUTIES OF ITS MEMBERS, INCLUDING THE RIGHT TO ACQUIRE, OPERATE, AND MAINTAIN EDUCATIONAL TELEVISION STATIONS, AND RECEIVE AND DISBURSE APPROPRIATIONS, GIFTS AND DONATIONS, ETC.; AND APPROPRIATING $250,000.00 TO CARRY OUT THE PURPOSES OF THIS ACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 222 By Mr. Fowles

AN ACT APPROPRIATING $79,000.00 FROM THE RESERVE BUILDING FUND TO THE UTAH STATE BUILDING BOARD TO ACCEPT A BID TO BUILD A CLASSROOM-ADMINISTRATION BUILDING FOR THE UTAH SCHOOL FOR THE DEAF AND THE UTAH SCHOOL FOR THE BLIND ON THE CAMPUS AT OGDEN, UTAH; AN EMERGENCY CLAUSE, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 205 was read the third time and placed on its final passage.

On motion of Senator Kerr, *S. B. No. 205* was amended as follows:

Page 2, line 4, after the word "Sanpete" strike "and Juab".

Page 2, line 8, after the colon insert "Juab and"; strike the word "county" and insert in lieu thereof the word "counties".

S. B. No. 205 then passed on the following roll call:

Ayes, 15; Nos, 5; Absent, 3.

Those voting in the affirmative were: Senators Adams, Cannon, Clegg (explained vote), Fowles, Gibson, Hafen, Hopkin, Kerr, Mabey, Muir, Selvin, Thorn, Tietjen, Tippetts and Mr. President.

Those voting in the negative were: Senators Burton (explained vote), Day, Hammond, Openshaw and Watson.

Absent and not voting: Senators Jenkins, Stringham and Woolley.

S. B. No. 205 was transmitted to the House.

On motion of Senator Hopkin, *S. J. R. No. 15* retained its position on the calendar.

On motion of Senator Kerr, the President was authorized to make arrangements with the House for a Joint Convention on February 19, for a discussion of bills re: Legislative Re-apportionment.

On motion of Senator Mabey, *S. J. R. No. 7* and *S. B. No. 10* were referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Mabey, 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, 17; Nos, 0; Absent, 6.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Openshaw, Selvin, Thorn, Tietjen, Watson and Mr. President.

Absent and not voting: Senators Adams, Fowles, Jenkins, Muir, Stringham and Woolley.

H. B. No. 19 was returned to the House.

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

Committee report read and adopted.

On motion of Senator Kerr, the rules were suspended and *H. B. No. 22* was read the third time and placed on its final passage.

H. B. No. 22 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Gibson, Jenkins, Stringham and Woolley.

H. B. No. 22 was returned to the House.

On motion of Senator Clegg, the Senate recessed for twenty minutes.

The Senate re-assembled.

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

Committee report read and adopted.

On motion of Senator Selvin, *H. B. No. 23* was amended as follows:

Page 8, line 14, after the word "need" insert "not to exceed the amount of $10.00 per month".

On motion of Senator Fowles, the rules were suspended and *H. B. No. 23* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts and Mr. President.

Absent and not voting: Senators Jenkins, Stringham, Watson and Woolley.

H. B. No. 23 was returned to the House.

H. B. No. 76 was read the second time.

Committee report read and adopted.

H. B. No. 76, being unfinished business, was referred back to the Sifting Committee.

President Paxton recognized former Senator Hamilton Gardner who briefly addressed the Senate.

President Paxton recognized Dr. Farley, together with a group of Westminster College students, Provo Jr. High School Civic Class, together with their instructors, Otis Carling and Norma McCra and the Provo High School American Problem Class, together with their instructor, Bert Asay.

On motion of Senator Gibson, the Senate adjourned until Thursday, February 19, 1953, at 10:00 A.M.

THIRTY-NINTH DAY

MORNING SESSION

February 19, 1953

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

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

Prayer by the Chaplain.

February 19, 1953

Mr. President:

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

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. C. R. No. 7*, by Messrs. G. D. Taylor, Hopkins, Durham, Jacobsen, Froerer, Kerr, C. E. Peterson, Dalebout,

White, Grover, W. E. Anderson, Gunther, W. G. Larson, H. V. Davis, Lester Taylor, West, Sheffield, Young, Palmer, Jones, Messinger, Spence, L. L. Peterson and Mrs. Cazier, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO APPROVE LEGISLATION DESIGNED TO PROVIDE A STABILIZED MARKET FOR THE PRODUCTS OF WESTERN MINES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. C. R. No. 7 was read the first time and referred to the Committee on Mining and Smelting.

REPORTS OF STANDING COMMITTEES

February 18, 1953

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 194*, by Mr. Woolley, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 194 was referred to the Sifting Committee.

February 18, 1953

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 198*, by Mr. Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 198 was referred to the Sifting Committee.

February 18, 1953

Mr. President:

Your Committee on Highways, to which was referred *S. B. No. 179*, by Mr. Hopkin, has carefully considered said bill and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. B. No. 179 was referred to the Sifting Committee.

February 18, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 144*, by Mr. Hafen, has carefully considered said bill and reports the same out favorably.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 144 was referred to the Sifting Committee.

February 18, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 195*, by Mr. Day, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 195 was referred to the Sifting Committee.

February 18, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 203*, by Messrs. Stringham and Tietjen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 203 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 208*, by Messrs. Fowles and Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 208 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 210*, by Mr. Muir, has carefully considered said bill and reports the same out favorably.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 210 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 213*, by Messrs. Tietjen and Hafen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 213 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Military Affairs, to which was referred *S. B. No. 201*, by Mr. Kerr, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

S. B .No. 201 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Military Affairs to which was referred *S. B. No. 211*, by Mr .Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

S. B. No. 211 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 19, 1953

Mr. President:

Your Sifting Committee reports out the following bills:
H. B. No. 76 and S. B. Nos. 53, 120, 121, 68, 69, and 83.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

CONSIDERATION OF BILLS ON THIRD READING

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, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Jenkins, Openshaw, Selvin and Woolley.

H. B. No. 14 was returned to the House.

On motion of Senator Clegg, *S. J. R. No. 15* was tabled.

On motion of Senator Hopkin, *H. B. No. 76*, as unfinished business, was tabled.

On motion of Senator Clegg, the rules were suspended and the Senate voted to now consider bills on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

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

S. B. No. 53 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Mabey, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Jenkins, Kerr, Muir, Openshaw and Selvin.

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

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

The Senate re-assembled.

INTRODUCTION OF BILLS

S. B. No. 223 By Messrs. Hopkin and Kerr

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO CONTRACT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR FOR THE WELFARE AND EDUCATION OF INDIANS IN PUBLIC SCHOOLS OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 224 By Mr. Tippetts

AN ACT TO AMEND SECTION 59-14-4, UTAH CODE ANNOTATED 1953, RELATING TO WHAT DOES AND DOES NOT CONSTITUTE GROSS INCOME FOR INDIVIDUAL INCOME TAX PURPOSES; AND PROVIDING THAT MONEY PAID UNDER THE "TEACHERS' RETIREMENT ACT" SHALL NOT BE INCLUDED IN GROSS INCOME AND SHALL BE EXEMPT FROM SUCH TAXATION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 225 By Mr. Woolley

AN ACT APPROPRIATING TO THE STATE BUILDING BOARD THE SUM OF $4,821.00 FROM THE GENERAL FUND OF THE STATE

TREASURY, FOR THE PURPOSE OF DEFRAYING COSTS OF OPERATING THE STATE BUILDING BOARD DURING THE REMAINDER OF THE PRESENT BIENNIUM, was read the first time.

On motion of Senator Woolley, the rules were suspended and *S. B. No. 225* was read the second and third times and placed on its final passage.

S. B. No. 225 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Cannon, Clegg, Day, Fowles, Gibson, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Burton, Hafen and Jenkins.

S. B. No. 225 was transmitted to the House.

S. B. No. 226 By Mr. Woolley

AN ACT AMENDING SECTION 23-3-37, UTAH CODE ANNOTATED 1953, RELATING TO AUTHORIZATION OF FISH AND GAME COMMISSIONER TO USE UNSURVEYED STATE OWNED LANDS IN CERTAIN DESIGNATED TOWNSHIPS FOR THE CREATION, MAINTENANCE AND MANAGEMENT OF BIRD REFUGES, PUBLIC SHOOTING GROUNDS AND OTHER RECREATIONAL ACTIVITIES, TO PROVIDE FOR AUTHORITY IN THE STATE FISH AND GAME COMMISSION, WHEN IN THE PUBLIC INTEREST TO DO SO, TO LEASE, SELL OR EXCHANGE A PORTION OF SAID LAND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 227 By Mr. Woolley

AN ACT AMENDING SECTION 23-6-7, UTAH CODE ANNOTATED 1953, RELATING TO A RESERVATION IN THE PUBLIC OF THE RIGHT OF ACCESS TO AND RIGHT TO FISH AND HUNT ON STATE LANDS LYING BELOW HIGH WATER MARK, TO PROVIDE FOR AN EXCEPTION AS TO CERTAIN LAND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 228 By Mr. Woolley

AN ACT AMENDING SECTION 23-6-8, UTAH CODE ANNOTATED 1953, RELATING TO A REQUIRED RESERVATION OF A RIGHT IN THE PUBLIC TO FISH, HUNT OR TRAP ON ANY LAND SOLD OR LEASED BY ANY DEPARTMENT OR AGENCY OF THE STATE, TO PROVIDE FOR AN EXCEPTION AS TO CERTAIN LAND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 229 By Committee on Appropriations and Claims

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1953, AND ENDING JUNE 30, 1955, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Fowles, the rules were suspended and the Senate voted to now consider *S. B. No. 121.*

S. B. No. 121 was read the second time.

Committee report read and adopted.

S. B. No. 121 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, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson Woolley and Mr. President.

Absent and not voting: Senators Burton and Jenkins.

On motion of Senator Mabey, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE HOUSE

February 18, 1953

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. 36,* by Mr. Day, Hafen, Burton, Jenkins and Fowles, entitled:

AN ACT AMENDING SECTION 44-1-10, UTAH CODE ANNOTATED, 1953, RELATING TO NEGOTIABLE INSTRUMENTS WHEN

PAYABLE TO BEARER AND MAKING IT PAYABLE TO A NAMED LIVING PERSON UNDER CERTAIN CONDITIONS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 36 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 92*, by Messrs. Tietjen, Hafen and Openshaw, entitled:

AN ACT AMENDING SECTIONS 59-13-22 AND 59-13-25, UTAH CODE ANNOTATED 1953, RELATING TO THE TIME FOR FILING RETURNS AND PAYMENT OF CORPORATE FRANCHISE AND PRIVILEGE TAXES AND CHANGING THE DATES FOR SUCH FILING AND PAYMENT, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 92 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 19, 1953

Mr. President:

I am directed 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. 34*, by Messrs. Hammond, Day, Clegg, and Fowles, entitled:

AN ACT AMENDING SECTION 39-2-6, UTAH CODE ANNOTATED 1953, RELATING TO THE SALE OF ARMORIES AND ARMY PREMISES WITHIN THE STATE OF UTAH AND APPROPRIATING THE FUNDS RECEIVED FROM SUCH SALES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 34 was transmitted to the Governor.

February 19, 1953

Mr. President:

I am directed 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. 35,* by Messrs. Hammond, Day, Tippetts, Selvin, Clegg, and Fowles, entitled:

AN ACT AMENDING SECTION 39-2-7, UTAH CODE ANNOTATED 1953, RELATING TO THE MILITARY FUND OF THE STATE ARMORY BOARD AND AUTHORIZING SAID BOARD TO EXPEND MONEYS IN THE MILITARY FUND FOR THE PURPOSE OF CONSTRUCTING NEW ARMORIES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 35 was transmitted to the Governor.

February 19, 1953

Mr. President:

I am directed 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. 79,* by Mr. Woolley, entitled:

AN ACT AMENDING SECTION 59-15-5, UTAH CODE ANNOTATED 1953, RELATING TO COLLECTION OF TAX – REMISSION – RETURNS – DIRECT PAYMENT BY PURCHASER OF MOTOR VEHICLE – TOKENS – DEPOSIT OF SECURITY AND SALE THEREOF – REMISSION OF EXCESS AMOUNT COLLECTED – PENALTIES AND INTEREST FOR VIOLATIONS – FINE OR IMPRISONMENT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B .No. 79 was transmitted to the Governor.

February 19, 1953

Mr. President:

I am directed 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 Mr. Kerr, entitled:

AN ACT AMENDING SECTION 59-16-7, UTAH CODE ANNOTATED 1953, RELATING TO THE TIME FOR FILING USE TAX RE-

TURNS, BY CHANGING THE DATE THE RETURN IS TO BE FILED AND THE TAX PAID, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 107 was transmitted to the Governor.

February 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. J. R. No. 5*, by Messrs. Young, Sanders, Brotherson, Hopkins, Messinger, Gardner, Brian, Kerr, Esplin, White, Frandsen, Bunderson, Dunn, Sevy, L. L. Peterson, Conover, Dalebout, Patterson, R. C. Anderson, Gunther, Redd, Monson, Rowberry, Russell, Postma, Mrs. Cazier, Messrs. Fullmer, Crofts, C. W. Larsen, and L. B. Johnson, entitled:

A JOINT RESOLUTION PROPOSING TO AMEND SECTIONS 2, 3, AND 4 OF ARTICLE IX OF THE CONSTITUTION OF UTAH BY CHANGING THE CONSTITUTION OF THE LEGISLATURE MAKING EACH COUNTY OF THE STATE A SENATORIAL DISTRICT, REAPPORTIONING REPRESENTATIVES AMONG THE SEVERAL COUNTIES OF THE STATE ACCORDING TO THE 1950 CENSUS, AND BY AUTHORIZING THE LEGISLATURE TO DECREASE AS WELL AS INCREASE THE NUMBER OF REPRESENTATIVES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 5 was read the first time and referred to the Committee on Judiciary.

February 19, 1953

Mr. President:

I am directed 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 Messrs. Hopkins, C. E. Peterson, Patterson, Monson, Conover, Fullmer, Davis, Gardner, Jones, Sheffield, Barlow, Sevy, Thomas, G. Douglas Taylor, Lester Taylor, Butters, Poulson, Bunderson, Brian, Esplin, Froerer, C. Wilford Larsen, Lionel L. Peterson, Kerr, and Wm. E. Anderson, entitled:

AN ACT AMENDING SECTION 59-14-7, UTAH CODE ANNOTATED, 1953, AND AMENDING 59-14-16, UTAH CODE ANNOTATED,

1953, PROVIDING WHO MUST FILE INCOME TAX RETURNS AND PROVIDING FOR CREDITS AGAINST NET INCOME, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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.

February 19, 1953

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. 225*, by Mr. Woolley, entitled:

AN ACT APPROPRIATNG TO THE STATE BUILDING BOARD THE SUM OF $4,821.00 FROM THE GENERAL FUND OF THE STATE TREASURY, FOR THE PURPOSE OF DEFRAYING COSTS OF OPERATING THE STATE BUILDING BOARD DURING THE REMAINDER OF THE PRESENT BIENNIUM, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 225 was referred to the Committee on Revision and Enrolling. to be enrolled and engrossed.

February 19, 1953

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. 239*, by the Appropriations and Claims Committee, entitled:

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1953, AND ENDING JUNE 30, 1955, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 239 was read the first time.

On motion of Senator Woolley, the rules were suspended and *H. B. No. 239* was referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

February 19, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 214*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 214 was ordered printed and referred to the Committee on Welfare.

February 19, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 215*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 215 was ordered printed and referred to the Committee on Judiciary.

February 19, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 221*, by Messrs. Tietjen, Hopkin, Kerr and Clegg, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 221 was ordered printed and referred to the Committee on Education.

February 19, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 222*, by Mr. Fowles, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 222 was ordered printed and referred to the Committee on Public Institutions.

February 19, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 225*, by Mr. Woolley, entitled:

AN ACT APPROPRIATING TO THE STATE BUILDING BOARD THE SUM OF $4,821.00 FROM THE GENERAL FUND OF THE STATE TREASURY, FOR THE PURPOSE OF DEFRAYING COSTS OF OPERATING THE STATE BUILDING BOARD DURING THE REMAINDER OF THE PRESENT BIENNIUM, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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.

February 19, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *H. C. R. No. 2*, by Messrs. Jones, Hopkins, Peterson, and Young, has carefuly considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

H. C. R. No. 2 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 107*, by Messrs. Jones, White, Spence, Durham, C. E. Peterson, Sheffield, Thomas, Davis, E. C. Larsen, W. G. Larson, Barlow, Mrs. Vance, and Mr. Palmer, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

H. B. No. 107 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 108*, by Messrs. Spence, Jones, Sheffield, Thomas, H. V. Davis, Edward C. Larsen, White, W. G. Larson, Barlow, Mrs. Vance and Mr. Palmer, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

H. B. No. 108 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *H. B. No. 110*, by Messrs. C. E. Peterson, G. D. Taylor, Mesdames Cazier, and Vance, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

H. B. No. 110 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. B. No. 199*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

S. B. No. 199 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 197,* by Mr. Clegg, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

S. B. No. 197 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Welfare, to which was referred *H. B. No. 111,* by Messrs. C. E. Peterson, G. D. Taylor, Mesdames Cazier and Vance, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

H. B. No. 111 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Mining and Smelting, to which was referred *S. C. R. No. 7,* by Mr. Hafen, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S . C. R. No. 7 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Mining and Smelting, to which was referred *H. C. R. No. 7,* by G. D. Taylor et al, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

H. C. R. No. 7 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 68 was read the second time.

Committee report read and adopted.

On motion of Senator Stringham, *S. B. No. 68* was amended as follows:

Page 1, line 15, underline the word "three".

On motion of Senator Day, the rules were suspended and *S. B. No. 68* was read the third time and placed on its final passage.

S. B. No. 68 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Adams and Burton.

Absent and not voting: Senators Gibson, Jenkins, Muir and Woolley.

S. B. No. 68 was transmitted to the House.

On motion of Senator Mabey, the Senate recessed in order to meet with the House in Joint Convention and as a Committee of the Whole.

The Senate re-assembled.

S. B. No. 69 was read the second time.

Committee report read and adopted.

On motion of Senator Hopkin, a call of the Senate was made.

On motion of Senator Fowles, the call of the Senate was lifted.

On motion of Senator Hopkin, the rules were suspended and *S. B. No. 69* was read the third time and placed on its final passage.

S. B. No. 69 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Tippets, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Jenkins, Muir and Tietjen.

S. B. No. 69 was transmitted to the House.

S. B. No. 120 was read the second time.

Committee report read and adopted.

On motion of Senator Stringham, *S. B. No. 120* was amended as follows:

Page 3, line 5, after the word representative insert the following: "the Board of Examiners shall fix the salary to be paid" and strike the remainder of line 5 and all of lines 6-7.

S. B. No. 120 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, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson Woolley and Mr. President.

Absent and not voting: Senators Gibson and Jenkins.

In compliance with the report of the Sifting Committee, as adopted on the 36th Legislative day, *S. B. No. 83* was returned to the Sifting Committee.

On motion of Senator Fowles, the Senate adjourned until Friday, February 20, 1953, at 10:00 A.M.

FORTIETH DAY

MORNING SESSION

February 20, 1953

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

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

Prayer by the Chaplain.

February 20, 1953

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 amendments noted on the final copy.

Respectfully,

VERN B. MUIR,

Chairman

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 19, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 92*, by Messrs. Tietjen, Hafen and Openshaw, entitled:

AN ACT AMENDING SECTIONS 59-13-22 AND 59-13-25, UTAH CODE ANNOTATED 1953, RELATING TO THE TIME FOR FILING RETURNS AND PAYMENT OF CORPORATE FRANCHISE AND PRIVILEGE TAXES AND CHANGING THE DATES FOR SUCH FILING AND PAYMENT, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,

Report filed. Chairman

S. B. No. 92 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 19, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 86*, by Messrs. Day, Hafen, Burton, Jenkins, and Fowles, entitled:

AN ACT AMENDING SECTION 44-1-10, UTAH CODE ANNOTATED, 1953, RELATING TO NEGOTIABLE INSTRUMENTS WHEN PAYABLE TO BEARER AND MAKING IT PAYABLE TO A NAMED LIVING PERSON UNDER CERTAIN CONDITIONS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,

Report filed. Chairman

S. B. No. 86 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 19, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 216*, by Mr. Cannon, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 216 was ordered printed and referred to the Committee on Banking and Commerce.

February 19, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 217*, by Mr. Mabey, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 217 was ordered printed and referred to the Committee on Judiciary.

February 19, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 218*, by Mr. Hopkin, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 218 was ordered printed and referred to the Committee on Public Institutions.

February 19, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 220*, by Messrs. Clegg and Thorn, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 220 was ordered printed and referred to the Committee on Judiciary.

February 19, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 206*, by Messrs. Fowles and Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 206 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 209*, by Mr. Burton, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

VERN B. MUIR,
Chairman

Report filed.

S. B. No. 209 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 191*, by Messrs. Gibson, Tippetts, Hopkin and Mabey, has carefully considered said bill and reports the same out favorably.

Respectfully,

VERN B. MUIR,
Chairman

Report filed.

S. B. No. 191 was referred to the Sifting Committee.

February 20, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *H. B. No. 80*, by Mr. Wayne C. Durham, has carefully considered said bill and reports the same out favorably.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

H. B. No. 80 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred *H. B. No. 67*, by Messrs. Howe and Young, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

H. B. No. 67 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

Your Committee on Health and Labor, to which was referred *H. B. No. 27*, by Messrs. Howe and Young, has carefully considered said bill and reports the same out favorably.

Respectfully,

FRANK M. OPENSHAW,
Chairman

Report filed.

H. B. No. 27 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 20, 1953

Mr. President:

Your Sifting Committee reports out the following bills:
H. B. No. 239, S. J. R. No. 10, and S. B. Nos. 136, 132, 163, 23, 37, 41, 49, and 101.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 17 By Messrs. Stringham and Hopkin

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH MEMORIALIZING THE STATE ROAD COMMISSION OF THE STATE OF UTAH WITH REFERENCE TO CONSTRUCTION AND MAINTENANCE OF U. S. HIGHWAY 40 EAST OF KIMBALL JUNCTION, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 230 By Messrs. Adams and Selvin

AN ACT PROVIDING ADDITIONAL PERSONAL EXEMPTION FROM INCOME TAX FOR VETERANS SERVING IN THE MILITARY SERVICE OF THE UNITED STATES SINCE JUNE 1950, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 231 By Mr. Mabey

AN ACT AMENDING SECTION 26-14-3, UTAH CODE ANNOTATED 1953, RELATING TO MOSQUITO ABATEMENT DISTRICTS AND PROVIDING FOR THE SIGNERS, CONTENTS AND PUBLICATION OF PETITIONS TO CREATE THE SAME, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 232 By Mr. Stringham

AN ACT AMENDING SECTION 73-10-8, UTAH CODE ANNOTATED 1953, BY DELETING A PORTION THEREOF WHICH PROVIDES FOR THE APPROPRIATION TO THE UTAH WATER POWER BOARD CONSTRUCTION FUND OF MONIES BY THE STATE LEGISLATURE AND SUBSTITUTING FOR SUCH APPROPRIATION THE ELIGIBILITY OF SUCH FUND FOR MONIES FROM THE RESERVE BUILDING FUND CREATED BY TITLE 63, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 233 By Mr. Stringham

AN ACT AMENDING SECTION 63-10-14, UTAH CODE ANNOTATED 1953, TO PERMIT WITHDRAWALS AND TRANSFERS OF FUNDS FROM THE RESERVE BUILDING FUND THEREBY CREATED TO THE UTAH WATER POWER BOARD CONSTRUCTION FUND FOR THE PURPOSES SET OUT IN TITLE 73, CHAPTER 10, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 120 was read the third time and placed on its final passage.

On motion of Senator Day, the Senate resolved itself into a Committee of the Whole.

Mr. Joseph Tracy appeared before the Committee of the Whole.

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

On motion of Senator Gibson, *S. B. No. 120* was amended as follows:

Page 2, line 4, after the word "and" strike "shall" and insert in lieu thereof the word "may".

Line 5, after the word "engineer" insert ", legal counsel".

On motion of Senator Openshaw, *S. B. No. 120* was amended as follows:

Page 2, line 7, after the deletion mark insert "The State Engineer shall be a member of the board."

S. B. No. 120 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon (explained vote), Clegg, Day, Fowles, Gibson (explained vote), Hafen, Hammond, Hopkin, Kerr, Mabey, Openshaw (explained vote), Selvin, Stringham, Thorn, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Jenkins, Muir and Tippetts.

S. B. No. 120 was transmitted to the House.

On motion of Senator Mabey, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE GOVERNOR

February 20, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved this day and transmitted to the Secretary of State *S. B. No. 26*, by Mr. Mabey, entitled:

AN ACT AMENDING SECTION 10-6-12, UTAH CODE ANNOTATED 1953, RELATING TO THE ENACTMENT OF MUNICIPAL ORDINANCES AND ENABLING MUNICIPALITIES TO ADOPT RULES AND REGULATIONS IN CODE BOOK FORM BY REFERENCE.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

February 20, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved this day and transmitted to the Secretary of State *S. B. No. 34*, by Messrs. Hammond, Day, Clegg, and Fowles, entitled:

AN ACT AMENDING SECTION 39-2-6, UTAH CODE ANNOTATED 1953, RELATING TO THE SALE OF ARMORIES AND ARMY PREMISES WITHIN THE STATE OF UTAH AND APPROPRIATING THE FUNDS RECEIVED FROM SUCH SALES.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

February 20, 1953

Dear Mr. President and Members of the Senate:

This will advise you that I have approved as of this date and transmitted to the Secretary of State *S. B. No. 79*, by Mr. Woolley, entitled:

AN ACT AMENDING SECTION 59-15-5, UTAH CODE ANNOTATED 1953, RELATING TO COLLECTION OF TAX – REMISSION – RETURNS – DIRECT PAYMENT BY PURCHASER OF MOTOR VEHICLE – TOKENS – DEPOSIT OF SECURITY AND SALE THEREOF – REMISSION OF EXCESS AMOUNT COLLECTED – PENALTIES AND INTEREST FOR VIOLATIONS – FINE OR IMPRISONMENT.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

February 20, 1953

Dear Mr. President and Members of the Senate:

This will advise you that I have approved as of this date and transmitted to the Secretary of State, *S. B. No. 107*, by Mr. Kerr, entitled:

AN ACT AMENDING SECTION 59-16-7, UTAH CODE ANNOTATED 1953, RELATING TO THE TIME FOR FILING USE TAX RETURNS, BY CHANGING THE DATE THE RETURN IS TO BE FILED AND THE TAX PAID.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

February 20, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved this day and transmitted to the Secretary of State *S. B. No. 118*, by Mr. Woolley, entitled:

AN ACT APPROPRIATING TO THE STATE FINANCE COMMISSION THE SUM OF $71,850.00 FROM THE GENERAL FUND FOR THE PURPOSE OF COSTS OF ADMINISTRATION DURING THE REMAINDER OF THE PRESENT BIENNIUM.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

February 20, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved this day and transmitted to the Secretary of State *S. C. R. No. 6*, by Messrs. Fowles, Selvin, and Jenkins, entitled:

A CONCURRENT RESOLUTION EXTENDING CONDOLENCES TO THE FAMILY OF THE HONORABLE ELBERT D. THOMAS, WHO DIED FEBRUARY 11, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

February 20, 1953

Dear Mr. President and Members of the Senate:

In my opening message to the Legislature, I recommended that a study be made by the Legislative Council of our election laws. The comments I shall make in this letter will amplify this recommendation, but they should not be construed to limit the scope of the study.

Although I have recommended that this study be assigned to the Legislative Council, it may well be that this particular study could be assigned elsewhere to permit the Council from being submerged with such work. Perhaps a special Legislative committee could be appointed for this one purpose, or the Governor could be authorized to name a bi-partisan committee to undertake the work.

I believe the first objective of such a study should be to review present limitations on campaign expenditures and to set more realistic figures. The present limitations are completely outmoded because of the great increase

in ordinary campaign costs. Some have suggested that limitations be abolished; others have favored increasing party limitations while leaving amounts for candidates the same; still others have favored the opposite of this.

Other points that might well be considered in the study are these:

1. A shorter campaign period. (For further reference, see Deseret News and Telegram editorial, November 4, 1952.)

2. A shorter period between the election and inauguration of new officials. This would be particularly advantageous to a newly-elected Governor, who, in accordance with present Constitutional provisions, must deliver his message to the Legislature in the second week after his Inaugural, and his budget message ten days after that. A reduced "lameduck" period has other advantages. (For further reference, see Salt Lake Tribune editorial, November 3, 1952.)

3. A review of the non-partisan judiciary law. (For further reference, see Provo Herald Editorial, November 20, 1952.)

4. A review of the laws pertaining to State and local school board elections to determine particularly the results of conducting State Board of Education elections during the general election and the advisability of conducting local school board elections at the same time.

5. A change in the method of listing the presidential and vice-presidential candidates on the ballot so as to eliminate a split vote. (For further reference, see Salt Lake Tibune article, November 17, 1952.)

Other reference sources will include the election laws of other states. I have examined some of the provisions of the Statutes of the State of Washington, and they are well worth considering in revising our own. Any revision of our election laws most certainly should include provisions to simplify them.

There may be other points to be considered; therefore, I repeat, these comments should not limit the scope of the study. I suggest that the study be completed within a year so as to permit the enactment of necessary amendments to our present laws prior to the 1954 general election.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. C. R. No. 4*, by Messrs. Jones, Hopkins, C. E. Peterson and Young, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO TAKE ACTION SO AS TO RETURN TO EACH STATE ITS PRO RATA SHARE OF ALL REVENUES COLLECTED BY THE FEDERAL GOVERNMENT IN GASOLINE TAXATION, AND TO GIVE TO THE STATES THE RIGHT TO SUBSTITUTE STATE TAXATION OF GASOLINE FOR FEDERAL TAXATION WHEN A STATE MAY SEE FIT TO DO SO, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. C. R. No. 4 was read the first time and referred to the Committee on Highways.

February 20, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 23*, by Mr. W. G. Larson, entitled:

AN ACT REPEALING SECTIONS 55-2-2, 55-2-20 AND 55-2-33, UTAH CODE ANNOTATED 1953, AND AMENDING SECTIONS 55-2-4, 55-2-5, 55-2-10, 55-2-13 AND 55-2-29, UTAH CODE ANNOTATED 1953, RELATING TO THE TRANSFER OF PROPERTY BY APPLICANTS AND RECIPIENTS OF PUBLIC ASSISTANCE, PROVIDING FOR AN AFFIDAVIT BY APPLICANTS AND RECIPIENTS OF ALL PROPERTY HELD, LIMITING THE AMOUNT OF PROPERTY A RECIPIENT MAY OWN, INCREASING THE LEGAL MAXIMUM FOR A SINGLE-PERSON CASE, PROVIDING FOR THE TAKING OF LIENS ON REAL PROPERTY AND A METHOD BY WHICH THE AMOUNT OF SUCH LIENS IS DETERMINED AND THE TIME AT WHICH SUCH LIENS ARE TO BE SATISFIED, AND AUTHORIZING THE ASSIGNMENT OF FINAL ASSISTANCE CHECKS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 20, 1953

Mr. President:

I am directed 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 Mr. Woolley, entitled:

AN ACT APPROPRIATING TO THE STATE BUILDING BOARD THE SUM OF $4,821.00 FROM THE GENERAL FUND OF THE STATE

TREASURY, FOR THE PURPOSE OF DEFRAYING COSTS OF OPERATING THE STATE BUILDING BOARD DURING THE REMAINDER OF THE PRESENT BIENNIUM, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 225 was transmitted to the Governor.

February 19, 1953

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. 53* by Messrs. Mabey, Hopkin, Fowles, Watson, Jenkins, Kerr, Day and Tippetts, entitled:

AN ACT AMENDING SECTIONS 73-9-13, 73-9-17, 73-9-18, 73-9-20, 73-9-25 AND 73-9-31, UTAH CODE ANNOTATED 1953, RELATING TO WATER CONSERVANCY DISTRICTS, INCLUDING THE POWERS OF BOARDS OF DIRECTORS OF SUCH DISTRICTS, ALLOTMENT OF WATER BY SUCH DISTRICTS TO MUNICIPALITIES AND TO IRRIGATION DISTRICTS, THE LEVYING OF TAXES AND ASSESSMENTS TO PAY DEFICIENCIES, THE DISPOSAL OF WATER UNDER TERM CONTRACTS AND THE ISSUANCE OF BONDS, AND ADDING A NEW SECTION TO BE NUMBERED 73-9-42, UTAH CODE ANNOTATED 1953, RELATING TO VALIDATING THE CREATION AND ORGANIZATION OF SUCH DISTRICTS AND PROCEEDINGS HERETOFORE HELD THEREIN FOR THE AUTHORIZATION OF CONTRACTS AND BONDS, VALIDATING CONSTRUCTION CONTRACTS HERETOFORE ENTERED INTO BY SUCH DISTRICTS AND MAKING CERTAIN FINDINGS WITH RESPECT TO BENEFITS TO ACCRUE TO TAXABLE PROPERTY THEREIN, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 53 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 20, 1953

Mr. President:

I am directed to request your Honorable Body to return to the House *H. B. No. 239*, by Appropriations and Claims Committee, entitled:

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING

JULY 1, 1953, AND ENDING JUNE 30, 1955, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES, for further consideration by the House.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, *H. B. No. 239* was returned to the House.

REPORTS OF STANDING COMMITTEES

February 20, 1953

Mr. President:

Your Committee on Welfare to which has been referred *S. B. No. 204*, by Messrs. Day and Openshaw has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

S. B. No. 204 was referred to the Sifting Committee.

February 20, 1953

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 200*, by Messrs. Openshaw and Cannon, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report filed.

S. B. No. 200 was referred to the Sifting Committee.

February 20, 1953

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 202*, by Messrs. Openshaw and Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report filed.

S. B. No. 202 was referred to the Sifting Committee.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 18 By Mr. Burton

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH CALLING UPON THE CITIZENS OF THE STATE OF UTAH TO UNITE IN THE CURRENT EMERGENCY IN INTERMOUNTAIN FREIGHT RATES, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 19 By Mr. Day

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH PROPOSING TO AMEND ARTICLE IV, SECTION 2 OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO ELECTIONS AND RIGHT OF SUFFRAGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 20 By Mr. Muir

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

S. J. R. No. 21 By Mr. Muir

A JOINT RESOLUTION PROPOSING AMENDMENTS TO ARTICLE VII, SECTION 10 OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE GOVERNOR'S APPOINTIVE POWER IN FILLING OF VACANCIES IN CERTAIN OFFICES; AND PROVIDING THAT HE SHALL APPOINT JUSTICES OF THE SUPREME COURT AND JUDGES OF DISTRICT COURTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 22 By Mr. Woolley

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTIONS 2, 3, 5, 6, AND 12 OF ARTICLE VIII OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO THE SUPREME AND DISTRICT COURTS, HOW CONSTITUTED, TERMS OF OFFICE, QUALIFICATIONS OF JUDGES, JURISDICTION, JUDGES PRO TEMPORE, CHANGE OF JUDICIAL DISTRICTS BY THE LEGISLATURE, ELECTION OF JUDICIARY AND EFFECT ON INCUMBENT JUDGES, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 23 By Mr. Woolley

A JOINT RESOLUTION PROPOSING AMENDMENTS TO ARTICLE VII, SECTIONS 1 AND 20 OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE STATE EXECUTIVE DEPARTMENT, TERMS, RESIDENCE, AND DUTIES AND THE COMPENSATION OF STATE OFFICERS, was read the first time and referred to the Committee on Revision and Enrolling .

S. J. R. No. 24 By Mr. Stringham

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH AUTHORIZING THE GOVERNOR TO HAVE THE STATE JOIN THE INTERSTATE OIL COMPACT COMMISSION AND EXECUTE THE INTERSTATE COMPACT TO CONSERVE OIL AND GAS, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 234 By Messrs. Day, Hammond, Clegg and Thorn

AN ACT DECLARING THE PUBLIC POLICY OF UTAH REGARDING BOY SCOUTS, GIRL SCOUTS, CAMPFIRE GIRLS, AND SIMILAR ORGANIZATIONS, AND PROVIDING FOR THE CONTRACT OR LEASE OF SCHOOL BUSES BY SCHOOL DISTRICT TO SUCH ORGANIZATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 235 By Mr. Woolley

AN ACT AMENDING SECTIONS 52-3-1 AND 52-3-3, UTAH CODE ANNOTATED 1953, RELATING TO THE PROHIBITION AGAINST THE APPOINTMENT BY PUBLIC OFFICERS AND EMPLOYEES OF SPECIFIED NEAR RELATIVES TO POSITIONS WHICH ARE COMPENSATED OUT OF PUBLIC FUNDS, AND PROVIDING THAT SUCH PROHIBITION IS APPLICABLE TO ALL PERSONS HOLDING POSITIONS COMPENSATED OUT OF PUBLIC FUNDS AND TO MEMBERS OF BOARDS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 236 By Mr. Muir

AN ACT AMENDING SECTIONS 53-32-1, 53-32-2, 53-32-3, 53-32-4, UTAH CODE ANNOTATED 1953, FOR THE PURPOSE OF CHANGING THE NAME OF THE UTAH STATE AGRICULTURAL COLLEGE TO UTAH STATE COLLEGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 237 By Messrs. Woolley and Gibson

AN ACT AMENDING SECTION 54-6-12, UTAH CODE ANNOTATED 1953, REGARDING SAFETY AND INSPECTION OF MOTOR VEHICLES, REPORTING OF ACCIDENTS, AND REGARDING A BOND OR INSURANCE FOR ALL MOTOR CARRIERS FOR HIRE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 238 By Messrs. Hopkin, Cannon and Tippetts

AN ACT REPEALING CHAPTER 29 OF TITLE 53, UTAH CODE ANNOTATED, 1953, AND ENACTING A NEW CHAPTER 29 OF TITLE 53 RELATING TO THE UTAH STATE TEACHERS' RETIREMENT SYSTEM, PROVIDING FOR THE EXTENSION OF FEDERAL SOCIAL SECURITY COVERAGE TO PERSONNEL OF THE STATE AND LOCAL EDUCATIONAL SYSTEMS AND PROVIDING FOR A NEW RETIREMENT ACT FOR EMPLOYEES OF THE EDUCATIONAL SYSTEM OF THE STATE AND PROVIDING FOR APPROPRIATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 239 By Messrs. Hopkin, Tippetts and Cannon

AN ACT REPEALING CHAPTER 28 OF TITLE 53, UTAH CODE ANNOTATED, 1953, RELATING TO LOCAL PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS, PROVIDING FOR THE TERMINATION OF EXISTING LOCAL RETIREMENT ASSOCIATIONS, PROVIDING FOR THE EXTENSION OF FEDERAL SOCIAL SECURITY COVERAGE TO MEMBERS OF SAID LOCAL SYSTEMS, PROVIDING FOR THE CONTINUED PAYMENT OF BENEFITS TO PERSONS RETIRED THEREUNDER, AND PROVIDING FOR A TEMPORARY TAX LEVY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 240 By Messrs. Mabey, Gibson and Woolley

AN ACT AMENDING THE UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, SECTIONS 77-61-15, 77-61-16, 77-61-18, 77-61-26, UTAH CODE ANNOTATED 1953, PROVIDING FOR ADDITIONAL INFORMATION TO ACCOMPANY THE PETITION FOR SUPPORT, CLARIFYING THE DUTIES OF THIS COURT AS AN INITIATING STATE, CLARIFYING THE POWERS OF THE COURT WITH RESPECT TO ARREST OF DEFENDANT AND MAKING IT THE DUTY OF THE DISTRICT ATTORNEY TO REPRESENT THE PLAINTIFF UNDER CERTAIN CIRCUMSTANCES, AND ENACTING SECTIONS 77-61-32, 77-61-33, 77-61-34, 77-61-35, PROVIDING FOR THE WAIVING OF FEES AND COSTS IN THE DISCRETION OF THE COURT, DESIGNATING THE STATE INFORMATION AGENCY, MAKING IT THE DUTY OF THE COURTS OF THIS STATE WHEN ACTING AS

A RESPONDING STATE TO USE ALL MEANS AT ITS DISPOSAL TO TRACE THE DEFENDANT OR HIS PROPERTY, AND PROVIDING FOR APPLICATION OF PAYMENTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 241 By Mr. Muir

AN ACT TO PROHIBIT THE SALE OF FRESH MEAT OR FISH AT RETAIL FROM AN OPEN STAND OR VEHICLE ALONG PUBLIC STREETS OR HIGHWAYS IN THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 242 By Messrs. Tietjen and Stringham

AN ACT AMENDING SECTIONS 4-12-9, 4-12-11, 4-12-14, 4-12-15, 4-12-16, 4-12-18, 4-12-19, AND 4-12-21, UTAH CODE ANNOTATED 1953, RELATING TO ESTRAYS AND TRESPASSING ANIMALS; AND PROVIDING FOR TREBLE DAMAGES ASSESSED AGAINST THE ANIMALS' OWNER AND INCREASING THE POUNDKEEPER'S AND APPRAISER'S FEES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 243 By Mr. Day

AN ACT AUTHORIZING THE BOARD OF EXAMINERS OF THE STATE OF UTAH TO MAINTAIN A SYSTEM OF INSURANCE OF SICKNESS, DISABILITY AND DEATH BENEFITS OF ALL ELECTIVE AND APPOINTIVE OFFICERS, EMPLOYEES AND HEADS OF DEPARTMENTS, OF THE STATE OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Mabey, the President appointed a Special Committee consisting of Senators Cannon, Clegg and Hopkin to consider the Public School Survey Report and make recommendations with respect thereto.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 121 was read the third time and placed on its final passage.

On motion of Senator Gibson, *S. B. No. 121* was amended as follows:

Page 2, line 25, delete all of sub-section 9.

Page 3, line 1, after the word "Section" strike the numeral "10" and insert in lieu thereof "9".

S. B. No. 121 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Jenkins, Openshaw and Watson.

On motion of Senator Gibson, the Senate voted to reconsider its final action on *S. B. No. 121.*

On motion of Senator Gibson, *S. B. No. 121* was amended as follows:

Page 2, line 25, insert a new sub-section as follows:

(9) ( ) The term "political committee" shall mean any committee or combination of two or more persons elected or appointed by any political party or association for the purpose, wholly or partly, of raising, collecting or disbursing money for any political convention or to promote the success or defeat of a political party at a public election, or to be used for or against the election to public office of any person or of any class or number of persons, or to aid in the election or defeat of a candidate for nomination at a primary election or convention, including all proceedings prior to such primary election.

Page 3, line 1, strike "9" and insert in lieu thereof the figure "10".

S. B. No. 121, on reconsideration, then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Stringham, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Jenkins, Openshaw, Selvin and Watson.

S. B. No. 121 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 10 was read the second time.

Committee report read and adopted.

On motion of Senator Gibson, *S. J. R. No. 10* was amended as follows:

Page 2, line 12, delete the word "Utah".

On motion of Senator Day, the rules were suspended and *S. J. R. No. 10* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Jenkins, and Watson.

S. J. R. No. 10 was transmitted to the House.

S. B. No. 136 was read the second time.

Committee report read and adopted.

S. B. No. 136 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, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Jenkins, Selvin, Stringham and Watson.

S. B. No. 132 was read the second time.

Committee report read and adopted.

On motion of Senator Kerr, *S. B. No. 132* was amended as follows:

Page 2, line 1, after the first deletion mark insert "$10,000"; after the second deletion mark insert "$6,500".

Line 2, after the first deletion mark insert "$6,000"; after the second deletion mark insert "$6,000".

Line 3, after the first deletion mark insert "$7,500"; after the second deletion mark insert "$8,000".

Line 6, at the beginning of the line insert "$5,000"; after the second deletion mark insert "$2,000".

Line 7, after the deletion mark insert "$1,500".

Line 9, after the deletion mark insert "$9,000".

Line 11, after the deletion mark insert "$7,000".

Line 16, after the deletion mark insert "$2,750".

Line 17, after the first deletion mark insert "$3,600"; after the second deletion mark insert "$5,400".

Line 18, after the deletion mark insert "$3,800".

Line 19, after the first deletion mark insert "$3,600"; after the second deletion mark insert "$3,250".

Line 20, after the deletion mark insert "$3,600".

Line 21, after the first deletion mark, insert the word "July".

Line 23, after the deletion mark insert "$6,000".

Line 24, after the deletion mark insert "$6,000".

Line 25, after the first deletion mark insert "$6,000".

Line 26, at the beginning of the line insert "$6,000"; after the first deletion mark insert "$6,000".

Line 27, after the second deletion mark insert "6,000".

Line 28, after the deletion mark insert "$6,000".

Line 29, after the deletion mark insert "$6,000".

Line 30, after the deletion mark insert "$6,000".

Line 31, after the deletion mark insert "$6,000".

Line 32, after the first deletion mark insert "$6,000".

Line 33, after the deletion mark insert "$6,000".

On motion of Senator Hafen, *S. B. No. 132* was amended as follows:

Page 2, following line 33, add a new section as follows:

"Section 2. This act shall take effect July 1, 1953".

On motion of Senator Adams, *S. B. No. 132* was amended as follows:

Page 2, line 11, strike the figures "7000" and insert in lieu thereof "7500".

On motion of Senator Kerr, the title of *S. B. No. 132* was amended as follows:

Page 1, line 19, before the semi-colon insert the word "COMMISSION".

S. B. No. 132 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, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Jenkins and Watson.

On motion of Senator Mabey the rules were suspended and the Senate voted to now consider *S. B. No. 101*.

S. B. No. 101 was read the second time.

Committee report read and adopted.

On motion of Senator Clegg, *S. B. No. 101* was amended as follows:

Page 1, line 13, delete "March" and insert in lieu thereof "July".

On motion of Senator Mabey, *S. B. No. 101* was amended as follows:

Page 1, line 23, delete all of Section 2.

On motion of Senator Kerr, *S. B. No. 101* was amended as follows:

Page 1, line 10, strike the word "four" and insert in lieu thereof the word "one".

Line 11, strike the letter "s" from the word "years".

Line 13, strike the word "four" and insert in lieu thereof the word "one".

S. B. No. 101 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 Burton, Clegg, Day, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn, Tietjen, Woolley, and Mr. President.

Those voting in the negative were: Senators Adams, Fowles, Gibson and Selvin (explained vote).

Absent and not voting: Senators Cannon, Jenkins, Tippetts and Watson.

President Paxton recognized the Honorable Judge J. H. Howell, former Senator Wilson McCarthy, former Representatives Brinkerhoff and Murdock and Mr. Clarence J. Albrick.

On motion of Senator Mabey, the Senate adjourned until Saturday, February 21, 1953, at 10:00 A.M.

FORTY-FIRST DAY

February 21, 1953

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

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

Prayer by the Chaplain.

February 21, 1953

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 amendments noted on the final copy.

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 20, 1953

Dear Mr. President:

I wish to inform you that I have this day signed and sent to the Secretary of State *Senate Bill Number 225,* by Mr. Woolley, entitled:

AN ACT APPROPRIATING TO THE STATE BUILDING BOARD THE SUM OF $4,821.00 FROM THE GENERAL FUND OF THE STATE TREASURY, FOR THE PURPOSE OF DEFRAYING COSTS OF OPERATING THE STATE BUILDING BOARD DURING THE REMAINDER OF THE PRESENT BIENNIUM.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of the Governor's action.

COMMUNICATIONS FROM THE HOUSE

February 20, 1953

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. 18,* by Mr. W. G. Larson, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF W. I. (COTTON) LOWE, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 18 was read the first time.

On motion of Senator Day, the rules were suspended and *H. J. R. No. 18* was read the second and third times and placed on its final passage.

H. J. R. No. 18 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Gibson, Hafen, Hammond, Kerr, Mabey, Muir, Openshaw, Selvin, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Fowles, Hopkin, Jenkins, Stringham, Thorn and Tippetts.

H. J. R. No. 18 was returned to the House.

February 20, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 219*, by Mr. Fowles, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 219 was ordered printed and referred to the Committee on Agriculture and Irrigation.

February 20, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 223*, by Messrs. Hopkin and Kerr, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 223 was ordered printed and referred to the Committee on Education.

February 20, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 224*, by Mr. Tippetts, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 224 was ordered printed and referred to the Committee on Revenue and Taxation.

February 20, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 226*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 226 was ordered printed and referred to the Committee on Fish and Game.

February 20, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 227*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 227 was ordered printed and referred to the Committee on Fish and Game.

February 20, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 228*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 228 was ordered printed and referred to the Committee on Fish and Game.

February 20, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 229*, by the Committee on Appropriations and Claims, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 229 was ordered printed and referred to the Committee on Appropriations and Claims.

February 20, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 164*, by Messrs. Day, Hopkin, Fowles, Stringham, Burton, Hammond and Cannon, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 164 was referred to the Sifting Committee.

February 20, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 207*, by Messrs. Fowles and Openshaw, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 207 was referred to the Sifting Committee.

February 20, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 212*, by Messrs. Clegg and Mabey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 212 was referred to the Sifting Committee.

February 20, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred S. *B. No. 222*, by Mr. Fowles, has carefully considered said bill and reports the same out favorably.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. *B. No. 222* was referred to the Sifting Committee.

February 20, 1953

Mr. President:

Your Committee on Highways to which was referred S. *B. No. 196*, by Mr. Kerr, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

S. *B. No. 196* was referred to the Sifting Committee.

February 20, 1953

Mr. President:

Your Committee on Highways to which was referred *H. C. R. No. 4*, by Messrs. Jones, Hopkins, C. E. Peterson and Young, has carefully considered said resolution and reports the same out favorably.

Respectfully,

CLIFTON G. M. KERR,
Chairman

Report filed.

H. C. R. No. 4 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 21, 1953

Mr. President:

Your Sifting Committee reports out the following bills:
S. B. Nos. 23, 41, 37, 49, 163, and 74.

Respectfully,

RENDELL N. MABEY,
Acting Chairman

Report adopted and filed.

INTRODUCTION OF BILLS

S. B. No. 244 By Mr. Gibson

AN ACT AMENDING SECTION 17-5-62, UTAH CODE ANNOTATED 1953, RELATING TO A TAX FOR THE CARE, RELIEF AND BURIAL OF INDIGENTS, HOSPITALS, INFIRMARIES AND POORHOUSES, MAXIMUM RATE, MANNER OF ASSESSMENT, LEVY AND COLLECTION, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 136 was read the third time and placed on its final passage:

On motion of Senator Day, *S. B. No. 136* was amended as follows:

Page 1, line 17, after the deletion mark insert the figure "6,000".

On motion of Senator Hafen, *S. B. No. 136* was amended as follows:

Page 1, after line 17, add a new section to read "Section 2. This act shall take effect July 1, 1953".

S. B. No. 136 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Hopkin, Jenkins and Tippetts.

S. B. No. 136 was transmitted to the House.

S. B. No. 132 was read the third time and placed on its final passage.

On motion of Senator Day, *S. B. No. 132* was amended as follows:

Page 2, line 1, strike the figure "6500," and insert in lieu thereof "7200."

On motion of Senator Kerr, *S. B. No. 132* was amended as follows:

Page 2, line 6, strike the figure "2000" and insert in lieu thereof "2400".

S. B. No. 132 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Hopkin and Jenkins.

On motion of Senator Kerr, the Senate voted to reconsider its final action on *S. B. No. 132.*

On motion of Senator Woolley, the rules were suspended and the Senate voted to now consider *S. B. No. 101.*

S. B. No. 101 was read the third time and placed on its final passage.

On motion of Senator Kerr, *S. B. No. 101* was tabled.

UNFINISHED BUSINESS

S. B. No. 132 was before the Senate for its re-consideration.

On motion of Senator Kerr, *S. B. No. 132* was amended as follows:

Page 2, line 3, after the figure "7500" strike the semicolon and insert in lieu thereof a period and strike the remainder of the line.

On motion of Senator Kerr, the title was amended as follows:

Page 1, lines 5 and 6, following the word "GENERAL" delete the words "SUPERINTENDENT OF PUBLIC INSTRUCTION".

S. B. No. 132, on re-consideration, then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Kerr, Mabey, Muir, Openshaw, Selvin (explained vote), Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Hopkin, Jenkins and Stringham.

S. B. No. 132 was transmitted to the House.

On motion of Senator Openshaw, *S. B. No. 101* was lifted from the table.

On motion of Senator Kerr, *S. B. No. 101* was amended as follows:

Page 1, line 10, strike all underlined material in line 10, and the balance of the paragraph.

Line 8, strike the comma and the deletion mark at the end of line 8 and insert in lieu thereof the following words "and fix the salary of".

Line 9, after the word "instruction" insert the following words: "which shall exceed $9000 per annum". Strike the word "who" and insert in lieu thereof the word "he".

S. B. No. 101 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Gibson, Hammond, Kerr, Mabey, Muir, Openshaw, Thorn, Tietjen and Woolley.

Those voting in the negative were: Senators Fowles, Hafen, Selvin, Stringham, Tippetts and Watson.

Absent and not voting: Senators Adams, Hopkin, Jenkins and Paxton.

S. B. No. 101 was transmitted to the House.

S. B. Nos. 23, 41, 37, 49, 163 and *74* were referred back to the Sifting Committee, in compliance with that committee's report, as adopted on the 36th Legislative day.

On motion of Senator Cannon, the Senate adjourned until Tuesday, February 24, 1953, at 10:00 A.M.

FORTY-FOURTH DAY

MORNING SESSION

February 24, 1953

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

Roll Call – All Senators present except Senator Tietjen, excused.

Prayer by the Chaplain.

February 24, 1953

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 amendments noted on the final copy.

Respectfully,

VERN B. MUIR,
Chairman

Report adopted and filed.

President Paxton appointed Senators Hammond, Adams and Openshaw to read and revise the Journal for two weeks, commencing February 25, 1953.

REPORTS OF STANDING COMMITTEES

Februay 21, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 221*, by Messrs. Tietjen, Hopkin, Kerr and Clegg, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 221 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 24, 1953

Mr. President:

Your Sifting Committee reports out the following bills:
S. B. Nos. 23, 41, 37, 49, 163, 40, 80, 74, 86, 109, 138, and 18.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Muir, *S. B. No. 23* was amended as follows:

Page 1, line 18, strike the figure "$3,600.00" and insert in lieu thereof the figure "$3,000.00".

On motion of Senator Stringham, *S. B. No. 23* was amended as follows:

Page 2, line 4, after the word "adopted" insert "or hereafter adopted" and strike "and operates under".

On motion of Senator Muir, *S. B. No. 23* was amended as follows:

Page 1, line 16, strike the figure "$4,000.00" and insert in lieu thereof the figure "$3,600.00".

On motion of Senator Kerr, 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, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Hopkin, Openshaw, Tietjen and Watson.

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

S. B. No. 41 was read the second time.

Committee report read and adopted.

On motion of Senator Kerr, *S. B. No. 41* was amended as follows:

Page 2, strike all of lines 6 to 15 inclusive, and insert in lieu thereof the following:

	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6
Commissioners (each)	() $6000	() $5500	() $3500	() $2500	() $1500	() $1500
Sheriff	() $6000	() $5500	() $4500	() $3500	() $3000	() $2500
Assessor	() $6000	() $5500	() $4500	() $3500	() $3000	() $2500
Clerk	() $6000	() $5500	() $4500	() $3500	() $3000	() $2500
Recorder	() $6000	() $5500	() $4500	() $3500	() $3000	() $2500
Treasurer	() $6000	() $5500	() $4500	() $3500	() $3000	() $2500
Attorney	() $6000	() $5500	() $4500	() $3500	() $3000	() $2500
Surveyor	() $6000	() $5500	() $3500	() $2500	() $1500	
Auditor	() $6000	() $5500	() $3500			

S. B. No. 41 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 Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Selvin, Thorn, Tippetts, Watson and Mr. President.

Voting in the negative was Senator Muir.

Absent and not voting: Senators Openshaw, Stringham, Tietjen and Woolley.

S. B. No. 37 was read the second time.

Committee report read and adopted.

On motion of Senator Day, *S. B. No. 37* was amended as follows:

Page 1, line 4, after the deletion mark strike the figure "$8,500.00" and insert in lieu thereof the figure "$6,500.00".

Page 1, line 6, after the deletion mark strike the figure "$7,500.00" and insert in lieu thereof "$6,500.00".

On motion of Senator Kerr, *S. B. No. 37* was amended as follows:

Page 1, line 8, after the deletion mark strike the figure "$7,500.00" and insert in lieu thereof the figure "$6,500.00".

On motion of Senator Hafen, *S. B. No. 37* was amended as follows:

Page 1, line 4, after the first word "class" insert: "to be fixed by the mayor of the city with the consent of the governing body thereof at not less than 5,000 and not more than 6,000".

S. B. No. 37 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn and Watson.

Those voting in the negative were: Senators Muir and Mr. President.

Absent and not voting: Senators Cannon, Tietjen, Tippetts and Woolley.

S. B. No. 49 was read the second time.

Committee report read and adopted.

On motion of Senator Day, *S. B. No. 49* was amended as follows:

Page 1, line 7, strike the words "state auditor" and insert in lieu thereof the words "Department of Finance".

Page 1, line 8, strike the word "who" and insert in lieu thereof the word "which".

Page 1, line 8, strike the word "his" and insert in lieu thereof the word "its".

On motion of Senator Gibson, *S. B. No. 49* was amended as follows:

Page 1, line 3, strike the figure "5200.00 and insert in lieu thereof the figure "4800.00".

S. 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: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Watson and Woolley.

Absent and not voting: Senators Cannon, Hopkin, Muir, Paxton, Tietjen and Tippetts.

S. B. No. 163 was read the second time.

Committee report read and adopted.

On motion of Senator Fowles, *S. B. No. 163* was amended as follows:

Page 1, strike "(Introduced by Title only. See *H. B. No. 135*)" and insert the following:

Section 1. Secs. 39-1-3, 39-1-12, 39-1-18, 39-1-21, 39-1-26, 39-1-

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46, and 39-1-51, Utah Code Annotated 1953, are amended to read:

39-1-3. The governor by virtue of his office shall be Commander in Chief of the National Guard and of the unorganized militia, and of any portions of the unorganized militia which may hereafter be organized ( ). ( ) He shall be empowered and authorized to issue all such orders, rules and regulations necessary to conform the Utah national guard to the national defense act in its organization, government, discipline, maintenance, training, equipment and regulations. He shall ap-

point and commission all officers and select all warrant officers, subject to the provisions of the national defense act; provided, that any such appointee failing to receive federal recognition after having been so notified by the national guard bureau, shall revert to status occupied before such appointment. He shall determine and fix the home station and location of the various units of the Utah national guard. He shall provide armories, warehouses, maintenance and repair shops, hangars, small arms, artillery and aircraft ranges, camp-sites, concentration areas, training facilities, military reservations and arsenals as required for organizations of the Utah national guard; and shall furnish suitable offices, or office space for regular army personnel assigned to duties with the Utah national guard; the expenses of which may be paid out of the state military appropriations.

39-1-12. There shall be one adjutant general appointed by the governor, who shall perform the duties pertaining to such office. The adjutant general shall be chief of staff and shall hold office for a term of ( ) six years, unless terminated by reason of resignation, disability or by cause to be determined by courts-martial. The person appointed to such office shall be a citizen of the state of Utah and shall ( ) meet the requirements provided in section 110, Act of Congress, approved June 3, 1916. He shall be a federally recognized commissioned officer of the national guard of the United States with not less than ten years commissioned service in the Utah national guard. Active service in the armed forces of the United States may be included in this requirement provided the officer was a member of the Utah national guard when he

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entered upon such service. An officer will no longer be eligible to hold the office of adjutant general after reaching the age of sixty-two. He shall perform such duties as are now, or shall hereafter be, imposed by the laws of this state and of the United States and by the rules and regulations of the ( ) department of defense of the United States; but if any duties imposed by the statutes of this state at any time hereafter

conflict with those imposed by the laws of the United States, then the duties imposed by the statutes of this state, as far as they conflict, shall be abbrogated. He shall keep ( ) rosters of ( ) all active, inactive and retired officers and enlisted men of the national guard, and shall keep in his office all records, orders, regulations and papers pertaining to the national guard and the militia of this state. He shall, when he deems it necessary, at the expense of the state, purchase or cause to be printed, and issue to members of the national guard or other persons copy of the military law, the various orders of the ( ) department of defense of the United States and such other literature as he shall deem best for the interests of the service. He shall cause to be prepared all blanks, books, forms and reports necessary to carry out the provisions of this chapter, but all blanks or forms shall be identical, or as nearly so as possible, with those required by the ( ) department of defense of the United States for use by the regular army or national guard. He shall, under the direction of the state armory board, have supervision and charge of all the armories, ( ) warehouses, maintenance and repair shops, hangars, small-arms, artillery, and aircraft ranges, campsites, concentration areas, lands, training facilities and military reservations necessary to the military department of this state, and shall be responsible for the protection and safety thereof and promulgate regulations for the maintenance of order thereon, for the enforcement of such lawful regulations as may be ordered for the operation, repair, care and preservation of such facilities and installations belonging to or leased by the state of Utah. He may make such further improvement thereon as the good of the service requires. He shall cause to be prepared all blanks, books, forms, notices and reports to carry out the

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provisions of the military laws of this state. Such blanks, books, forms, notices and reports shall be identical or as nearly so as possible, with those required by the department of defense for use by the armed forces of the United States. He shall make and transmit to the federal govern-

ment the returns required by the Laws of the United States and submit to the governor a duly certified copy thereof. He will superintend the preparation of all returns and reports required by the United States from the state of Utah on military matters. He shall act as agent for all active, inactive or retired members of the national guard having claims against the United States for pensions, bounty, back pay, or disability arising from any war, federal service, or training and shall handle such claims without charge. He shall, on or before the 1st day of January next preceding the regular session of the legislature, make a full and detailed report to the governor of all transactions of his office, with the expense thereof, for the preceding two years, and shall report at such other times and on such other matters as the Governor shall require or as he shall deem advisable.

39-1-18. The adjutant general with the approval of the governor may detail one commissioned officer of the national guard for permanent duty at his office ( ) as the assistant adjutant general. He shall be a federally recognized commissioned officer of the Utah national guard with not less than five years military service in the armed forces of the state of Utah or of the United States, at least three of which shall have been commissioned in the national guard of Utah and who shall have reached the grade of field officer. He shall hold office at the pleasure of the adjutant general. The assistant adjutant general shall receive the pay less allowances for quarters and commutations of rations of colonel as now or hereafter provided by law for an officer of similar rank and length of service in the regular army of the United States. He shall devote all of his time during office hours of the military department to the duties of his office. The adjutant general, with the approval of the governor, may detail one officer of the Utah national guard for permanent duty as the personnel officer. He shall be a federally recognized

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commissioned officer of the Utah national guard with not less than three years military service in the armed forces of the state of Utah or of the

United States, one of which shall have been commissioned in the national guard of Utah. He shall hold office at the pleasure of the adjutant general. The personnel officer shall receive the pay, less allowances for quarters and commutation of rations, of a major as now and hereafter provided by law for an officer of similar rank and length of service in the regular army of the United States. The duties of the personnel officer shall be such duties as the adjutant general may direct, to include the normal duty of a staff G-1 and G-2. He shall function as a state recruiting officer and also as a state public relations officer and shall devote all of his time during the office hours of the military department to the duties of his office.

39-1-21. ( ) The adjutant general shall receive the pay, less allowances for quarters and commutations of rations, of a brigadier general as now or hereinafter provided by law for an officer of similar rank and service in the regular army of the United States. He shall give an official bond to the state in the penal sum of $10,000 to cover all duties imposed and offices conferred by law or authority on the adjutant general. He shall devote all of his time during the office hours of the military department to the duties of his office.

39-1-26. The adjutant general may ( ) detail, with the approval of the governor, one officer of the national guard for permanent duty as the assistant quartermaster general and assistant property disbursing officer. He shall hold office at the pleasure of the adjutant general. He shall be a federally recognized officer of the Utah national guard with not less than five years military service in the armed forces of the state of Utah or of the United States, not less than 3 years of which shall have been commissioned service in the national guard of Utah. He shall receive the pay, less allowances for quarters and commutations of rations, of a lieutenant colonel as now and hereafter provided by law for an officer of similar rank and length of service in the regular army of the United States. He shall perform such duties as the adju-

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tant general may direct, to include the normal duties of a staff G-4 and the maintenance of training facilities.

39-1-46. The governor is hereby authorized to provide an arsenal ( ) for the storage of arms, equipment and military supplies. Military supplies shall be issued upon requisition of the officer requiring the same. Military supplies for the respective organizations shall be issued to and receipted for by the commanding officer thereof, who shall be responsible to the state for the care and preservation of the same. Commanding officers shall be responsible to this state for the money value of all property issued to them, which may be lost by reason of carelessness and negligence upon their part.

39-1-51. When called into the service of the state and not in the service of the United States, the members of the national guard shall receive ( ) the same pay and allowance as members of the regular army of like rank and length of service. In addition to the above pay, ( ) officers and enlisted personnel shall receive one ration per day; provided, that this state shall make no payments to members of the ( ) national guard in the case of service for which the United States government makes payment.

Section 2. Sec. 39-1-61 Utah Code Annotated 1953, is enacted to read: There is hereby created a national guard advisory board consisting of the adjutant general, the commander of troops, brigade, wing, corps artillery, regiment, group, separate battalion and squadron commanders. The purpose of the national guard advisory board is to keep the governor of the state informed as to the status of the national guard and to make recommendations as to the needs of the national guard. The board shall meet at least once each year on call of the adjutant general. It shall make a written report, prior to December 1 of each year, to the governor with recommendations concerning the status of training of national guard units, state training facilities, armories, composition and location of units, recruiting and strength, morale and wel-

fare, local community cooperation and such other matters as the board may deem advisable. The board shall be authorized to reimburse mem-

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bers of the board for reasonable expenses, including travel incurred in the course of their duties and shall be authorized to draw upon military department funds for such purposes. The board shall receive confidential reports from all unit commanders of the Utah national guard, if required, and shall receive voluntary confidential reports from regular army instructors.

On motion of Senator Fowles, the Senate resolved itself into a Committee of the Whole.

Colonel Max Rich appeared before the Committee of the Whole.

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

On motion of Senator Fowles, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE GOVERNOR

February 24, 1953

Dear Mr. President and Members of the Senate:

I am attaching *Enrolled Joint Memorials Nos. 1, 2, 3* and *4* which have been approved by the Wyoming Legislature and sent to my office for further distribution. I was requested to furnish copies of Memorials to both the Utah House and Senate, which I am doing herewith.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

Joint Memorials Nos. 1, 2, 3 and *4*, State of Wyoming, were referred to the Committee on Agriculture and Irrigation.

COMMUNICATIONS FROM THE HOUSE

February 24, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor on the 23rd day of February, 1953, did approve and transmit to the Secretary of State, *H. B. No. 3*, by Messrs. Hopkins, C. E. Peterson, Patterson, Monson, Conover, Fullmer, Davis, Gardner, Jones, Sheffield, Barlow, Sevy, Thomas, G. Douglas Taylor, Lester Taylor, Butters, Poulson, Bunderson, Brian, Esplin, Froerer, C. Wilford Larsen, Lionel L. Peterson, Kerr, and Wm. E. Anderson, entitled:

AN ACT AMENDING SECTION 59-14-7, UTAH CODE ANNOTATED, 1953, AND AMENDING 59-14-16, UTAH CODE ANNOTATED, 1953, PROVIDING WHO MUST FILE INCOME TAX RETURNS AND PROVIDING FOR CREDITS AGAINST NET INCOME.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 24, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 20th day of February, 1953, approve and transmit to the Secretary of State, *H. B. No. 7*, by Messrs. Edward C. Larsen, Froerer, Gardner, Elswood, and Barlow, entitled:

AN ACT AMENDING SECTIONS 55-6-19 AND 55-6-20, UTAH CODE ANNOTATED, 1953, RELATING TO THE ADMISSION OF INDIGENT PUBLIC PATIENTS AND NONINDIGENT PATIENTS TO THE TUBERCULOSIS SANATORIUM.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 19, 1953

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. 21*, by Messrs. Gibson, Mabey and Day, entitled:

AN ACT AMENDING SECTION 7-12-1, UTAH CODE ANNOTATED 1953, RELATING TO BANKS AND LOAN AND TRUST COMPANIES REMAINING CLOSED ON SATURDAYS AND PROVIDING THAT ACTS APPOINTED TO BE DONE ON A SATURDAY, WHEN

THE BANK, LOAN AND TRUST COMPANY, OR BRANCH THEREOF, IS CLOSED, MAY BE PERFORMED ON THE NEXT SUCCEEDING BUSINESS DAY, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 21 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 20, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and House, *S. B. No. 66*, by Messrs. Mabey and Woolley, entitled:

AN ACT ESTABLISHING A STATE WATER POLLUTION CONTROL BOARD TO CONTROL, PREVENT AND ABATE THE POLLUTION OF SURFACE AND UNDERGROUND WATERS OF THE STATE; DECLARING A STATE POLICY FOR WATER POLLUTION; SPECIFYING THE POWERS AND DUTIES OF A WATER POLLUTION BOARD OF NINE MEMBERS; PROVIDING FOR THE SELECTION OF BOARD MEMBERS; PROVIDING FOR THE CLASSIFICATION OF WATER; DEFINING ENFORCEMENT, INSPECTION AND INVESTIGATIONS, MAKING AN APPROPRIATION FOR THE PURPOSES OF THIS ACT AND PROVIDING FOR PENALTIES AND COURT REVIEW, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, the Senate concurred in the House amendments as noted on page 3 of *S. B. No. 66*.

On motion of Senator Mabey, the Senate refused to concur with the House amendments on pages 6 and 7 and requested the House to recede from these amendments.

February 24, 1953

Mr. President:

I am directed 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. 86*, by Messrs. Day, Hafen, Burton, Jenkins and Fowles, entitled:

AN ACT AMENDING SECTION 44-1-10, UTAH CODE ANNOTATED, 1953, RELATING TO NEGOTIABLE INSTRUMENTS WHEN

PAYABLE TO BEARER AND MAKING IT PAYABLE TO A NAMED LIVING PERSON UNDER CERTAIN CONDITIONS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 96 was transmitted to the Governor.

February 24, 1953

Mr. President:

I am directed 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. 92*, by Messrs. Tietjen, Hafen and Openshaw, entitled:

AN ACT AMENDING SECTIONS 59-13-22 AND 59-13-25, UTAH CODE ANNOTATED 1953, RELATING TO THE TIME FOR FILING RETURNS AND PAYMENT OF CORPORATE FRANCHISE AND PRIVILEGE TAXES AND CHANGING THE DATES FOR SUCH FILING AND PAYMENT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 92 was transmitted to the Governor.

February 20, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate Amendments to *H. B. No. 14*, by Mr. W. G. Larson, entitled:

AN ACT AMENDING SECTIONS 27-1-29 AND 27-1-30, UTAH CODE ANNOTATED 1953, RELATING TO MAXIMUM WEIGHTS OF MOTOR VEHICLES AND COMBINATIONS OF VEHICLES DRIVEN OR MOVED ON ANY HIGHWAY AND PROVIDING FOR ENFORCEMENT THEREOF, PENALTIES AND DISTRIBUTION OF FINES, and requests the Senate to recede from its amendments.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

The Senate voted not to recede from its amendments and the President appointed a Conference Committee consisting of Senators Hopkin, Thorn and Kerr, to confer with a like committee from the House with reference to said amendments.

February 20, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. C. R. No. 1*, by Messrs. White, Dunn, Postma, Kerr, C. E. Peterson and Lundell, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO PASS AN ACT REQUIRING IMPORTED TROUT SOLD IN THE UNITED STATES BE LABELED AS TO ORIGIN AND DATE OF PROCESSING AND IMPOSING FINE FOR FAILURE TO COMPLY OR FOR WRONGFUL REMOVAL OF SAID LABELS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. C. R. No. 1 was read the first time and referred to the Committee on Fish and Game.

February 24, 1953

Mr. President:

I am directed 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 Mr. W. G. Larson, entitled:

AN ACT AUTHORIZING AND DIRECTING THE STATE ROAD COMMISSION TO CONSTRUCT INSPECTION AND CHECKING STATIONS FOR HIGHWAY PURPOSES ON U. S. DESIGNATED HIGHWAYS AND DIRECTING THE STATE HIGHWAY PATROL TO OPERATE AND MAINTAIN SUCH STATIONS AND CLASSIFY AND DEPUTIZE PERSONNEL THEREFOR, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 24, 1953

Mr. President:

I am directed 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 Mr. W. G. Larson, entitled:

AN ACT AMENDING SECTION 27-6-1, UTAH CODE ANNOTATED 1953, RELATING TO DESIGNATION OF STATE ROADS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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.

February 24, 1953

Mr. President:

I am directed 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. Sheffield, Lionel L. Peterson and Harold V. Davis, entitled:

AN ACT RELATING TO THE APPOINTMENT OF NOMINEES BY BANKING INSTITUTIONS AND TRUST COMPANIES ACTING IN A FIDUCIARY CAPACITY AND AUTHORIZING INVESTMENTS TO BE HELD IN THE NAME OF A NOMINEE AND REQUIRING SUCH BANKS AND TRUST COMPANIES TO KEEP PROPER RECORDS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 19 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 24, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 22*, by Messrs. Kerr, Edward C. Larsen, and Postma, entitled:

AN ACT AMENDING SECTIONS 8-1-6, 8-1-7, 8-1-12 AND 8-1-20, UTAH CODE ANNOTATED 1953, RELATING TO THE CREATION,

ORGANIZATION AND MAINTENANCE OF CEMETERY DISTRICTS AND PROVIDING FOR THE LEVYING OF TAXES BY THE CEMETERY BOARDS THEREOF, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 22 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 20, 1953

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. Durham and Sheffield, entitled:

AN ACT TO BE KNOWN AS SECTION 76-9-9, UTAH CODE ANNOTATED 1953, PROVIDING FOR PUNISHMENT FOR UNLAWFUL ENTRY, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 59 was read the first time and referred to the Committee on Judiciary.

February 20, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 60*, by Messrs. Durham and Sheffield, entitled:

AN ACT AMENDING SECTION 77-21-31, UTAH CODE ANNOTATED 1953, 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,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 60 was read the first time and referred to the Committee on Judiciary.

February 20, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 95*, by Mr. Conover, Mrs. Cazier, Messrs. Crofts, C. W. Larsen and Young, entitled:

AN ACT AMENDING SECTION 45-1-2, UTAH CODE ANNOTATED 1953, RELATING TO THE LEGAL PUBLICATION RATE FOR PUBLISHING MATTER REQUIRED BY LAW TO BE PUBLISHED, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 95 was read the first time and referred to the Committee on Judiciary.

February 20, 1953

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. 96*, by Messrs. Conover, Mrs. Cazier, Messrs. Crofts, C. Wilford Larsen, and Young, entitled:

AN ACT AMENDING SECTION 20-11-18 UTAH CODE ANNOTATED 1953, RELATING TO THE PUBLICITY TO BE GIVEN PROPOSED ACTS OR LAWS SUBMITTED BY INITIATIVE OR REFERENDUM, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 96 was read the first time and referred to the Committee on State and Municipal Affairs.

February 20, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 124*, by Messrs. Rowberry, R. Clair Anderson and L. L. Peterson, entitled:

AN ACT APPROPRIATING $10.000.00 TO THE STATE BOARD OF AGRICULTURE TO PROVIDE A PROGRAM OF MORMON CRICKET - GRASSHOPPER ERADICATION AND CONTROL IN CO-

OPERATION WITH FEDERAL OR STATE AGENCIES, COUNTIES, MUNICIPALITIES, FIRMS, CORPORATIONS OR INDIVIDUALS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 124 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 20, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 130*, by Messrs. Postma and Monson, entitled:

AN ACT RELATING TO LIENS ON PERSONAL PROPERTY FOR SERVICES RENDERED BY DRY CLEANING ESTABLISHMENTS, LAUNDRIES, STORAGE ESTABLISHMENTS, AND SHOE REPAIR SHOPS, PROVIDING FOR LIENS, SALE OF UNCLAIMED PERSONAL PROPERTY, NOTICE TO OWNER, DISPOSITION OF PROCEEDS OF SALE AND POSTING OF NOTICES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 130 was read the first time and referred to the Committee on Revenue and Taxation.

February 19, 1953

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. Bunderson, Barlow, Sanders and Young, entitled:

AN ACT AMENDING SECTIONS 62-1-4, 62-1-5 AND 62-1-7, UTAH CODE ANNOTATED 1953, RELATING TO SOIL CONSERVATION DISTRICTS; MAKING THE PRESIDENT OF THE STATE ASSOCIATION OF SOIL CONSERVATION DISTRICTS MEMBER OF STATE SOIL CONSERVATION COMMITTEE, POWER TO CREATE CHANGE OF BOUNDARIES AND FILLING VACANCIES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 149 was read the first time and referred to the Committee on Agriculture and Irrigation.

REPORTS OF STANDING COMMITTEES

February 24, 1953

Mr. President:

Your Committee on Welfare, to which was referred *S. B. No. 154*, by Messrs. Gibson, Hopkin and Thorn, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

S. B. No. 154 was referred to the Sifting Committee.

February 24, 1953

Mr. President:

Your Committee on Welfare to which was referred *S. B. No. 214*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

C. TAYLOR BURTON,
Chairman

Report filed.

S. B. No. 214 was referred to the Sifting Committee.

February 24, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. B. No. 224*, by Mr. Tippetts, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

S. B. No. 224 was referred to the Sifting Committee.

February 24, 1953

Mr. President:

Your Committee on Public Institutions, to which was referred *S. B. No. 218*, by Mr. Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

GRANT S. THORN,
Chairman

Report filed.

S. B. No. 218 was referred to the Committee on Appropriations and Claims.

February 24, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *H. J. R. No. 5*, by Messrs. Young, Sanders, Brotherson, Hopkins, Messinger, Gardner, Brian, Kerr, Esplin, White, Frandsen, Bunderson, Dunn, Sevy, L. L. Peterson, Conover, Dalebout, Patterson, R. C. Anderson, Gunther, Redd, Monson, Rowberry, Russell, Postma, Mrs. Cazier, Messrs. Fullmer, Crofts, C. W. Larsen, and L. B. Johnson, has carefully considered said bill and reports the same out without recommendation.

Senator Watson dissented from the committee's report and voted that the recommendation be favorable.

Respectfully,

EDWIN B. CANNON,
Chairman

Report filed.

H. J. R. No. 5 was referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

February 24, 1953

Mr. President:

Your Special Committee to whom the Elementary School Survey was assigned for study desires to report that inasmuch as the survey and study was made by assignment from and under the direction of the Legislative Council it is the conclusion of the committee that if any recommendations of the Survey Commission or suggested bills in connection therewith are to be considered or introduced in this phase of the Legislature that the same should be by and with the consent and approval of the Legislative Council.

Such being the case, it is the feeling and recommendation of the Special Committee that the entire survey together with the 25 suggested bills be turned over to the Legislative Council and that the Council make its recommendations to this Honorable Body.

Respectfully,

EDWIN B. CANNON, Chairman
ALONZO F. HOPKIN
LUKE CLEGG

Report adopted and filed.

COMMUNICATIONS

February 24, 1953

President Mark Paxton
Senate Chamber
Capitol Building
Salt Lake City, Utah

Dear President Paxton:

I have been instructed by the Legislative Council to address this communication to you advising of the Council action in regard to the very important Public School Survey study and the Teacher Retirement-Social Security integration study, which is of vital concern to the Legislature.

After careful consideration, the Legislative Council this day passed the following motion:

"That because of the extremely late date in completing a tentative summary of the Public School Survey, the Legislative Council has not had the opportunity of reviewing the findings of the Survey Commission and preparing a legislative program for the consideration of the Legislature; therefore, the Council is of the opinion that sufficient time should be allowed to review the findings of the Commission and prepare a legislative program, including proper financing recommendations."

The Council also passed a motion to the effect that "the study of the Teacher Retirement-Social Security integration is not yet complete and cannot be completed for some time and it is the opinion of the Council that this important matter be given further consideration along with the public school problems to be recommended at a later date."

The Council is not yet prepared to make specific recommendations on these important matters without sufficient time for careful study.

Very truly yours,

ALONZO F. HOPKIN, Chairman,
Utah Legislative Council

Communication filed.

On motion of Senator Muir, the rules were suspended and the Senate voted unanimous approval to present the following resolution:

PRESENTATION OF RESOLUTIONS

S. R. No. 2 By Mr. Muir

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF E. A. PARSON, was read the first time.

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

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Mabey, Muir, Selvin, Stringham, Watson, Woolley and Mr. President.

Absent and not voting: Senators Jenkins, Kerr, Openshaw, Thorn, Tietjen and Tippetts.

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

On motion of Senator Hopkin, the enacting clause of *S. B. Nos. 238* and *239* were struck.

UNFINISHED BUSINESS

S. B. No. 163, being unfinished business, was before the Senate for its consideration.

On motion of Senator Fowles, *S. B. No. 163* was amended as follows:

Page 1, line 1, strike the numerals "39-1-26,".

Page 4, line 26, after the word "receive", strike the word "the".

Strike lines 27, 28 and the beginning of line 29 to and including "United States".

Page 4, line 26, after the word "receive", insert the following: "a salary of $6,000.00 per year".

Page 5, line 5, after the word "receive", strike the remainder of the line, all of lines 6 and 7 and line 8 to and including "United States", and insert in lieu thereof: "a salary of $5,000.00 per year".

Page 5, line 14, after the word "receive" strike "the pay, less", all of lines 15, 16 and 17, to and including "United States", and insert in lieu thereof "a salary of $7,200.00 per year".

Page 5, strike lines 22 to 33 inclusive.

Page 6, strike lines 1 and 2.

On motion of Senator Fowles, the title of *S. B. No. 163* was amended as follows:

Line 1, strike the numerals "39-1-26,".

Lines 13 and 14, strike the following: "THE DUTIES, QUALIFICATIONS AND SALARY OF THE ASSISTANT QUARTERMASTER;".

S. B. No. 163 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Gibson, Jenkins, Kerr, Tietjen and Tippetts.

On motion of Senator Thorn, a call of the Senate was made.

On motion of Senator Cannon, the call of the Senate was lifted.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 40 was read the second time.

Committee report read and adopted.

On motion of Senator Thorn, *S. B. No. 40* was amended as follows:

Page 3, following line 24, insert the following sub-section "(14), Buildings, Grounds, and Lands for use of private educational institutions of collegiate grade within the State of Utah which are not conducted for profit."

On motion of Senator Thorn, the title was amended as follows:

Page 1, line 7, following "1953" insert a comma and the following: *"AND ENACTING A NEW SUBSECTION TO BE KNOWN AS (14) PROVIDING THAT THE RIGHT OF EMINENT DOMAIN MAY BE EXERCISED BY EDUCATIONAL INSTITUTIONS OF COLLEGIATE GRADE WITHIN THE STATE OF UTAH WHEN THE INSTITUTION IS NOT CONDUCTED FOR PROFIT"*.

On motion of Senator Day, the rules were suspended and *S. B. No. 40* was read the third time and placed on its final passage.

S. B. No. 40 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Watson, Woolley and Mr. President.

Absent and not voting: Senators Tietjen and Tippetts.

S. B. No. 40 was transmitted to the House.

On motion of Senator Thorn, *S. B. No. 80* was tabled.

S. B. No. 74 was read the second time.

Committee report read and adopted.

On motion of Senator Fowles, *S. B. No. 74* was amended as follows:

Page 1, line 3, after the word "fund", strike "twenty-five" and insert in lieu thereof: "fifty".

Line 7, after the word "added ()", strike the word "two" and insert in lieu thereof: "five".

Line 8, after the word "state", insert the following: "together with a like amount or matching fund from each city, town and county having paid firemen".

Line 11, after the word "of ()" strike the word "three" and insert in lieu thereof: "five".

Page 2, line 1, after the word "same" insert the following: "together with a like or matching sum to be paid by such city, town or county."

Page 2, line 6, after the word "Fund", insert the following:

"A paid fireman, after one year of service, and upon termination of his

A paid fireman, after one year of service, and upon termination of his employment for any cause, shall be refunded by the State Treasurer 60% of the amount contributed by him from his salary deductions, providing neither such fireman or any member of his family qualify for or are entitled to receive benefits under this Act by reason of such employment or termination.

Within six months after and as of June 30, 1958, and not to exceed six-year periods after that date, the Commission of Finance shall make an actuarial investigation into the mortality, service and other experience among the beneficiaries of this pension, and shall make an actuarial valuation of the assets and liabilities of the Utah Firemen's Pension Fund. Upon the basis of any or all of such investigation, valuation, and determination, but only on the recommendations of a qualified actuary, said Commission of Finance shall recommend to the legislature any change in the contributions into the fund as shall be deemed necessary, — the cost of the investigation to be charged to the said pension fund."

On motion of Senator Gibson, *S. B. No. 74* was amended as follows:

Page 3, line 28, strike the figure "3" and insert in lieu thereof "5".

S. B. No. 74 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, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Mabey, Openshaw, Selvin, Stringham, Thorn, Watson and Mr. President.

Absent and not voting: Senators Kerr, Muir, Tietjen, Tippetts and Woolley.

S. B. No. 86 was read the second time.

Committee report read and adopted.

On motion of Senator Hopkin, *S. B. No. 86* was amended as follows:

Page 2, line 1, after the period insert the following: "Nothing herein provided shall be construed so as to require the closing or abandonment of that part of State Route 65 which lies within the boundaries hereinabove described, or so as to affect the present easement held by the State Road Commission of Utah for purposes of maintaining State Route 65."

On motion of Senator Clegg, the rules were suspended and *S. B. No. 86* was read the third time and placed on its final passage.

S. B. No. 86 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Woolley and Mr. President.

Absent and not voting: Senator Openshaw, Tietjen, Tippetts and Watson.

S. B. No. 86 was transmitted to the House.

S. B. No. 109 was read the second time.

Committee report read and adopted.

On motion of Senator Mabey, the rules were suspended and *S. B. No. 109* was read the third time and placed on its final passage.

S. B. No. 109 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Woolley and Mr. President.

Absent and not voting: Senators Openshaw, Tietjen, Tippetts and Watson.

S. B. No. 109 was transmitted to the House.

S. B. No. 138 and *18* were referred back to the Sifting Committee in compliance with that committee's report, as adopted on the 36th Legislative day.

On motion of Senator Adams, the Senate adjourned until Wednesday, February 25, 1953, at 10:00 A.M.

FORTY-FIFTH DAY

MORNING SESSION

February 25, 1953

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

Roll Call – All Senators present except Senator Tippetts, excused.

Prayer by the Chaplain.

February 25, 1953

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 amendments noted on the final copy.

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 24, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved *S. B. No. 35*, by Messrs. Hammond, Day, Tippetts, Selvin, Clegg, and Fowles, entitled:

AN ACT AMENDING SECTION 39-2-7, UTAH CODE ANNOTATED 1953, RELATING TO THE MILITARY FUND OF THE STATE ARMORY BOARD AND AUTHORIZING SAID BOARD TO EXPEND

MONEYS IN THE MILITARY FUND FOR THE PURPOSE OF CONSTRUCTING NEW ARMORIES, on February 21, 1953, and I am transmitting it to the Secretary of State as of this date.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

February 24, 1953

Mr. President:

I am directed to inform your Honorable Body that on the 22nd day of February 1953, the Governor did veto *H. B. No. 11*, by Mr. W. G. Larson, entitled:

AN ACT AMENDING SECTION 41-11-6, UTAH CODE ANNOTATED 1953, RELATING TO A TAX UPON THE SALE AND USE OF MOTOR FUELS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 24, 1953

Mr. President:

I am directed to inform your Honorable Body that on the 22nd day of February 1953, the Governor did veto *H. B. No. 15*, by Mr. W. G. Larson, entitled:

AN ACT AMENDING SECTION 41-11-50, UTAH CODE ANNOTATED 1953, RELATING TO A TAX ON THE SALE OR USE OF FUEL FOR PROPELLING VEHICLES ON THE HIGHWAYS OF THE STATE.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 24, 1953

Mr. President:

I am directed to inform your Honorable Body that on the 22nd day of February 1953, the Governor did veto *H. B. No. 25*, by Messrs. Gardner, Kerr, L. B. Johnson, Edward C. Larsen, W. G. Larson and Hopkins, entitled:

AN ACT AMENDING SECTIONS 27-2-17 AND 27-2-18, UTAH CODE ANNOTATED 1953, RELATING TO THE MOTOR VEHICLE REGISTRATION FUND AND MAKING APPROPRATIONS THERETO.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 24, 1953

Mr. President:

I am directed to inform your Honorable Body that on the 22nd day of February 1953, the Governor did veto *H. B. No. 26*, by Messrs. Gardner, Kerr, L. Johnson, E. C. Larsen, W. G. Larson, and Hopkins, entitled:

AN ACT AMENDING SECTION 41-1-141, UTAH CODE ANNOTATED 1953, RELATING TO THE DISPOSITION OF MOTOR VEHICLES REGISTRATION FUNDS AND PROVIDING FOR APPROPRIATIONS THEREFROM.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

February 25, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor on the 24th day of February, 1953, did not approve but did transmit to the Secretary of State, *H. B. No. 47*, by Messrs. Jones, Sheffield, and Cope, entitled:

AN ACT TO PLACE THE SUBORDINATES OF THE HEALTH DEPARTMENTS OF CITIES OF THE FIRST CLASS UNDER CIVIL SERVICE BY AMENDING SECTIONS 10-10-9, 10-10-10 AND 10-10-19, UTAH CODE ANNOTATED 1953.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

REPORTS OF STANDING COMMITTEES

February 24, 1953

Mr. President:

Your Committee on Education to which was referred *S. B. No. 223*, by Messrs. Hopkin and Kerr, has carefully considered said bill and reports the same out favorably.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

S. B. No. 223 was referred to the Sifting Committee.

February 24, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 2,* entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF E. A. PARSON, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

D. E. HAMMOND,
Acting Chairman

Report filed.

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

February 25, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 21,* by Messrs. Gibson, Mabey and Day, entitled:

AN ACT AMENDING SECTION 7-12-1, UTAH CODE ANNOTATED 1953, RELATING TO BANKS AND LOAN AND TRUST COMPANIES REMAINING CLOSED ON SATURDAYS AND PROVIDING THAT ACTS APPOINTED TO BE DONE ON A SATURDAY, WHEN THE BANK, LOAN AND TRUST COMPANY, OR BRANCH THEREOF, IS CLOSED, MAY BE PERFORMED ON THE NEXT SUCCEEDING BUSINESS DAY, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

ORVAL HAFEN,
Acting 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 25, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 53,* by Messrs. Mabey, Hopkin, Fowles, Watson, Jenkins, Kerr, Day and Tippetts, entitled:

AN ACT AMENDING SECTIONS 73-9-13, 73-9-17, 73-9-18, 73-9-20, 73-9-25, AND 73-9-31, UTAH CODE ANNOTATED 1953, RELATING TO WATER CONSERVANCY DISTRICTS, INCLUDING THE POWERS

OF BOARDS OF DIRECTORS OF SUCH DISTRICTS, ALLOTMENT OF WATER BY SUCH DISTRICTS TO MUNICIPALTIES AND TO IRRIGATION DISTRICTS, THE LEVYING OF TAXES AND ASSESSMENTS TO PAY DEFICIENCIES, THE DISPOSAL OF WATER UNDER TERM CONTRACTS AND THE ISSUANCE OF BONDS, AND ADDING A NEW SECTION TO BE NUMBERED 73-9-42, UTAH CODE ANNOTATED 1953, RELATING TO VALIDATING THE CREATION AND ORGANIZATION OF SUCH DISTRICTS AND PROCEEDING HERETOFORE HELD THEREIN FOR THE AUTHORIZATION OF CONTRACTS AND BONDS, VALIDATING CONSTRUCTION CONTRACTS HERETOFORE ENTERED INTO BY SUCH DISTRICTS AND MAKING CERTAIN FINDINGS WITH RESPECT TO BENEFITS TO ACCRUE TO TAXABLE PROPERTY THEREIN, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

ORVAL HAFEN,
Acting Chairman

Report filed.

S. B. No. 53 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

REPORTS OF SPECIAL COMMITTEES

February 25, 1953

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 138 and 18 and H. B. Nos. 110, 111, 42, 43, and 91 and S. B. No. 207, 103, 104, 62, 63, 134, 135, and H. B. No. 99.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 41 was read the third time and placed on its final passage.

On motion of Senator Adams, *S. B. No. 41* was amended as follows:

Page 2, in lines 25 and 26, strike "within six months of the effective date of this act."

Page 3, line 18, strike the words "upon approval" and insert in lieu thereof "July 1, 1953".

S. B. No. 41 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Hopkin, Kerr, Thorn, Tippetts and Watson.

S. B. No. 41 was transmitted to the House.

S. B. No. 37 was read the third time and placed on its final passage.

On motion of Senator Day, *S. B. No. 37* was amended as follows:

Page 1, line 4, after the first word "class" delete the words "to be fixed by the mayor of the city with the consent of the governing body thereof at not less than 5,000 and not more than 6500".

S. B. No. 37 then passed on the following roll call:

Ayes, 15; Nos, 2; Absent, 6.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Mabey, Openshaw, Selvin, Tietjen and Woolley.

Those voting in the negative were: Senators Muir and Mr. President.

Absent and not voting: Senators Gibson, Kerr, Stringham, Thorn, Tippetts and Watson.

S. B. No. 37 was transmitted to the House.

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, 15; Nos, 0; Absent, 8.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Muir, Openshaw, Tietjen, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Kerr, Mabey, Selvin, Stringham, Thorn, Tippetts and Watson.

S. B. No. 49 was transmitted to the House.

S. B. No. 163 was read the third time and placed on its final passage.

On motion of Senator Woolley, *S. B. No. 163* was amended as follows:

Page 5, line 14, strike the figure "7,200.00" and insert in lieu thereof the figure "6,000.00".

On motion of Senator Fowles, *S. B. No. 163* was amended as follows:

Page 4, line 26, delete the figure "6,000.00" and insert in lieu thereof the figure "5,500.00".

S. B. No. 163 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Tietjen, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Stringham, Thorn, Tippetts and Watson.

S. B. No. 163 was transmitted to the House.

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, 18; Nos, 0; Absent, 5.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Tietjen, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Stringham, Thorn, Tippetts and Watson.

S. B. No. 74 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 138 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen, *S. B. No. 138* was amended as follows:

Page 2, line 8, insert after "15-1-2a." the words "A. Definitions—".

Page 3, line 16, after the word "Insurance" insert the words, "and optional benefits".

Line 31, insert "B. Requirements" at beginning of line.

Line 31, before the word "Every" insert the figure "(1)".

Page 4, line 6, delete the number "(1)" and insert in lieu thereof the letter "(a)".

Line 8, delete the number "(2)" and insert the letter "(b)".

Line 17, delete the number "(3)" and insert "(c)".

Line 18, delete the number "(1)" and insert "(a)"; delete the number "(2)" and insert in lieu thereof the letter "(b)".

Line 19, delete the number "(4)" and insert "(d)".

Line 21, delete the number "(5)" and insert "(e)".

Line 25, delete the number "(6)" and insert "(f)".

Line 26, delete the number "(3)" and insert "(c)" and delete the number "(4)" and insert "(d)"; delete the number "(5)" and insert in lieu thereof the letter "(e)".

Line 27, delete the number "(7)" and insert "(g)".

Line 28, delete the number "(8)" and insert "(h)".

Line 29, delete the number "(6)" and insert "(f)" and delete the number "(7)" and insert "(g)".

Line 30, delete the number "(9)" and insert "(i)".

Line 33, before the words "If any" insert the number "(2)".

Page 5, line 7, before the words "The amount" insert the number "(3)".

Line 16, before the words "Any provision" insert the number "(4)".

Page 6, line 2, before the words "If the seller" insert the number "(5)".

Line 14, before the words "If the holder" insert the number "(6)".

Line 20, before the words "The provisions" insert the number "(7)".

On motion of Senator Mabey, *S. B. No. 138* was amended as follows:

Page 1, line 10, strike the word "further"; transpose all underlined material following the semi-colon in line 10 and all of lines 11 to 18 inclusive, to line 6 following the word "provided".

Page 1, line 6, after the word "provided" insert the word "further".

On motion of Senator Hafen, *S. B. No. 138* was amended as follows:

Page 1, line 3, following "15-1-2" insert the words "Maximum rates."

S. B. No. 138 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, Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Hopkin, Thorn, Tippetts and Watson.

On motion of Senator Clegg, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE HOUSE

February 25, 1953

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 Messrs. Wm. E. Anderson, Cope, Russell, Sanders, Dalebout and W. G. Larson, entitled:

A JOINT RESOLUTION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE STATE OF UTAH, OF CONDOLENCE TO CHARLES J. PIERCEY AND MRS. L. P. O'BRIEN UPON THE DEATH OF THEIR MOTHER, MRS. ANNA THOMAS PIERCEY, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 21 was read the first time.

On motion of Senator Day, 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, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Hopkin, Thorn and Tippetts.

H. J. R. No. 21 was returned to the House.

February 24, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 116*, by Messrs. Jacobsen,

C. E. Peterson, Sheffield, Hopkins, Young, W. E. Anderson, Patterson, Postma, Dunn, L. B. Johnson, Fullmer, Dalebout, Gardner, G. D. Taylor, Sanders, Bunderson, C. W. Larsen, White, Esplin, Durham, Barlow, H. V. Davis, Froerer, L. L. Peterson, R. C. Anderson, Butters, Thomas, Jones, Kerr, Brian, Brotherson, Monson, entitled:

AN ACT TO PROTECT THE RIGHT TO WORK AND TO DECLARE THE PUBLIC POLICY OF THE STATE OF UTAH WITH RESPECT TO MEMBERSHIP OR NONMEMBERSHIP IN LABOR ORGANIZATIONS AS AFFECTING THE RIGHT TO WORK; TO MAKE UNLAWFUL AND TO PROHIBIT CONTRACTS OR COMBINATIONS WHICH REQUIRE MEMBERSHIP IN LABOR UNIONS, ORGANIZATIONS OR ASSOCIATIONS AS A CONDITION OF EMLPOYMENT; TO PROVIDE THAT MEMBERSHIP IN OR PAYMENT OF MONEY TO ANY LABOR ORGANIZATION OR ASSOCIATION SHALL NOT BE NECESSARY FOR EMPLOYMENT OR FOR CONTINUATION OF EMPLOYMENT AND TO AUTHORIZE SUITS FOR DAMAGES. THIS ACT SHALL BE KNOWN AS THE "RIGHT TO WORK ACT.", and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 116 was referred to the Sifting Committee.

February 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 146*, by Messrs. Jacobsen, Thomas, Davis, Sheffield, Sanders, G. D. Taylor, Barlow, Gardner, Froerer, Young, Esplin, Fullmer, Brian, R. C. Anderson, L. L. Peterson, Kerr, Sevy, Bunderson, Dalebout, C. W. Larsen, Butters, Jones, Conover, Crofts, J. H. Johnson, Postma, and Brotherson, entitled:

AN ACT AMENDING SECTION 34-1-2, PARAGRAPH (2), UTAH CODE ANNOTATED 1953, AS AMENDED, PROVIDING THAT A NONPROFIT CORPORATION OR ASSOCIATION OPERATING AS A HOSPITAL SHALL NOT BE TERMED AN EMPLOYER, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 146 was referred to the Sifting Committee.

February 25, 1953

Mr. President:

I am directed 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. 23*, by Mr. W. G. Larson, entitled:

AN ACT REPEALING SECTIONS 55-2-2, 55-2-20 AND 55-2-33, UTAH CODE ANNOTATED 1953, AND AMENDING SECTIONS 55-2-4, 55-2-5, 55-2-10, 55-2-13 AND 55-2-29, UTAH CODE ANNOTATED 1953, RELATING TO THE TRANSFER OF PROPERTY BY APPLICANTS AND RECIPIENTS OF PUBLIC ASSISTANCE, PROVIDING FOR AN AFFIDAVIT BY APPLICANTS AND RECIPIENTS OF ALL PROPERTY HELD, LIMITING THE AMOUNT OF PROPERTY A RECIPIENT MAY OWN, INCREASING THE LEGAL MAXIMUM FOR A SINGLE-PERSON CASE, PROVIDING FOR THE TAKING OF LIENS ON REAL PROPERTY AND A METHOD BY WHICH THE AMOUNT OF SUCH LIENS IS DETERMINED, AND THE TIME AT WHICH SUCH LIENS ARE TO BE SATISFIED, AND AUTHORIZING THE ASSIGNMENT OF FINAL ASSISTANCE CHECKS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 23 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 25, 1953

Mr. President:

I am directed 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. 18*, by Mr. W. G. Larson, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF W. I. (COTTON) LOWE, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. 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 Secretary of State.

REPORTS OF STANDING COMMITTEES

February 25, 1953

Mr. President:

Your Committee on Banking and Commerce, to which was referred *S. B. No. 216*, by Mr. Cannon, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report filed.

S. B. No. 216 was referred to the Sifting Committee.

February 25, 1953

Mr. President:

Your Committee on Fish and Game to which was referred *H. C. R. No. 1*, by Messrs. White, Dunn, Postma, Kerr, C. E. Peterson and Lundell, has carefully considered said bill and reports the same out favorably.

Respectfully,

VERN B. MUIR,
Chairman

Report filed.

H. C. R. No. 1 was referred to the Sifting Committee.

February 24, 1953

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 226*, by Mr. Woolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

VERN B. MUIR,
Chairman

Report filed.

S. B. No. 226 was referred to the Sifting Committee.

February 24, 1953

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 227*, by Mr. Woolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

VERN B. MUIR,
Chairman

Report filed.

S. B. No. 227 was referred to the Sifting Committee.

February 25, 1953

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 228*, by Mr. Woolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

VERN B. MUIR,
Chairman

Report filed.

S. B. No. 228 was referred to the Sifting Committee.

February 25, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *H. B. No. 130*, by Messrs. Postma and Monson, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,
Chairman

Report filed.

H. B. No. 130 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Woolley, the title of *S. B. No. 18* was amended as follows:

Page 1, line 3, following "32-6-4.2" insert ", 32-6-4.3".

On motion of Senator Fowles, the rules were suspended and *S. B. No. 18* was read the third time and placed on its final passage.

S. B. No. 18 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Mabey, Muir, Selvin, Stringham, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Hopkin, Kerr, Openshaw, Thorn and Tippetts.

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

H. B. No. 110 was read the second time.

Committee report read and adopted.

On motion of Senator Muir, the rules were suspended and *H. B. No. 110* was read the third time and placed on its final passage.

H. B. No. 110 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Hopkin, Kerr, Thorn and Tippetts.

H. B. No. 110 was returned to the House.

H. B. No. 111 was read the second time.

Committee report read and adopted.

On motion of Senator Clegg, 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, 16; Nos, 1; Absent, 6.

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Stringham, Tietjen, Watson and Mr. President.

Voting in the negative was Senator Cannon.

Absent and not voting: Senators Gibson, Hopkin, Selvin, Thorn, Tippetts and Woolley.

H. B. No. 111 was returned to the House.

H. B. No. 42 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.

Mr. George H. Smeed appeared before the Committee of the Whole.

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

On motion of Senator Day, *H. B. Nos. 42* and *43* were tabled.

On motion of Senator Mabey, the Senate recessed for twenty minutes.

The Senate re-assembled.

President Paxton appointed a committee consisting of Senators Burton, Fowles and Stringham to consider and make recommendations concerning *H. B. Nos. 42* and *43*.

H. B. No. 91 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen, *H. B. No. 91* was amended as follows:

Page 1, line 1, after the words "out of" insert the word "physical".

Page 1, line 6, after the word "person" insert "or the personal representative of one meeting death".

H. B. No. 91 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, Burton, Clegg, Day, Gibson, Hafen, Hammond, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen, Watson, Woolley and Mr. President.

Those voting in the negative were: Senators Fowles and Kerr.

Absent and not voting: Senators Cannon (excused), Hopkin, Jenkins, Muir and Tippetts.

S. B. No. 207 was read the second time.

Committee report read and adopted.

On motion of Senator Openshaw, the Senate resolved itself into a Committee of the Whole.

Mr. Walter Green, consulting actuary, appeared before the Committee of the Whole.

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

S. B. No. 207 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, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Hopkin, Muir, Thorn and Tippetts.

S. B. No. 103 was read the second time.

Committee report read and adopted.

On motion of Senator Openshaw, *S. B. No. 103* was tabled.

S. B. No. 104 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the enacting clause of *S. B. No. 104* was struck.

S. B. No. 62 was read the second time.

Committee report read and adopted.

S. B. No. 62 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, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Hopkin, Muir and Tippetts.

S. B. No. 63 was read the second time.

Committee report read and adopted.

S. B. No. 63 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen and Watson.

Absent and not voting: Senators Gibson, Hopkin, Muir, Paxton, Tippetts and Woolley.

On motion of Senator Thorn, the Senate voted that after the end of the 45th Legislative day all bills introduced, or received from the House for Senate consideration, be referred to the Sifting Committee; also all bills in Standing Committees be lifted from the respective committees and referred to the Sifting Committee.

S. B. Nos. 134, 135 and *H. B. No. 99* were referred back to the Sifting Committee in compliance with that committee's report, as adopted on the 36th Legislative day.

President Paxton recognized the U. S. History Class, Provo High School, together with their teacher, Mr. Bert Asay, and students from the Judge Memorial High School, Salt Lake City, Utah.

On motion of Senator Mabey, the Senate adjourned until Thursday, February 26, 1953, at 10:00 A.M.

FORTY-SIXTH DAY

MORNING SESSION

February 26, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 26, 1953

Mr. President:

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

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

REPORTS OF SPECIAL COMMITTEES

February 26, 1953

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 134, and 135 and H. B. Nos. 146, 130, and 27 and S. B. Nos. 222, 223, and 12.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 138 was read the third time and placed on the final passage.

On motion of Senator Cannon, *S. B. No. 138* was amended as follows:

Page 6, line 20, delete all of lines 20 and 21 and insert in lieu thereof "7. The provisions of this act shall not apply to sales as defined herein in which the cash price is greater than $7500.00 nor to the sale of personal property as a component part of a contract for the sale of real estate."

On motion of Senator Cannon, the rules were suspended and the Senate voted to now consider *H. B. No. 91*.

H. B. No. 91 was read the third time and placed on its final passage.

On motion of Senator Hafen, *H. B. No. 91* was amended as follows:

Page 1, line 4, after the word "representatives" insert "or heirs".

Page 1, line 6, after the word "representatives" insert "or heirs".

Page 1, following line 8, add a new section: "Section 2. The act shall not be construed to be retroactive".

H. B. No. 91 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Clegg, Day, Gibson, Hafen, Hammond, Jenkins, Mabey, Muir, Openshaw, Selvin, Thorn, Tippetts and Watson.

Those voting in the negative were: Senators Adams, Fowles, Kerr, Stringham, Tietjen and Mr. President.

Absent and not voting: Senators Cannon (excused), Hopkin and Woolley.

H. B. No. 91 was returned to the House.

S. B. No. 207 was read the third time and placed on its final passage.

S. B. No. 207 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Watson and Mr. President.

Absent and not voting: Senators Hopkin, Tippets and Woolley.

S. B. No. 207 was transmitted to the House.

S. B. No. 62 was read the third time and placed on its final passage.

On motion of Senator Mabey, the Senate resolved itself into a Committee of the Whole.

Mr. Clyde Gooderham appeared before the Committee of the Whole.

On motion of Senator Mabey, the Committee of the Whole was dissolved.

On motion of Senator Tietjen, *S. B. No. 62* was amended as follows:

Page 3, beginning with the word "On" at the end of line 5, delete the balance of that line, all of lines 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, to and including the words "alcoholism fund" in line 16.

On motion of Senator Openshaw, *S. B. No. 62* was amended as follows:

Page 3, line 18, strike "6500" and insert in lieu thereof "125,000".

On motion of Senator Day, *S. B. No. 62* was amended as follows:

Page 3, line 18, strike "$125,000" and insert in lieu thereof "$150,000".

On motion of Senator Gibson, *S. B. No. 62* was tabled.

S. B. No. 63 was read the third time and placed on its final passage:

S. B. No. 63 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Voting in the negative was Senator Gibson.

Absent and not voting: Senators Adams, Kerr and Muir.

S. B. No. 63 was transmitted to the House.

On motion of Senator Mabey, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE GOVERNOR

February 26, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved *S. B. No. 92*, by Messrs. Tietjen, Hafen, and Openshaw, entitled:

AN ACT AMENDING SECTIONS 59-13-22 AND 59-13-25, UTAH CODE ANNOTATED 1953, RELATING TO THE TIME FOR FILING RETURNS AND PAYMENT OF CORPORATE FRANCHISE AND PRIVILEGE TAXES AND CHANGING THE DATES FOR SUCH FILING AND PAYMENT, on February 24, 1953, and I am transmitting it to the Secretary of State as of this date.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

February 26, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved *S. B. No. 96*, by Messrs. Day, Hafen, Burton, Jenkins and Fowles, entitled:

AN ACT AMENDING SECTION 44-1-10, UTAH CODE ANNOTATED, 1953, RELATING TO NEGOTIABLE INSTRUMENTS WHEN PAYABLE TO BEARER AND MAKING IT PAYABLE TO A NAMED LIVING PERSON UNDER CERTAIN CONDITIONS, on February 24, 1953, and I am transmitting it to the Secretary of State as of this date.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

February 25, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 16*, by Messrs. Tietjen, Fowles, Mabey, Thorn and Stringham, entitled:

AN ACT AMENDING SECTION 7-3-51, UTAH CODE ANNOTATED 1953, RELATING TO STATEMENTS OF ACCOUNT BETWEEN

BANKS AND DEPOSITORS, CREATING A SIX-YEAR STATUTE OF LIMITATION, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

February 25, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 43*, by Messrs. Tietjen, Kerr, Hafen and Fowles, entitled:

AN ACT AMENDING SECTION 7-1-10, UTAH CODE ANNOTATED 1953, RELATING TO THE FEES PAYABLE TO THE BANK COMMISSIONER BY FINANCIAL INSTITUTIONS UNDER THE SUPERVISION OF THE STATE BANKING DEPARTMENT; CHANGING THE FEES PAYABLE BY COOPERATIVE BANKS FOR PERSONAL CREDITS AND INDUSTRIAL LOAN CORPORATIONS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 43 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 25, 1953

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. 64*, by Messrs. Kerr and Tippetts, entitled:

AN ACT AMENDING SECTION 41-1-127, UTAH CODE ANNOTATED 1953, PROVIDING FOR REGISTRATION FEES UPON HOUSE TRAILERS, BASED ON WEIGHT, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 64 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 25, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 132*, by Mr. Kerr, entitled:

AN ACT AMENDING SECTIONS 67-8-1, 67-8-2, 67-8-3, 67-8-4, 67-8-5, AND 67-8-9, UTAH CODE ANNOTATED 1953, RELATING TO CHANGING AND FIXING THE ANNUAL SALARIES OF THE GOVERNOR; SECRETARY OF STATE; STATE TREASURER; STATE AUDITOR; ATTORNEY GENERAL; CLERK OF THE SUPREME COURT AND EX-OFFICIO LIBRARIAN; ASSISTANT-LIBRARIAN, STATE LIBRARY; REPORTER OF THE DECISIONS OF THE SUPREME COURT; JUSTICES OF THE SUPREME COURT; JUDGES OF THE DISTRICT COURTS, AND PROVIDING FOR ENTITLEMENT TO ACTUAL AND NECESSARY EXPENSES AND MILEAGE WHEN A JUDGE HOLDS COURT OUTSIDE OF THE COUNTY IN WHICH HE RESIDES; DISTRICT ATTORNEY; 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 TAX COMMISSION; MEMBERS OF THE PUBLIC WELFARE COMMISSION; MEMBERS OF THE BUSINESS REGULATION COMMISSION; BANK COMMISIONER; MEMBERS OF THE LIQUOR CONTROL COMMISSION; MEMBERS OF THE STATE BOARD OF AGRICULTURE; MEMBERS OF THE ENGINEERING COMMISSION, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 132 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 25, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 136*, by Mr. Kerr, for the Special Committee on Statutory Salaries, entitled:

AN ACT AMENDING SECTION 41-13-2, UTAH CODE ANNOTATED 1953, BY CHANGING AND FIXING THE ANNUAL SALARY OF THE COMMISSIONER OF PUBLIC SAFETY, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 136 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 25, 1953

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. 118*, by Messrs. Jones, Kerr, and Mrs. Jack, entitled:

AN ACT TO GRANT MUNICIPALITIES OF THE STATE OF UTAH THE RIGHT TO LEVY NOT TO EXCEED FOUR MILLS ON THE DOLLAR ON ALL PROPERTY WITHIN THE MUNICIPALITY FOR THE PURPOSE OF BUILDING FACILITIES FOR TREATING CULINARY WATER OF THE MUNICIPALITY AND FACILITIES FOR THE DISPOSITION, TREATMENT AND CARE OF THE SEWAGE OF THE MUNICIPALITY OR THE CREATION OF A RESERVE FUND THEREFOR, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 118 was read the first time and referred to the Sifting Committee.

February 25, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 158*, by Messrs. Froerer and Barlow, entitled:

AN ACT APPROPRIATING $13,324.00 TO THE DEPARTMENT OF PUBLIC SAFETY TO COVER OPERATING COSTS OF DIVISION OF SAFETY AND FINANCIAL RESPONSIBILITY, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 158 was read the first time and referred to the Sifting Committee.

February 26, 1953

Mr. President:

I am directed 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. Gibson, Mabey and Day, entitled:

AN ACT AMENDING SECTION 7-12-1, UTAH CODE ANNOTATED 1953, RELATING TO BANKS AND LOAN AND TRUST COMPANIES REMAINING CLOSED ON SATURDAYS AND PROVIDING THAT ACTS APPOINTED TO BE DONE ON A SATURDAY, WHEN THE BANK, LOAN AND TRUST COMPANY, OR BRANCH THEREOF, IS CLOSED, MAY BE PERFORMED ON THE NEXT SUCCEEDING BUSINESS DAY, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 21 was transmitted to the Governor.

February 26, 1953

Mr. President:

I am directed to inform your Honorable Body that the House refuses to recede from its amendments to *S. B. No. 66*, by Messrs. Mabey and Woolley, entitled:

AN ACT ESTABLISHING A STATE WATER POLLUTION CONTROL BOARD TO CONTROL, PREVENT AND ABATE THE POLLUTION OF SURFACE AND UNDERGROUND WATERS OF THE STATE; DECLARING A STATE POLICY FOR WATER POLLUTION; SPECIFYING THE POWERS AND DUTIES OF A WATER POLLUTION BOARD OF NINE MEMBERS; PROVIDING FOR THE SELECTION OF BOARD MEMBERS; PROVIDING FOR THE CLASSIFICATION OF WATER; DEFINING ENFORCEMENT, INSPECTION AND INVESTIGATIONS, MAKING AN APPROPRIATION FOR THE PURPOSES OF THIS ACT AND PROVIDING FOR PENALTIES AND COURT REVIEW, and has appointed a conference committee consisting of Representatives Young, W. G. Larson and Bunderson to act with a like committee from the Senate on this bill.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, President Paxton appointed a Conference Committee consisting of Senators Mabey, Woolley and Watson to meet with a like committee of the House to consider *S. B. No. 66*.

February 26, 1953

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 Grover, Frandsen and Hopkins, to act with a like Committee from the Senate to consider *H. B. No. 14*, by Mr. W. G. Larson, entitled:

AN ACT AMENDING SECTIONS 27-1-29 AND 27-1-30, UTAH CODE ANNOTATED 1953, RELATING TO MAXIMUM WEIGHTS OF MOTOR VEHICLES AND COMBINATIONS OF VEHICLES DRIVEN OR MOVED ON ANY HIGHWAY AND PROVIDING FOR ENFORCEMENT THEREOF, PENALTIES AND DISTRIBUTION OF FINES.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

REPORTS OF STANDING COMMITTEES

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 17*, by Messrs. Stringham and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 17 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 18*, by Mr. Burton, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 18 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 19*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 19 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 20*, by Mr. Muir, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 20 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 21*, by Mr. Muir, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 21 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 22*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 22 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 23 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 24*, by Mr. Stringham, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 24 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 230*, by Messrs. Adams and Selvin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 230 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 231*, by Mr. Mabey, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 231 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 232*, by Mr. Stringham, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 232 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 233*, by Mr. Stringham, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 233 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 234*, by Messrs. Day, Hammond, Clegg and Thorn, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 234 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 235*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 235 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 236*, by Mr. Muir, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 236 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 237*, by Messrs. Woolley and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 237 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 240*, by Messrs. Mabey, Gibson and Woolley, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 240 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 241*, by Mr. Muir, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 241 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 242*, by Messrs. Tietjen and Stringham, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 242 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 243*, by Mr. Day, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 243 was ordered printed and referred to the Sifting Committee.

February 26, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 244*, by Mr. Gibson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 244 was ordered printed and referred to the Sifting Committee.

On motion of Senator Mabey, President Paxton appointed a committee consisting of Senators Day, Openshaw and Gibson to consider and make recommendations concerning *S. B. No. 62*.

On motion of Senator Openshaw, the rules were suspended and *S. B. No. 103* was lifted from the table and placed at the head of the Second Reading Calendar.

On request of Senator Hopkin, for advice on the continuation of the Legislative Council's study of the School Survey Commission report, Senator Kerr moved and the Senate voted that the Legislative Council be directed to continue its study of the report.

On motion of Senator Clegg, the Senate recessed in order to meet in Joint Convention with the House.

The Senate re-assembled.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 103 was before the Senate.

S. B. No. 103 failed to pass on the following roll call:

Ayes, 7; Nos, 11; Absent, 5.

Those voting in the affirmative were: Senators Burton, Day, Fowles, Muir, Openshaw, Stringham and Mr. President.

Those voting in the negative were: Senators Adams, Cannon, Clegg, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Selvin and Tietjen.

Absent and not voting: Senators Mabey, Thorn, Tippetts, Watson and Woolley.

In compliance with the Senate's order of the forty-fifth Legislative day, the following bills were lifted from the Standing Committees and referred to the Sifting Committee:

S. J. R. No. 8, S. B. Nos. 54, 55, 88, 89, 90, 91, 97, 98, 102, 127, 131, 181, 215, 217, 218, 219, 220, 229 and H. B. Nos. 31, 59, 60, 95, 96, 124, 149.

S. B. Nos. 134, 135, 222, 223, 12 and H. B. Nos. 146, 130, 27 were referred back to the Sifting Committee in compliance with that committee's report, as adopted on the 36th Legislative day.

President Paxton recognized members of the Irving Junior High School History class, together with their teachers, Mr. Carlos Asay and Mrs. Hillstead. Also the Brockback Junior High School, together with their teachers, Mr. Melville and Mr. Bawden.

On motion of Senator Gibson, the Senate adjourned until Friday, February 27, 1953, at 10:00 A.M.

FORTY-SEVENTH DAY

MORNING SESSION

February 27, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

February 27, 1953

Mr. President:

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

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 27, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 26th day of February, 1953, approve and transmit to the Secretary of State, *H. B. No. 19*, by Messrs. Sheffield, Lionel L. Peterson and Harold V. Davis, entitled:

AN ACT RELATING TO THE APPOINTMENT OF NOMINEES BY BANKING INSTITUTIONS AND TRUST COMPANIES ACTING IN A FIDUCIARY CAPACITY AND AUTHORIZING INVESTMENTS TO BE HELD IN THE NAME OF A NOMINEE AND REQUIRING SUCH BANKS AND TRUST COMPANIES TO KEEP PROPER RECORDS.

Respectfully,

W. D. CALLISTER,
Chief Clerk.

Communication filed.

February 26, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, upon reconsideration, as amended by the House, *H. B. No. 239*, by Appropriations and Claims Committee, entitled:

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1953, AND ENDING JUNE 30, 1955, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 239 was read the first time.

On motion of Senator Hopkin, the rules were suspended and *H. B. No. 239* was placed at the head of the Second Reading Calendar.

REPORTS OF SPECIAL COMMITTEES

February 27, 1953

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 134 and 135, and H. B. Nos. 146, 130, and 27, and S. B. Nos. 217, 222, 223, 12, 119, 179, 206, 42, 200, 196, 219, 11, 143, 87, 128, 129 and 137.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

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

The Senate re-assembled.

On motion of Senator Mabey, the Senate voted that when the Senate adjourns today it stands adjourned until Saturday, February 28, 1953 at 10:00 A.M.

On motion of Senator Clegg, the rules were suspended and the Senate voted to reconsider its final action on *S. B. No. 103* and *S. B. No. 103* was placed on the Second Reading Calendar.

On motion of Senator Woolley, the rules were suspended and the Senate voted to now consider *H. B. No. 239*.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 239 was read the second time.

On motion of Senator Woolley, the rules were suspended and the Senate voted to now consider *S. B. No. 138.*

UNFINISHED BUSINESS

S. B. No. 138 was before the Senate for its consideration.

S. B. No. 138 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Muir and Stringham.

S. B. No. 138 was transmitted to the House.

On motion of Senator Woolley, the rules were suspended and the Senate voted to now consider *H. B. No. 239.*

H. B. No. 239 was before the Senate for its consideration.

On motion of Senator Woolley, *H. B. No. 239* was amended as follows:

Page 4, after Section 13, prior to Item 1, insert the following:

"Section 14. The following sums of money, or so much thereof as may be necessary, are appropriated out of monies not otherwise appropriated from the funds herein indicated, for the use and support of the government of the state of Utah and for other purposes, as in this act and this section provided:"

On motion of Senator Woolley, the rules were suspended and *H. B. No.* 239 was read the third time and placed on its final passage.

H. B. No. 239 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Fowles and Gibson.

H. B. No. 239 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 134 was read the second time.

Committee report read and adopted.

On motion of Senator Fowles, the rules were suspended and *S. B. No. 134* was read the third time and placed on its final passage.

S. B. No. 134 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Watson and Woolley.

Absent and not voting: Senators Gibson, Hopkin, Muir, Paxton, Tietjen and Tippetts.

S. B. No. 134 was transmitted to the House.

S. B. No. 135 was read the second time.

Committee report read and adopted.

On motion of Senator Clegg, the rules were suspended and *S. B. No. 135* was read the third time and placed on its final passage.

S. B. No. 135 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Gibson, Hopkin, Muir, Tietjen and Woolley.

S. B. No. 135 was transmitted to the House.

H. B. No. 146 was read the second time.

On motion of Senator Adams, the rules were suspended and *H. B. No. 146* was read the third time and placed on its final passage.

H. B. No. 146 then passed on the following roll call:

Ayes, 15; Nos, 2; Absent, 6.

Those voting in the affirmative were: Senators Adams, Cannon, Clegg, Day, Hafen, Hammond, Jenkins, Kerr, Mabey, Openshaw, Stringham, Thorn, Tietjen, Woolley and Mr. President.

Those voting in the negative were: Senators Selvin and Watson.

Absent and not voting: Senators Burton, Fowles, Gibson, Hopkin, Muir and Tippets.

H. B. No. 146 was returned to the House.

On motion of Senator Clegg, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE GOVERNOR

February 27, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved this day and am transmitting to the Secretary of State *S. B. No. 21*, by Messrs. Gibson, Mabey and Day, entitled:

AN ACT AMENDING SECTION 7-12-1, UTAH CODE ANNOTATED 1953, RELATING TO BANKS AND LOAN AND TRUST COMPANIES REMAINING CLOSED ON SATURDAYS AND PROVIDING THAT ACTS APPOINTED TO BE DONE ON A SATURDAY, WHEN THE BANK, LOAN AND TRUST COMPANY, OR BRANCH THEREOF, IS CLOSED, MAY BE PERFORMED ON THE NEXT SUCCEEDING BUSINESS DAY.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

February 26, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 33* by Messrs. Openshaw, Fowles, Woolley and Gibson, entitled:

AN ACT AMENDING TITLE 32, CHAPTER 1, SECTION 6, SUBSECTION J, UTAH CODE ANNOTATED 1953, RELATING TO THE STATUTORY MARK-UP ON LIQUOR SOLD BY THE UTAH LIQUOR

CONTROL COMMISSION, TO PROVIDE THAT SAID MARK-UP SHALL BE UPON THE BASIS OF COST TO THE COMMISSION EXCLUSIVE OF FEDERAL EXCISE TAXES, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 33 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 26, 1953

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. 120*, by Messrs. Stringham, Hopkin, Tippetts, Watson and Clegg, entitled:

AN ACT AMENDING SECTION 73-10-3, UTAH CODE ANNOTATED 1953, RELATING TO THE ORGANIZATION OF THE BOARD OF DIRECTORS OF THE UTAH WATER AND POWER BOARD AND THE ELECTION AND APPOINTMENT OF ITS OFFICERS AND EMPLOYEES AND PROVIDING THAT ONE OF ITS MEMBERS OR ANOTHER, WITH THE APPROVAL OF THE GOVERNOR, SHALL BE THE REPRESENTATIVE OF THE STATE OF UTAH IN CONFERENCES FOR THE NEGOTIATION OF COMPACTS BETWEEN THE STATE OF UTAH AND ONE OR MORE SISTER STATES, AND TO REPRESENT THE STATE OF UTAH UPON ANY COMMISSIONS OR OTHER GOVERNING BODIES, AS PROVIDED FOR IN THE COMPACTS THAT MAY HAVE BEEN OR MAY HEREAFTER BE ENTERED INTO BETWEEN THE STATE OF UTAH AND ANY OTHER STATE OR STATES AND ALLOWING HIM A PER DIEM AND EXPENSES; AMENDING SUBDIVISION 6 OF SECTION 73-10-4, UTAH CODE ANNOTATED 1953, SO AS TO PROVIDE THAT THE BOARD SHALL SUPERVISE, IN COOPERATION WITH THE GOVERNOR IN BEHALF OF THE STATE OF UTAH, ALL INTERSTATE COMPACT NEGOTIATIONS AND THE ADMINISTRATION OF SUCH COMPACTS, AND REPEALING SUBDIVISION 7 THEREOF AND RENUMBERING SUBDIVISIONS 8, 9, 10, 11 AND 12, SO AS TO BE RESPECTIVELY 7, 8, 9, 10 AND 11; AMENDING SECTION 73-10-8, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE UTAH WATER AND POWER BOARD CONSTRUCTION FUND AND THE SOURCE THEREOF AND PROVIDING FOR THE BOARD'S INVESTIGATING FUND AND ITS SOURCE, AND FOR INVESTIGATING PARTICULAR PROJECTS TO BE CONSTRUCTED FROM AN ENGINEERING, GEOLOGICAL OR ECONOMIC POINT OF VIEW, AND PROVIDING THAT THE MONIES SO REPAID CONSTITUTING SUCH FUND SHALL BE A CONTINUING FUND AND SHALL NOT REVERT TO THE GENERAL FUND AT THE END OF ANY BIENNIUM; AMENDING SECTION 73-10-11, UTAH CODE ANNOTATED 1953, PROVIDING THAT THE ATTORNEY

GENERAL SHALL ACT AS LEGAL COUNSEL OF THE BOARD AND OF ITS REPRESENTATIVE AND CHARGING THE EXECUTIVE SECRETARY OF THE BOARD WITH THE DUTY OF COLLECTING ANY AND ALL AMOUNTS DUE ON CONTRACTS WITH WATER USERS, AND AMENDING SECTION 73-2-8, UTAH CODE ANNOTATED 1953, BY ELIMINATING THE LAST SENTENCE THEREOF RELATING TO THE REPRESENTATION OF THE STATE OF UTAH BY THE STATE ENGINEER IN THE NEGOTIATION OF COMPACTS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 120 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 26, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 121*, by Messrs. Gibson and Woolley, entitled:

AN ACT AMENDING SECTIONS 20-14-1, AND 20-14-21, UTAH CODE ANNOTATED 1953, RELATING TO CORRUPT PRACTICES IN ELECTIONS, DEFINING "POLITICAL PURPOSES" AND "POLITICAL COMMITTEE" AND PROVIDING THAT NO CORPORATION SHALL CONTRIBUTE MONEY OR THE SERVICES OF ITS OFFICERS OR EMPLOYEES IN THE INTEREST OF ANY POLITICAL CANDIDATE OR PARTY OR TO PROMOTE OR DEFEAT THE NOMINATION, PENALTY, ELECTION, OR APPOINTMENT OF ANY PERSON TO POLITICAL OFFICE, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 121 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 27, 1953

Mr. President:

I am directed 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. 53*, by Messrs. Mabey, Hopkin, Fowles, Watson, Jenkins, Kerr, Day and Tippets, entitled:

AN ACT AMENDING SECTIONS 73-9-13, 73-9-17, 73-9-18, 73-9-20, 73-9-25, AND 73-9-31, UTAH CODE ANNOTATED 1953, RELATING

TO WATER CONSERVANCY DISTRICTS, INCLUDING THE POWERS OF BOARDS OF DIRECTORS OF SUCH DISTRICTS, ALLOTMENT OF WATER BY SUCH DISTRICTS TO MUNICIPALITIES AND TO IRRIGATION DISTRICTS, THE LEVYING OF TAXES AND ASSESSMENTS TO PAY DEFICIENCIES, THE DISPOSAL OF WATER UNDER TERM CONTRACTS AND THE ISSUANCE OF BONDS, AND ADDING A NEW SECTION TO BE NUMBERED 73-9-42, UTAH CODE ANNOTATED 1953, RELATING TO VALIDATING THE CREATION AND ORGANIZATION OF SUCH DISTRICTS AND PROCEEDINGS HERETOFORE HELD THEREIN FOR THE AUTHORIZATION OF CONTRACTS AND BONDS, VALIDATING CONSTRUCTION CONTRACTS HERETOFORE ENTERED INTO BY SUCH DISTRICTS AND MAKING CERTAIN FINDINGS WITH RESPECT TO BENEFITS TO ACCRUE TO TAXABLE PROPERTY THEREIN, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

February 26, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 189* by Messrs. Barlow and Froerer, entitled:

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS 31-27-23, UTAH CODE ANNOTATED 1953, PROHIBITING FORCING THE SELECTION OF AN INSURER UPON A PERSON CONTRACTING FOR A LOAN OR OTHER OBLIGATION, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 189 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

February 27, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. 16*, by Messrs. Tietjen, Fowles, Mabey, Thorn and Stringham, entitled:

AN ACT AMENDING SECTION 7-3-51, UTAH CODE ANNOTATED 1953, RELATING TO STATEMENTS OF ACCOUNT BETWEEN

BANKS AND DEPOSITORS, CREATING A SIX-YEAR STATUTE OF LIMITATION, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

February 27, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 43*, by Messrs. Tietjen, Kerr, Hafen and Fowles, entitled:

AN ACT AMENDING SECTION 7-1-10, UTAH CODE ANNOTATED 1953, RELATING TO THE FEES PAYABLE TO THE BANK COMMISSIONER BY FINANCIAL INSTITUTIONS UNDER THE SUPERVISION OF THE STATE BANKING DEPARTMENT; CHANGING THE FEES PAYABLE BY COOPERATIVE BANKS FOR PERSONAL CREDITS AND INDUSTRIAL LOAN CORPORATIONS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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 27, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 64*, by Messrs. Kerr and Tippetts, entitled:

AN ACT AMENDING SECTION 41-1-127, UTAH CODE ANNOTATED 1953, PROVIDING FOR REGISTRATION FEES UPON HOUSE TRAILERS, BASED ON WEIGHT, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 64 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 27, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 121*, by Messrs. Gibson and Woolley, entitled:

AN ACT AMENDING SECTIONS 20-14-1, AND 20-14-21, UTAH CODE ANNOTATED 1953, RELATING TO CORRUPT PRACTICES IN ELECTIONS, DEFINING "POLITICAL PURPOSES" AND "POLITICAL COMMITTEE" AND PROVIDING THAT NO CORPORATION SHALL CONTRIBUTE MONEY OR THE SERVICES OF ITS OFFICERS OR EMPLOYEES IN THE INTEREST OF ANY POLITICAL CANDIDATE OR PARTY OR TO PROMOTE OR DEFEAT THE NOMINATION, PENALTY, ELECTION OR APPOINTMENT OF ANY PERSON TO POLITICAL OFFICE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

ORVAL HAFEN,
Acting 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.

February 27, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 136*, by Mr. Kerr, for the Special Committee on Statutory Salaries, entitled:

AN ACT AMENDING SECTION 41-13-2, UTAH CODE ANNOTATED 1953, BY CHANGING AND FIXING THE ANNUAL SALARY OF THE COMMISSIONER OF PUBLIC SAFETY, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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.

REPORTS OF SPECIAL COMMITTEES

February 27, 1953

Mr. President and Mr. Speaker:

Your Conference Committee, to which was referred *S. B. No. 66*, by Messrs. Mabey and Woolley begs leave to report as follows:

To amend *S. B. No. 66* as follows: Strike lines 29 to 33, both inclusive, page 6, and strike lines 1 to 17, both inclusive, page 7 and insert in lieu thereof the following:

"Section 6. (a) In order to effectuate a program for the prevention, control and abatement of pollution of the waters of the state, the board is authorized to group the waters of the state into classes according to their present most reasonable uses. Subject to the approval of the Legislature, the board is authorized to upgrade and reclassify from time to time the waters of the state to the extent that it is practical and in the public interest.

(b) The board is authorized to establish standards of quality for each classification consistent with most reasonable present and future use of such waters, and such standards may be modified or changed from time to time. Prior to classifying waters, setting standards or modifying or repealing them the board shall conduct public hearings in connection therewith. Notice of public hearing for the consideration, adoption, or amendment of the classifications of waters and standards of purity and quality thereof shall specify the waters concerning which a classification is sought to be made for which standards are sought to be adopted and the time, date, and place of such hearing. Such notice shall be published at least twice in a newspaper of general circulation in the area affected and shall be mailed at least twenty days before such public hearing to the chief executive of each political subdivision of the area affected and to such other persons as the board has reason to believe will be affected by such classification and the setting of such standards."

Respectfully,

RENDELL N. MABEY,
Chairman, Senate Committee

WELBY W. YOUNG,
Chairman, House Committee

Report adopted and filed.

On motion of Senator Mabey, the rules were suspended and *S. B. No. 66* was placed at the head of the Third Reading Calendar.

February 27, 1953

Mr. President:

Your Special Committee to whom was referred a joint resolution proposing an amendment to Article 6, Section 6 of the Constitution of Utah,

respectfully recommends that such resolution be introduced at this session of the legislature.

Respectfully,

EDWIN B. CANNON, Chairman

ALONZO F. HOPKIN

LUKE CLEGG

Report adopted and filed.

On motion of Senator Cannon, the rules were suspended and, with unanimous consent, *S. J. R. No. 25* was presented.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 25 By Messrs. Cannon, Clegg and Hopkin

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 6, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE ESTABLISHMENT OF LOCAL SCHOOL DISTRICTS AND THE DESIGNATION OF THEIR POWERS BY THE LEGISLATURE, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 130 was read the second time.

Committee report read and adopted.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider Bills on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 66 was now before the Senate for its consideration.

On motion of Senator Mabey, *S. B. No. 66* was amended as follows:

Page 6, strike lines 26 to 3, both inclusive.

Page 7, strike lines 1 to 17, both inclusive, and insert in lieu thereof the following:

"Section 6. (a) In order to effectuate a program for the prevention, control and abatement of pollution of the waters of the state, the board is authorized to group the waters of the state into classes according to their present most reasonable uses. Subject to the approval of the Legislature

the board is authorized to upgrade and reclassify from time to time the waters of the state to the extent that it is practical and in the public interest.

(b) The board is authorized to establish standards of quality for each classification consistent with most reasonable present and future use of such waters, and such standards may be modified or changed from time to time. Prior to classifying waters, setting standards or modifying or repealing them the board shall conduct public hearings in connection therewith. Notice of public hearing for the consideration, adoption, or amendment of the classifications of waters and standards of purity and quality thereof shall specify the waters concerning which a classification is sought to be made for which standards are sought to be adopted and the time, date, and place of such hearing. Such notice shall be published at least twice in a newspaper of general circulation in the area affected and shall be mailed at least twenty days before such public hearing to the chief executive of each political subdivision of the area affected and to such other persons as the board has reason to believe will be affected by such classification and the setting of such standards."

S. B. No. 66 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Jenkins, Kerr, Mabey, Openshaw, Stringham, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Gibson, Hopkin, Muir, Selvin, Thorn and Tippetts.

S. B. No. 66 was transmitted to the House.

REPORTS OF STANDING COMMITTEES

February 27, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. J. R. No. 25*, by Messrs. Cannon, Clegg and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

ORVAL HAFEN,
Acting Chairman

Report filed.

S. J. R. No. 25 was ordered printed and referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Clegg, the rules were suspended and *H. B. No. 27* was read the third time and placed on its final passage.

H. B. No. 27 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Hafen, Hammond, Kerr, Mabey, Muir, Openshaw, Stringham, Tietjen, Watson and Woolley.

Absent and not voting: Senators Cannon, Fowles, Gibson, Hopkin, Jenkins, Paxton, Selvin, Thorn and Tippetts.

H. B. No. 27 was returned to the House.

On motion of Senator Mabey, a Call of the Senate was made.

On motion of Senator Mabey, the Call of the Senate was lifted.

S. B. No. 217 was read the second time.

On motion of Senator Day, *S. B. No. 217* was amended as follows:

Page 3, at the beginning of line 32, insert "Section 4."

Page 1, line 12, strike "Secs." and insert in lieu thereof "Section."

Page 3, line 23, strike "Secs." and insert in lieu thereof "Section".

Line 32, strike "Secs." and insert in lieu thereof "Section".

On motion of Senator Day, the rules were suspended and *S. B. No. 217* was read the third time and placed on its final passage.

S. B. No. 217 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen and Woolley.

Absent and not voting: Senators Cannon, Fowles, Gibson, Paxton, Thorn, Tippetts and Watson.

S. B. No. 217 was transmitted to the House.

On motion of Senator Day, *S. B. No. 215* was lifted from the Sifting Committee.

On motion of Senator Day, the enacting clause of *S. B. No. 215* was struck.

S. B. No. 222 was read the second time.

Committee report read and adopted.

On motion of Senator Clegg, the rules were suspended and *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, 17; Nos, 0; Absent, 6.

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Fowles, Gibson, Openshaw, Thorn and Tippetts.

S. B. No. 222 was transmitted to the House.

S. B. No. 223 was read the second time.

On motion of Senator Kerr, the rules were suspended and *S. B. No. 223* was read the third time and placed on its final passage.

S. B. No. 223 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Watson and Mr. President.

Absent and not voting: Senators Fowles, Gibson, Thorn, Tippetts and Woolley.

S. B. No. 223 was transmitted to the House.

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

Committee report read and adopted.

On motion of Senator Tietjen, *S. B. No. 12* was amended as follows:

Page 3, following line 15, add a new section to read as follows: "Section 5. This act shall take effect on approval".

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

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Gibson, Thorn and Tippetts.

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

On motion of Senator Clegg, the Senate recessed for fifteen minutes.

The Senate re-assembled.

On motion of Senator Day, a Call of the Senate was made.

On motion of Senator Day, the Call of the Senate was lifted.

S. B. No. 119 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 119* was read the third time and placed on its final passage.

S. B. No. 119 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Tietjen, Woolley and Mr. President.

Absent and not voting: Senators Adams, Fowles, Gibson, Stringham, Thorn, Tippetts and Watson.

S. B. No. 119 was transmitted to the House.

S. B. No. 179 was read the second time.

Committee report read and adopted.

On motion of Senator Mabey, *S. B. No. 179* was amended as follows:

Page 4, line 26, strike the following: "The distributor or retail dealer shall".

Strike all of lines 27, 28 and 29.

On motion of Senator Hopkin, the Senate resolved itself into a Committee of the Whole.

Mr. J. Welton Ward, a member of the State Tax Commission, appeared before the Committee of the Whole.

On motion of Senator Hopkin, the Committee of the Whole was dissolved.

On motion of Senator Hopkin, the rules were suspended and *S. B. No. 179* was read the third time and placed on its final passage.

S. B. No. 179 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Woolley and Mr. President.

Absent and not voting: Senators Adams, Fowles, Gibson, Hafen, Thorn, Tippetts and Watson.

S. B. No. 179 was transmitted to the House.

S. B. No. 206 was read the second time.

Committee report read and adopted.

On motion of Senator Jenkins, *S. B. No. 206* was amended as follows:

Page 7, strike all of Section 4, including lines 14, 15, 16 and 17.

S. B. No. 206 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Woolley and Mr. President.

Absent and not voting: Senators Adams, Fowles, Gibson, Thorn, Tippetts and Watson.

S. B. No. 42 was read the second time.

Committee report read and adopted.

S. B. No. 42 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Day, Hafen, Hammond, Hopkin, Jenkins, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Woolley and Mr. President.

Voting in the negative was Senator Clegg.

Absent and not voting: Senators Adams, Fowles, Gibson, Kerr, Thorn, Tippetts, and Watson.

On motion of Senator Mabey, the Secretary was directed to send a letter to the House requesting the return of *S. B. No. 63* to the Senate for its reconsideration.

On motion of Senator Thorn, Chairman of the Sifting Committee, the Senate voted that all bills left on the Second Reading Calendar at the end of the 47th Legislative Day retain their position on the calendar for the 48th Legislative day.

President Paxton recognized former Senator Mitchell Melich, who addressed the Senate briefly.

President Paxton recognized members of the West Jordan Jr. High School student body, together with their instructors, Mr. Whitmore and Mr. Crump, and Mr. James Bevan, President, Tooele County Farm Bureau.

On motion of Senator Cannon, the Senate adjourned.

FORTY-EIGHTH DAY

MORNING SESSION

February 28, 1953

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

Roll Call – All Senators present, except Senators Adams, Fowles, Kerr and Thorn, excused.

Prayer by the Chaplain.

February 28, 1953

Mr. President:

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

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 28, 1953

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, STATE BOARD OF CORRECTIONS:

Samuel C. Powell, Ogden

George R. Putnam, Salt Lake City

For six-year terms beginning the first Monday in March, 1953, and ending the first Monday in March, 1959.

COMMISSIONER, DEPARTMENT OF ENGINEERING:

Layton Maxfield, Salt Lake City, (D), for a six year term, beginning March 1, 1953, and ending March 1, 1959.

COMMISSIONERS, FISH AND GAME COMMISSION:

W. Rulon White, Ogden, (D), District No. 1,

Robert B. Mitchell, Parowan, (D), District No. 5

Both are for six year terms beginning March 1, 1953, and ending March 1, 1959.

COMMISSIONERS, INDUSTRIAL COMMISSION:

C. S. Carroll, Ogden (D), for unexpired term ending March 1, 1957.

L. L. Taylor, Moab (R), for six-year term beginning March 1, 1953, and ending March 1, 1959.

MEMBER, ADVISORY COUNCIL FOR THE SCHOOLS FOR DEAF AND BLIND:

Ray G. Wenger, Salt Lake City

For five-year term beginning March 1, 1953, and ending March 1, 1958.

Sincerely yours,

/s/ J. BRACKEN LEE,
Governor

Communication referred to the Special Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

February 28, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 26th day of February, 1953, approve and transmit to the Secretary of State, *H. B. No. 12*, by Mr. W. G. Larson, entitled:

AN ACT AUTHORIZING AND DIRECTING THE STATE ROAD COMMISSION TO CONSTRUCT INSPECTION AND CHECKING STATIONS FOR HIGHWAY PURPOSES ON U. S. DESIGNATED HIGHWAYS AND DIRECTING THE STATE HIGHWAY PATROL TO OPERATE AND MAINTAIN SUCH STATIONS AND CLASSIFY AND DEPUTIZE PERSONNEL THEREFOR.

Respectfully,

W. D. CALLISTER,
Chief Clerk.

Communication filed.

February 28, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 27th day of February, 1953, approve and transmit to the Secretary of State, H. B. No. 13, by Mr. W. G. Larson, entitled:

AN ACT AMENDING SECTION 27-6-1, UTAH CODE ANNOTATED 1953, RELATING TO DESIGNATION OF STATE ROADS.

Respectfully,

W. D. CALLISTER,
Chief Clerk.

Communication filed.

February 28, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 27th day of February, 1953, approve and transmit to the Secretary of State, *H. B. No. 23*, by Mr. W. G. Larson, entitled:

AN ACT REPEALING SECTIONS 55-2-2, 55-2-20 AND 55-2-33, UTAH CODE ANNOTATED 1953, AND AMENDING SECTIONS 55-2-4, 55-2-5, 55-2-10, 55-2-13 AND 55-2-29, UTAH CODE ANNOTATED 1953, RELATING TO THE TRANSFER OF PROPERTY BY APPLICANTS AND RECIPIENTS OF PUBLIC ASSISTANCE, PROVIDING FOR AN AFFIDAVIT BY APPLICANTS AND RECIPIENTS OF ALL PROPERTY HELD, LIMITING THE AMOUNT OF PROPERTY A RECIPIENT MAY OWN, INCREASING THE LEGAL MAXIMUM FOR A SINGLE-PERSON CASE,

PROVIDING FOR THE TAKING OF LIENS ON REAL PROPERTY AND A METHOD BY WHICH THE AMOUNT OF SUCH LIENS IS DETERMINED AND THE TIME AT WHICH SUCH LIENS ARE TO BE SATISFIED, AND AUTHORIZING THE ASSIGNMENT OF FINAL ASSISTANCE CHECKS.

Respectfully,

W. D. CALLISTER,
Chief Clerk.

Communication filed.

February 28, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 16*, by Messrs. Tietjen, Fowles, Mabey, Thorn and Stringham, entitled:

AN ACT AMENDING SECTION 7-3-51, UTAH CODE ANNOTATED 1953, RELATING TO STATEMENTS OF ACCOUNT BETWEEN BANKS AND DEPOSITORS, CREATING A SIX-YEAR STATUTE OF LIMITATION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

February 28, 1953

Mr. President:

I am directed 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. Tietjen, Kerr, Hafen and Fowles, entitled:

AN ACT AMENDING SECTION 7-1-10, UTAH CODE ANNOTATED 1953, RELATING TO THE FEES PAYABLE TO THE BANK COMMISSIONER BY FINANCIAL INSTITUTIONS UNDER THE SUPERVISION OF THE STATE BANKING DEPARTMENT; CHANGING THE FEES PAYABLE BY COOPERATIVE BANKS FOR PERSONAL CREDITS AND INDUSTRIAL LOAN CORPORATIONS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 43 was transmitted to the Governor.

February 28, 1953

Mr. President:

I am directed 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. 64*, by Messrs. Kerr and Tippetts, entitled:

AN ACT AMENDING SECTION 41-1-127, UTAH CODE ANNOTATED 1953, PROVIDING FOR REGISTRATION FEES UPON HOUSE TRAILERS, BASED ON WEIGHT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 64 was transmitted to the Governor.

February 28, 1953

Mr. President:

I am directed 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. Gibson and Woolley, entitled:

AN ACT AMENDING SECTIONS 20-14-1, AND 20-14-21, UTAH CODE ANNOTATED 1953, RELATING TO CORRUPT PRACTICES IN ELECTIONS, DEFINING "POLITICAL PURPOSES" AND "POLITICAL COMMITTEE" AND PROVIDING THAT NO CORPORATION SHALL CONTRIBUTE MONEY OR THE SERVICES OF ITS OFFICERS OR EMPLOYEES IN THE INTEREST OF ANY POLITICAL CANDIDATE OR PARTY OR TO PROMOTE OR DEFEAT THE NOMINATION, PENALTY, ELECTION OR APPOINTMENT OF ANY PERSON TO POLITICAL OFFICE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 121 was transmitted to the Governor.

February 28, 1953

Mr. President:

I am directed 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 Mr. Kerr, (For the Special Committee on Statutory Salaries) entitled:

AN ACT AMENDING SECTION 41-13-2, UTAH CODE ANNOTATED 1953, BY CHANGING AND FIXING THE ANNUAL SALARY

OF THE COMMISSIONER OF PUBLIC SAFETY, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 136 was transmitted to the Governor.

February 28, 1953

Mr. President:

I am directed 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 Messrs. Wm. E. Anderson, Cope, Russell, Sanders, Dalebout, W. G. Larson, entitled:

A JOINT RESOLUTION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE STATE OF UTAH, OF CONDOLENCE TO CHARLES J. PIERCEY AND MRS. L. P. O'BRIEN UPON THE DEATH OF THEIR MOTHER, MRS. ANNA THOMAS PIERCEY, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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.

February 28, 1953

Mr. President:

I am directed 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. 110,* by Messrs. C. E. Peterson, G. D. Taylor, Mesdames Cazier and Vance, entitled:

AN ACT AMENDING SECTION 77-49-1 AND 77-49-7, UTAH CODE ANNOTATED 1953, RESPECTING MENTAL EXAMINATION, COMMITMENTS, RESTORATION AND RELEASE OF PERSONS CONVICTED OF CERTAIN SEXUAL OFFENSES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 110 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, 1953

Mr. President:

I am directed 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 Messrs. C. E. Peterson, G. D. Taylor, Mesdames Cazier, and Vance, entitled:

AN ACT REPEALING SECTIONS 85-7-18a AND 85-7-18b, UTAH CODE ANNOTATED 1943 (RETAINED IN THE FOOTNOTE OF SECTION 64-7-14, UTAH CODE ANNOTATED 1953), AMENDING SECTONS 64-7-31, 64-7-32, 64-7-33, 64-7-34, 64-7-35, 64-7-36 AND 64-7-40, UTAH CODE ANNOTATED 1953, ENACTING A NEW SECTION TO BE DESIGNATED SECTION 64-7-55 UTAH CODE ANNOTATED 1953, ALL PERTAINING AND RELATING TO PROCEDURES FOR RECEPTION OF PATIENTS FOR CARE AND TREATMENT AT THE UTAH STATE HOSPITAL, AND OTHER HOSPITALS DESIGNATED FOR SUCH CARE AND TREATMENT, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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.

February 28, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 239*, by Appropriations and Claims Committee, entitled:

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1953, AND ENDING JUNE 30, 1955, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

REPORTS OF STANDING COMMITTEES

February 28, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 120*, by Messrs. Stringham, Hopkin, Tippetts, Watson and Clegg, entitled:

AN ACT AMENDING SECTION 73-10-3, UTAH CODE ANNOTATED 1953, RELATING TO THE ORGANIZATION OF THE BOARD OF DIRECTORS OF THE UTAH WATER AND POWER BOARD AND THE ELECTION AND APPOINTMENT OF ITS OFFICERS AND EMPLOYEES AND PROVIDING THAT ONE OF ITS MEMBERS OR ANOTHER, WITH THE APPROVAL OF THE GOVERNOR, SHALL BE THE REPRESENTATIVE OF THE STATE OF UTAH IN CONFERENCES FOR THE NEGOTIATION OF COMPACTS BETWEEN THE STATE OF UTAH AND ONE OR MORE SISTER STATES, AND TO REPRESENT THE STATE OF UTAH UPON ANY COMMISSIONS OR OTHER GOVERNING BODIES, AS PROVIDED FOR IN THE COMPACTS THAT MAY HAVE BEEN OR MAY HEREAFTER BE ENTERED INTO BETWEEN THE STATE OF UTAH AND ANY OTHER STATE OR STATES AND ALLOWING HIM A PER DIEM AND EXPENSES; AMENDING SUBDIVISION 6 OF SECTION 73-10-4, UTAH CODE ANNOTATED 1953, SO AS TO PROVIDE THAT THE BOARD SHALL SUPERVISE, IN COOPERATION WITH THE GOVERNOR IN BEHALF OF THE STATE OF UTAH, ALL INTERSTATE COMPACT NEGOTIATIONS AND THE ADMINISTRATION OF SUCH COMPACTS, AND REPEALING SUBDIVISION 7 THEREOF AND RENUMBERING SUBDIVISIONS 8, 9, 10, 11 AND 12, SO AS TO BE RESPECTIVELY 7, 8, 9, 10 AND 11; AMENDING SECTION 73-10-8, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE UTAH WATER AND POWER BOARD CONSTRUCTION FUND AND THE SOURCE THEREOF AND PROVIDING FOR THE BOARD'S INVESTIGATING FUND AND ITS SOURCE, AND FOR INVESTIGATING PARTICULAR PROJECTS TO BE CONSTRUCTED FROM AN ENGINEERING, GEOLOGICAL OR ECONOMIC POINT OF VIEW, AND PROVIDING THAT THE MONIES SO REPAID CONSTITUTING SUCH FUND SHALL BE A CONTINUING FUND AND SHALL NOT REVERT TO THE GENERAL FUND AT THE END OF ANY BIENNIUM; AMENDING SECTION 73-10-11, UTAH CODE ANNOTATED 1953, PROVIDING THAT THE ATTORNEY GENERAL SHALL ACT AS LEGAL COUNSEL OF THE BOARD AND OF ITS REPRESENTATIVE AND CHARGING THE EXECUTIVE SECRETARY OF THE BOARD WITH THE DUTY OF COLLECTING ANY AND ALL AMOUNTS DUE ON CONTRACTS WITH WATER USERS, AND AMENDING SECTION 73-2-8, UTAH CODE ANNOTATED 1953, BY ELIMINATING THE LAST SENTENCE THEREOF RELATING TO THE REPRESENTATION OF THE STATE OF UTAH BY THE STATE ENGINEER IN THE NEGOTIATION OF COMPACTS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 120 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

February 27, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 132*, by Mr. Kerr for Special Committee on Statutory Salaries, entitled:

AN ACT AMENDING SECTIONS 67-8-1, 67-8-2, 67-8-3, 67-8-4, 67-8-5, AND 67-8-9, UTAH CODE ANNOTATED 1953, RELATING TO CHANGING AND FIXING THE ANNUAL SALARIES OF THE GOVERNOR; SECRETARY OF STATE; STATE TREASURER; STATE AUDITOR; ATTORNEY GENERAL; CLERK OF THE SUPREME COURT AND EX-OFFICIO LIBRARIAN; ASSISTANT LIBRARIAN, STATE LIBRARY; REPORTER OF THE DECISIONS OF THE SUPREME COURT; JUSTICES OF THE SUPREME COURT; JUDGES OF THE DISTRICT COURTS, AND PROVIDING FOR ENTITLEMENT TO ACTUAL AND NECESSARY EXPENSES AND MILEAGE WHEN A JUDGE HOLDS COURT OUTSIDE OF THE COUNTY IN WHICH HE RESIDES; DISTRICT ATTORNEYS; 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 TAX COMMISSION; MEMBERS OF THE PUBLIC WELFARE COMMISSION; MEMBERS OF THE BUSINESS REGULATION COMMISSION; BANK COMMISSIONER; MEMBERS OF THE LIQUOR CONTROL COMMISSION; MEMBERS OF THE STATE BOARD OF AGRICULTURE; MEMBERS OF THE ENGINEERING COMMISSION, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 132 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

UNFINISHED BUSINESS

On motion of Senator Selvin, *H. B. No. 130* was amended as follows:

Page 1, line 9, after the word "proprietor" strike the word "and", and insert a comma.

Line 9, after the word "establishment" insert the following: "all similar service businesses."

On motion of Senator Tietjen, *H. B. No. 130* was amended as follows:

Page 1, line 8, after the word "establishment" insert the following: ", electrical repair establishments".

On motion of Senator Selvin, the title was amended as follows:

Page 1, line 3, after the word "ESTABLISHMENTS" insert the following: ", ELECTRICAL REPAIR ESTABLISHMENTS".

Line 4, strike the word "AND"; and after the word "SHOPS" insert the following: "AND ALL SIMILAR SERVICE BUSINESSES."

On motion of Senator Hafen, *H. B. No. 180* was tabled.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Openshaw, *S. B. No. 200* was tabled.

S. B. No. 196 was read the second time.

Committee report read and adopted.

S. B. No. 196 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Mabey, Muir, Openshaw, Stringham, Tietjen, Tippetts and Watson.

Voting in the negative was Mr. President.

Absent and not voting: Senators Adams, Fowles, Gibson, Jenkins, Kerr, Selvin, Thorn and Woolley.

S. B. No. 219 was before the Senate for its consideration.

On motion of Senator Watson, *S. B. No. 219* was tabled.

On motion of Senator Mabey, *S. B. No. 62* was lifted from the table.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider *S. B. No. 62*.

UNFINISHED BUSINESS

On motion of Senator Mabey, *S. B. No. 62* was corrected as follows:

Page 2, line 10, correct the spelling of the word "goups" to read "groups."

On motion of Senator Hafen, the title of *S. B. No. 62* was amended as follows:

Line 1, after the word "ACT" strike the remainder of line 1, and all of lines 2, 3, 4, 5 and 6 to and including "FUND AND".

Line 8, after the word "FUND" insert the following: "APPROPRIATING $150,000 FROM THE LIQUOR CONTROL FUND TO THE UTAH BOARD ON ALCOHOLISM FUND."

S. B. No. 62 then passed on the following roll call:

Ayes, 15; Nos, 4; Absent, 4.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day (explained vote), Hafen, Hammond, Hopkin, Jenkins, Mabey, Openshaw, Selvin, Stringham, Tietjen, Tippetts and Watson.

Those voting in the negative were: Senators Gibson, Muir, Woolley and Mr. President.

Absent and not voting: Senators Adams, Fowles, Kerr and Thorn.

S. B. No. 62 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

February 28, 1953

Mr. President:

I am directed to return to your Honorable Body *S. B. No. 63*, by Messrs. Mabey, Hafen, Selvin, Fowles, Day, Kerr, Burton, Tietjen and Tippetts, entitled:

AN ACT AMENDING SECTIONS 32-2-2 AND 32-2-15, UTAH CODE ANNOTATED 1953, TO INCREASE LIQUOR PERMIT FEES AND TO INCREASE THE FEES FOR DUPLICATE PERMITS, as requested by you in your letter today.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, the rules were suspended and *S. B. No. 63* was placed before the Senate for reconsideration.

On motion of Senator Hopkin, the Senate declined to reconsider its final action on *S. B. No. 63*.

S. B. No. 63 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Gibson, the rules were suspended and *S. B. No. 11* was made a Special Order of Business for Monday, March 2, 1953 at 10:30 A.M.

S. B. No. 143 was read the second time.

Committee report read and adopted.

On motion of Senator Burton *S. B. No. 143* was tabled.

President Paxton appointed a Special Committee, consisting of Senators Cannon, Hafen, Watson and Hopkin to consider and make recommendation relative to the Civil Defense Act.

S. B. Nos. 87-128-129-137 and 103 were referred back to the Sifting Committee in compliance with that Committee's report, as adopted on the 36th Legislative day.

On motion of Senator Mabey, the Senate adjourned until Monday, March 2, 1953, at 10:00 A.M.

FIFTIETH DAY

MORNING SESSION

March 2, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 2, 1953

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 amendments noted on the final copy.

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 28, 1953

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 February 28, *S. B. No. 66,* by Messrs. Mabey and Woolley, entitled:

AN ACT ESTABLISHING A STATE WATER POLLUTION CONTROL BOARD TO CONTROL, PREVENT AND ABATE THE POLLUTION OF SURFACE AND UNDERGROUND WATERS OF THE STATE; DECLARING A STATE POLICY FOR WATER POLLUTION; SPECIFYING THE POWERS AND DUTIES OF A WATER POLLUTION BOARD OF NINE MEMBERS; PROVIDING FOR THE SELECTION OF BOARD MEMBERS; PROVIDING FOR THE CLASSIFICATION OF WATER; DEFINING ENFORCEMENT, INSPECTION AND INVESTIGATIONS MAKING AN APPROPRIATION FOR THE PURPOSES OF THIS ACT AND PROVIDING FOR PENALTIES AND COURT REVIEW, and the same is transmitted herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 66 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

February 26, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected, as amended by the Senate, *S. B. No. 205,* by Messrs. Mabey, Hafen, Tippetts, Cannon and Tietjen, entitled:

AN ACT AMENDING SECTIONS 36-1-1, 36-1-2 AND 36-1-4, UTAH CODE ANNOTATED 1953, RELATING TO REPRESENTATION IN THE LEGISLATURE OF THE STATE OF UTAH; PROVIDING FOR A REAPPORTIONMENT THEREOF; CREATING NEW SENATORIAL DISTRICTS; PROVIDING FOR THE ELECTION OF NEW SENATORS; DESIGNATING SENATORIAL AND REPRESENTATIVE DISTRICTS OF THE STATE OF UTAH AND NUMBERING THE SAME; PROVIDING FOR THE APPOINTMENT OF COMMITTEES TO FORM REPRESENTATIVE DISTRICTS IN COUNTIES HAVING MORE THAN ONE REPRESENTIVE; ENACTING A NON-SEVERABILITY SECTION AND REPEALING SECTION 36-1-3, UTAH CODE ANNOTATED 1953, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 205 was filed.

February 27, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. C. R. No. 5*, by Messrs. Jones, Jacobsen, G. Douglas Taylor, Barlow, Wm. E. Anderson, and C. E. Peterson, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE LEGISLATURE OF THE STATES OF CALIFORNIA AND ARIZONA TO DISCONTINUE THE IMPOSITION OF AN INSPECTION UPON THE LUGGAGE AND CONTENTS OF AUTOMOBILES ENTERING INTO THOSE STATES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. C. R. No. 5 was read the first time and referred to the Sifting Committee.

February 27, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. C. R. No. 6*, by Messrs. Jones, Charles E. Peterson, Brotherson, Hopkins, and Bunderson, entitled:

A CONCURRENT RESOLUTION COMMENDING THE GOVERNOR OF COLORADO UPON HIS GOOD SPORTSMANSHIP AS DISPLAYED IN HIS RECENT PERFORMANCE OF THE PENALTY OF A WAGER WITH THE GOVERNOR OF UTAH, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. C. R. No. 6 was read the first time and referred to the Sifting Committee.

February 27, 1953

Mr. President:

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

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO TAKE NECESSARY ACTION TOWARD PERMITTING AND ENCOURAGING OLD-AGE ASSISTANCE RECIPIENTS TO EARN ADDITIONAL MONEYS, UP TO $25.00 PER MONTH, AND TO HAVE SUCH

EARNED MONEYS DISREGARDED IN DETERMINING ASSISTANCE AWARDS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 10 was read the first time and referred to the Sifting Committee.

February 27, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 11*, by Messrs. Brian, Thomas, Barlow, Fullmer, Esplin, Spence, Howe, Messinger, Cope, C. E. Peteson, Jones, Bunderson, Gardner, Young, and Froerer, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH RELATING TO DRAFT DEFERMENTS AND MEMORIALIZING THE PRESIDENT AND THE CONGRESS TO TAKE SUCH ACTION AS IS NECESSARY TO AVOID THE DRAFTING OF YOUNG MEN OF 18 AND 19 YEARS OF AGE AND TO LIMIT DEFERMENTS OF OLDER MEN, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 11 was read the first time and referred to the Sifting Committee.

February 27, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 61*, by Messrs. Durham and Sheffield, entitled:

AN ACT AMENDING SECTION 67-7-13, UTAH CODE ANNOTATED, 1953, PROVIDING FOR THE APPOINTMENT OF DEPUTY DISTRICT ATTORNEYS AND DESCRIBING THEIR QUALIFICATIONS AND SALARIES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 61 was read the first time and referred to the Sifting Committee.

February 27, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 62,* by Messrs. Durham and Sheffield, entitled:

AN ACT AMENDING SECTION 67-7-6, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE EMPLOYMENT BY DISTRICT ATTORNEYS OF A CLERK AND FOR THE CLERK'S SALARY, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 62 was read the first time and referred to the Sifting Committee.

February 27, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 90,* by Messrs. Jones, Barlow, Durham, Brotherson, R. Clair Anderson, Thomas, Davis, Young, Gardner, W. E. Anderson, Sheffield, Jacobsen, Froerer, C. E. Peterson, Hopkins, Sanders, and Dalebout, entitled:

AN ACT AMENDING SECTION 55-2-15, UTAH CODE ANNOTATED, 1953, RELATING TO THE DISCLOSURE OF INFORMATION ABOUT PUBLIC ASSISTANCE RECIPIENTS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 90 was read the first time and referred to the Sifting Committee.

February 28, 1953

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. 113,* by Messrs. R. Clair Anderson, L. L. Peterson, Lundell, Fullmer, and Esplin, entitled:

AN ACT AMENDING SECTION 4-3-4, UTAH CODE ANNOTATED, 1953, TO PROVIDE FOR ADEQUATE CONTROL OF PESTS INJURIOUS TO AGRICULTURE, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 113 was read the first time and referred to the Sifting Committee.

February 28, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 115*, by Messrs. Gardner, Grover, White, and Young, entitled:

AN ACT AMENDING SECTION 4-17-14, UTAH CODE ANNOTATED 1953, RELATING TO QUARANTINE REGULATIONS CONCERNING BEES AND PROVIDING REGULATIONS FOR SALVAGE OF HIVES AND APPLIANCES FROM DISEASED BEES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 115 was read the first time and referred to the Sifting Committee.

February 27, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 131*, by Messrs. Sheffield, Durham, Palmer, Spence and Lundell, entitled:

AN ACT AMENDING SECTION 77-15-3, UTAH CODE ANNOTATED 1953, PROVIDING FOR WHEN THE HEARING BEFORE THE MAGISTRATE IS TO PROCEED, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 131 was read the first time and referred to the Sifting Committee.

February 27, 1953

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. 132*, by Messrs. Sheffield, Durham, Palmer, Spence, and Lundell, entitled:

AN ACT AMENDING SECTION 77-15-2, UTAH CODE ANNOTATED, 1953, PROVIDING FOR THE APPOINTMENT OF COUNSEL, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 132 was read the first time and referred to the Sifting Committee.

February 27, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 163*, by Mrs. Gerald Cazier, entitled:

AN ACT AMENDING SECTIONS 58-15-1, 58-15-2, 58-15-4 AND 58-15-5, UTAH CODE ANNOTATED 1953, THE REGISTRATION OF PERSONS ENGAGED IN CERTAIN OCCUPATIONS, TRADES, AND PROFESSIONS, RELATING TO THE CARE OF OTHERS, AND REPEALING SECTIONS 58-15-6, 58-15-7, 58-15-8 AND 58-15-9, UTAH CODE ANNOTATED 1953, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 163 was read the first time and referred to the Sifting Committee.

February 28, 1953

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. 190*, by Mrs. Vance, entitled:

AN ACT AMENDING SECTIONS 4-20-64, 4-20-67 AND 4-20-69, UTAH CODE ANNOTATED 1953, RELATING TO THE INSPECTION OF MEAT ANIMALS AND MEAT PRODUCTS, AUTHORIZING THE STATE BOARD OF AGRICULTURE TO ADOPT REGULATIONS ESTABLISHING MEAT INSPECTION DISTRICTS, COLLECT INSPECTION FEES, EMPLOY VETERINARIANS AND INSPECTORS, DESIGNATE KILLING DAYS FOR SLAUGHTERING ESTABLISHMENTS; AND PROHIBITING THE FEEDING OF RAW GARBAGE TO SWINE, REQUIRING PURCHASE OF LICENSE TO FEED GARBAGE TO SWINE,

AND AUTHORIZING THE DEPARTMENT OF AGRICULTURE TO COLLECT A LICENSE FEE THEREFOR, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 190 was read the first time and referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

March 2, 1953

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 128, 129, 153, 87, 137, 47, 125, 108, 214, 144, 50, 154, and 192.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 206 was read the third time and placed on its final passage.

S. B. No. 206 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts Woolley and Mr. President.

Absent and not voting: Senators Gibson and Watson.

S. B. No. 206 was transmitted to the House.

S. B. No. 42 was read the third time and placed on its final passage.

On motion of Senator Hafen, *S. B. No. 42* was tabled.

S. B. No. 196 was read the third time and placed on its final passage.

S. B. No. 196 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts and Mr. President.

Voting in the negative was Senator Adams.

Absent and not voting: Senators Hopkin, Watson and Woolley.

S. B. No. 196 was transmitted to the House.

SPECIAL ORDER

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

On motion of Senator Day, *S. B. No. 11* was amended as follows:

Page 5, line 8, delete the second numeral "2" and insert in lieu thereof "3".

Line 9, strike the word "three" and insert in lieu thereof "3".

Page 9, line 13, strike the words "An indeterminate".

Line 14, delete the words "period of time" and insert in lieu thereof the words "a four-year term".

Lines 21 and 22, delete the words "Fish and Game Commission, with the approval of the Governor," and insert in lieu thereof "legislature".

Page 14, line 4, after the word "authority" insert "with the consent of the Board of Examiners."

On motion of Senator Tietjen, *S. B. No. 11* was amended as follows:

Page 20, line 6, after the word "crops" delete period and remainder of lines 6, 7 and 8 to and including the period following "animals."

On motion of Senator Gibson, *S. B. No. 11* was amended as follows:

Page 20, line 9, after the word "crops" delete the words "on cleared and planted".

Line 10, strike the word "land,".

Lines 10 and 11, strike "so after having first obtained a permit from the fish and game department to kill such animals and,"; before the word "shall" insert "but he".

Line 18, strike the words "on cleared and planted land".

On motion of Senator Burton, *S. B. No. 11* was amended as follows:

Page 20, lines 3 and 4, after the word "crops" strike "on cleared and planted land."

On motion of Senator Day, *S. B. No. 11* was amended as follows:

Page 20, line 19, before the word "for" insert "to the landowner"; delete "$100.00" and insert in lieu thereof "$200.00".

Line 20, after the word "hours" delete period, and insert ", after the damage is discovered."

Line 31, change the word "unlawful" to "lawful".

On motion of Senator Gibson, *S. B. No. 11* was amended as follows:

Page 20, line 33, after the word "commence" delete the words "after the 15th" and insert in lieu thereof the words "on the first Saturday which is on or nearest the 20th".

On motion of Senator Day, *S. B. No. 11* was amended as follows:

Page 24, line 2, delete the word "July" and insert in lieu thereof the word "September".

Lines 9 and 10, delete the words "may at the discretion of the Commission" and insert in lieu thereof the word "shall".

Line 12, delete the word "may" and insert in lieu thereof "in a reasonable number shall". Delete the word "by" and insert in lieu thereof the word "upon".

Line 13, delete the words "made by" and insert in lieu thereof the word "of".

Page 25, after line 32 and before line 33, insert the following paragraph: "Only dead pheasants which have been killed by shooting shall be removed from posted hunting areas and it shall be unlawful to sell or attempt to sell or to attempt to buy any such birds, provided live birds may be removed from such areas upon mutual consent of the landowner and Commission."

Page 26, line 1, delete the word "protected" and insert in lieu thereof the word "game".

On motion of Senator Gibson, *S. B. No. 11* was amended as follows:

Page 27, line 4, delete the period and insert "not raised on private fur farms."

On motion of Senator Day, *S. B. No. 11* was amended as follows:

Page 27, line 20, after the word "property" insert "or his agent"; following the word "destroy" delete the word "thereon".

Line 21, delete the word "or" and insert in lieu thereof the word "at".

On motion of Senator Day, the title of *S. B. No. 11* was amended as follows:

Line 28, after the word "DEFINITIONS" insert "AND REPEALING TITLE 23, UTAH CODE ANNOTATED 1953".

On motion of Senator Thorn, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS

Senator Mark Paxton
President, Utah State Senate
State Capitol Building
Salt Lake City, Utah

Dear Mr. President:

The fourteenth Annual Highway Conference of the Department of Engineering of the University of Utah will be held Monday, Tuesday and Wednesday, March 2nd, 3rd and 4th.

The Utah Motor Transport Association takes a great pleasure in extending a cordial invitation to the members of the Senate to be our guests at the luncheon Tuesday, March 3rd in the Crystal Room, Newhouse Hotel, at 12:00 o'clock noon.

A bus will be at the south steps of the Capitol at 11:50 and will leave the hotel promptly at 1:40 to return to the Capitol.

The agenda will include a picture of the much publicized Maryland Road Test and brief remarks by Arthur C. Horrocks, Director and Manager of Public Relations Department of the Goodyear Tire and Rubber Company—from Akron, Ohio.

Will you please let us have a copy of the roll call showing how many will attend so that we may provide adequate transportation and guest tickets.

Yours truly,

UTAH MOTOR TRANSPORT ASS'N.

/s/ L. D. Welling, Manager

Communication filed.

COMMUNICATIONS FROM THE HOUSE

February 27, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 91*, by Messrs. Durham and Howe, entitled:

AN ACT PROVIDING FOR THE SURVIVAL OF A CAUSE OF ACTION ARISING OUT OF AN INJURY OR DEATH AFTER DEATH OF THE WRONGDOER, AND PROVIDING THAT SUCH CAUSE OF ACTION SHALL NOT ABATE UPON THE DEATH OF THE WRONGDOER, AND PROVIDING FURTHER THAT THE INJURED PERSON OR PERSONAL REPRESENTATIVES OF ONE MEETING DEATH SHALL HAVE A CAUSE OF ACTION AGAINST THE PERSONAL REPRESENTATIVES OF THE WRONGDOER, AND PROVIDING THAT THE INJURED PERSON IN SUCH CASES SHALL NOT BE ENTITLED TO A RECOVERY EXCEPT UPON COMPETENT EVIDENCE OTHER THAN THE TESTIMONY OF THE INJURED PERSON.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 2, 1953

Mr. President:

I am directed 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. 132*, by Mr. Kerr, for Special Committee on Statutory Salaries, entitled:

AN ACT AMENDING SECTIONS 67-8-1, 67-8-2, 67-8-3, 67-8-4, 67-8-5, AND 67-8-9, UTAH CODE ANNOTATED 1953, RELATING TO CHANGING AND FIXING THE ANNUAL SALARIES OF THE GOVERNOR; SECRETARY OF STATE; STATE TREASURER; STATE AUDITOR; ATTORNEY GENERAL; CLERK OF THE SUPREME COURT AND EX-OFFICIO LIBRARIAN; ASSISTANT LIBRARIAN, STATE LIBRARY; REPORTER OF THE DECISIONS OF THE SUPREME COURT; JUSTICES OF THE SUPREME COURT; JUDGES OF THE DISTRICT COURTS, AND PROVIDING FOR ENTITLEMENT TO ACTUAL AND NECESSARY EXPENSES AND MILEAGE WHEN A JUDGE HOLDS COURT OUTSIDE OF THE COUNTY IN WHICH HE RESIDES; DISTRICT ATTORNEYS; 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 TAX COMMISSION; MEMBERS OF THE PUBLIC WELFARE COMMISSION; MEMBERS OF THE BUSINESS REGULA-

TION COMMISSION; BANK COMMISSIONER; MEMBERS OF THE LIQUOR CONTROL COMMISSION; MEMBERS OF THE STATE BOARD OF AGRICULTURE; MEMBERS OF THE ENGINEERING COMMISSION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 132 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

February 28, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 33*, by Messrs. Openshaw, Fowles, Woolley and Gibson, entitled:

AN ACT AMENDING TITLE 32, CHAPTER 1, SECTION 6, SUBSECTION J, UTAH CODE ANNOTATED 1953, RELATING TO THE STATUTORY MARK-UP ON LIQUOR SOLD BY THE UTAH LIQUOR CONTROL COMMISSION, TO PROVIDE THAT SAID MARK-UP SHALL BE UPON THE BASIS OF COST TO THE COMMISSION EXCLUSIVE OF FEDERAL EXCISE TAXES, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 33 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

UNFINISHED BUSINESS

S. B. No. 11, being unfinished business, was before the Senate.

On motion of Senator Jenkins, *S. B. No. 11* was amended as follows:

Page 27, line 20, after the word "property" delete the remainder of line 20 and all of line 21, and insert in lieu thereof the following: "may notify the Fish and Game Department of such damage, and the Department shall immediately open such land to the trapping of muskrat."

On motion of Senator Day, *S. B. No. 11* was amended as follows:

Page 28, line 6, after the word "fund" insert the following: "provided, when beaver are doing excessive damage to irrigation ditches, canals, head-

gates or other diversion structures located on private land, the Commission may authorize the landowner to trap the beaver and keep the skins of such animals."

Page 33, line 22, at the end of the sentence delete the period, and insert the following: ", provided, the following described lands located in said Township 2 N, R 1 W, S. L. B. & M, to-wit:

Beginning on the Meander Line of Great Salt Lake (1855 Survey) at a point 1320 feet North from the Southwest corner of Section 30, Tp. 2 N, Rg 1 W, S. L. M; thence following the Meander line of Great Salt Lake northeasterly approximately 230.65 chains to a point 7 chains East of the Northwest corner of Section 21, Tp. 2 N, Rg. 1 W, S. L. M.; thence following said Meander Line West 32.84 chains, thence following the Meander Line of Great Salt Lake Northerly and Southeasterly approximately 231 chains to a point 5.0 chains West from the South Quarter corner Section 16, Tp. 2 N, Rg. 1 W, S. L. M.; thence following said Meander Line East 40.7 chains, thence following along said Meander Line Northerly approximately 155 chains to a point 660 feet South from the Northeast corner Section 9, Tp. 2 N, Rg. 1 W, S. L. M.; thence South along Section Line 97 chains to a point 27 chains South of the Northeast corner Section 16, Tp. 2 N, Rg. 1 W, S. L. M.; thence following the Meander Line of Great Salt Lake approximately 90 chains to a point 40 chains North of the Southeast corner Section 15, Tp. 2 N, Rg. 1 W, S. L. M.; thence N 33° 40′ W, 9516 feet to the North West corner Section 10, Tp. 2 N, Rg. 1 W, S. L. M.; thence N 78° 31′ W 3164.4 feet, thence continuing along the following courses:

S 79° 00′ W 1800.0 feet; S 39° 45′ W 1030.0 feet;
S 55° 45′ W 1000.0 feet; S 32° 35′ W 1460.0 feet;
S 54° 35′ W 980.0 feet; S 4° 55′ W 1030.0 feet;
S 46° 55′ W 1400.0 feet; S 33° 25′ W 1020.0 feet;
S 39° 25′ W 970.0 feet; S 19° 35′ W 870.0 feet;
S 87° 05′ W 2000.0 feet; S 80° 35′ W 1440.0 feet;
S 43° 05′ W 2787.3 feet to a point 917.71 feet North from the Southwest corner Section 18; Tp. 2 N, Rg. 1 W, S. L. M.; thence South along Section line, 10, 157.71 feet, to the Meander Line of Great Salt Lake and the point of beginning and containing 3939.08 Acres.

or any part thereof may be sold, exchanged, or leased by the Fish and Game Commission, with the approval of the Board of Examiners, upon such terms as are in the interest of the public whenever such action will further the purposes enumerated in this Section."

Page 34, line 20, delete the word "and," all of lines 21 to 32 inclusive and insert in lieu thereof "The provisions of this Section shall not apply to lands authorized to be sold, exchanged, or leased by the Fish and Game Commission as provided in Section 23-8-1."

Page 36, line 30, after the word "fees" insert the following "A reasonable bond may be required of such agents.".

Page 38, line 3, after the word "barrels", delete the words "sheep and cattle camps, camp".

Line 4, delete the word "wagons".

Page 44, line 20, after the word "control" insert "grazers of livestock and their employees,".

Line 22, delete "grazers of livestock within the preserves and".

Page 45, line 27, delete the numeral "5" and insert in lieu therof the numeral "6".

On motion of Senator Tietjen, S. *B. No. 11* was amended as follows:

Page 11, line 22, strike the period, add a comma and insert the following: "and provided further the opening date for pheasant hunting shall begin at 8:00 A.M."

On motion of Senator Mabey, S. *B. No. 11* was amended as follows:

Page 21, line 24, after the word "any" insert the word "game."

Line 25, after the word "any" insert the word 'game".

Line 18, after the word "all" insert the word "native".

Line 21, after the word "state" insert "by the State Department of Fish and Game,".

Page 3, line 21, delete the word "wild" and insert in lieu thereof the word "game".

Line 30, after the word "all" insert in lieu thereof the word "native".

Page 4, line 1, after the word "state" insert "by the State Department of Fish and Game".

Line 2, strike the period, and insert ", and not raised on private game farms."

Page 23, line 8, strike the words "pheasants and other upland" and insert in lieu thereof the word "game".

Page 25, line 27, strike the word "Pheasants" and insert in lieu thereof the words "Game birds".

After line 32 and before line 33, in the added paragraph, strike the word "pheasants" and insert in lieu thereof the word "birds."

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

The Senate re-assembled.

On motion of Senator Tippetts, S. *B. No. 11* was amended as follows:

Page 16, line 28, after the word "any" insert the word "game."

On motion of Senator Day, *S. B. No. 11* was amended as follows:

Page 21, line 1, after the word "continue" strike the remainder of the line and insert in lieu thereof the words "not to exceed a period of 12 days thereafter."

On motion of Senator Openshaw, *S. B. No. 11* was amended as follows:

Page 4, line 11, strike the period and insert the words ", and not raised on private fur farms".

Page 7, line 13, strike the comma after the word "fish" and insert "and".

Line 14, strike the words "and fur bearing animal;".

Page 29, line 28, add a "s" to the word "farm" and strike remainder of line 28 and all of lines 29, 30, 31, 32 to and including line 33.

Page 30, delete lines 1, 2, 3, 4, 5, 6 and 7.

Page 39, line 27, after the word "license" insert the words "bill of sale."

On motion of Senator Openshaw, the title of *S. B. No. 11* was amended as follows:

Line 9, strike "OR FURBEARING"; in the same line strike the comma after the word "GAME" and insert the word "AND".

On motion of Senator Fowles, *S. B. No. 11* was amended as follows:

Page 6, line 8, strike the word "quarter" and insert in lieu thereof the word "part".

Page 10, line 29, strike the words "or abolish"; strike the comma after the word "establish" and insert the word "or".

On motion of Senator Hopkin, *S. B. No. 11* was amended as follows:

Page 30, strike lines 31, 32 and 33.

Page 31, strike lines 1, 2, 3 and 4.

On motion of Senator Mabey, *S. B. No. 11* was amended as follows:

Page 4, line 9, strike the period and insert the following: "and not raised on private game farms or in private fish hatcheries."

Page 26, line 17, after the word "farms" strike remainder of line 17, and lines 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31.

Page 3, line 28, after the word "commission" strike the period and insert the following "and which are not raised in private fish hatcheries."

Page 6, line 10, strike "an enclosure" and insert in lieu thereof the words "a place".

Line 11, after the word "kept" insert a period and delete remainder of line 11 and line 12.

Page 15, line 5, after the word "commission" strike the period and insert "and which are not raised in private fish hatcheries."

Page 28, line 6, insert into the amendment after the word "landowner" the following words "or canal company".

On motion of Senator Mabey, the title of S. *B. No. 11* was amended as follows:

Line 11, after the word 'UTAH" strike remainder of lines 11-12, and line 13 to and including "PONDS;".

S. B. Nos. 128, 129, 153, 87, 137, 47, 125, 108, 214, 144, 50, 154, and 192 were referred back to the Sifting Committee in compliance with that Committee's report, as adopted on the 36th Legislative day.

President Paxton recognized Mr. Bodoni and a group of Indian students, also Mr. Robison and Mr. Powell together with their Civic class from Lehi, Utah.

On motion of Senator Kerr, the Senate adjourned until Tuesday, March 3, 1953, at 9:00 A.M.

FIFTY-FIRST DAY

MORNING SESSION

March 3, 1953

The Senate was called to order at 9:00 A.M. President Paxton in the chair.

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

Prayer by the Chaplain.

March 3, 1953

Mr. President:

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

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 2, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved this day and transmitted to the Secretary of State *S. B. No. 16*, by Messrs. Tietjen, Fowles, Mabey, Thorn and Stringham, entitled:

AN ACT AMENDING SECTION 7-3-51, UTAH CODE ANNOTATED 1953, RELATING TO STATEMENTS OF ACCOUNT BETWEEN BANKS AND DEPOSITORS, CREATING A SIX-YEAR STATUTE OF LIMITATION.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 2, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I have this day approved and transmitted to the Secretary of State *S. B. No. 43*, by Messrs. Tietjen, Kerr, Hafen and Fowles, entitled:

AN ACT AMENDING SECTION 7-1-10, UTAH CODE ANNOTATED 1953, RELATING TO THE FEES PAYABLE TO THE BANK COMMISSIONER BY FINANCIAL INSTITUTIONS UNDER THE SUPERVISION OF THE STATE BANKING DEPARTMENT; CHANGING THE FEES PAYABLE BY COOPERATIVE BANKS FOR PERSONAL CREDITS AND INDUSTRIAL LOAN CORPORATIONS.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 2, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved this day and transmitted to the Secretary of State *S. B. No. 53*, by Messrs. Mabey, Hopkin, Fowles, Watson, Jenkins, Kerr, Day and Tippetts, entitled:

AN ACT AMENDING SECTIONS 73-9-13, 73-9-17, 73-9-18, 73-9-20, 73-9-25, AND 73-9-31, UTAH CODE ANNOTATED 1953, RELATING TO WATER CONSERVANCY DISTRICTS, INCLUDING THE POWERS OF BOARDS OF DIRECTORS OF SUCH DISTRICTS, ALLOTMENT OF WATER BY SUCH DISTRICTS TO MUNICIPALITIES AND TO IRRIGATION DISTRICTS, THE LEVYING OF TAXES AND ASSESSMENTS TO PAY DEFICIENCIES, THE DISPOSAL OF WATER UNDER TERM CONTRACTS AND THE ISSUANCE OF BONDS, AND ADDING A NEW SECTION TO BE NUMBERED 73-9-42, UTAH CODE ANNOTATED 1953, RELATING TO VALIDATING THE CREATION AND ORGANIZATION OF SUCH DISTRICTS AND PROCEEDINGS HERETOFORE HELD THEREIN FOR THE AUTHORIZATION OF CONTRACTS AND BONDS, VALIDATING CONSTRUCTION CONTRACTS HERETOFORE ENTERED INTO BY SUCH DISTRICTS AND MAKING CERTAIN FINDINGS WITH RESPECT TO BENEFITS TO ACCRUE TO TAXABLE PROPERTY THEREIN.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 2, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved this day and transmitted to the Secretary of State *S. B. No. 64*, by Messrs. Kerr and Tippetts, entitled:

AN ACT AMENDING SECTION 41-1-127, UTAH CODE ANNOTATED 1953, PROVIDING FOR REGISTRATION FEES UPON HOUSE TRAILERS, BASED ON WEIGHT.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 2, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved this day and transmitted to the Secretary of State *S. B. No. 121*, by Messrs. Gibson and Woolley, entitled:

AN ACT AMENDING SECTIONS 20-14-1, AND 20-14-21, UTAH CODE ANNOTATED 1953, RELATING TO CORRUPT PRACTICES IN ELECTIONS, DEFINING "POLITICAL PURPOSES" AND "POLITICAL COMMITTEE" AND PROVIDING THAT NO CORPORATION SHALL CONTRIBUTE MONEY OR THE SERVICES OF ITS OFFICERS OR EMPLOYEES IN THE INTEREST OF ANY POLITICAL CANDIDATE OR PARTY OR TO PROMOTE OR DEFEAT THE NOMINATION, PENALTY, ELECTION OR APPOINTMENT OF ANY PERSON TO POLITICAL OFFICE.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

March 3, 1953

Mr. President:

I am directed 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. 33*, by Messrs. Openshaw, Fowles, Woolley and Gibson, entitled:

AN ACT AMENDING TITLE 32, CHAPTER 1, SECTION 6, SUB-SECTION J, UTAH CODE ANNOTATED 1953, RELATING TO THE STATUTORY MARK-UP ON LIQUOR SOLD BY THE UTAH LIQUOR CONTROL COMMISSION, TO PROVIDE THAT SAID MARK-UP SHALL BE UPON THE BASIS OF COST TO THE COMMISSION EXCLUSIVE OF FEDERAL EXCISE TAXES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 33 was transmitted to the Governor.

March 2, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 239*, by Appropriations and Claims Committee, entitled:

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING

JULY 1, 1953, AND ENDING JUNE 30, 1955, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 239 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 2, 1953

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. 222,* by Mr. Fowles, entitled:

AN ACT APPROPRIATING $79,000.00 FROM THE RESERVE BUILDING FUND TO THE UTAH STATE BUILDING BOARD TO ACCEPT A BID TO BUILD A CLASSROOM-ADMINISTRATION BUILDING FOR THE UTAH SCHOOL FOR THE DEAF AND THE UTAH SCHOOL FOR THE BLIND ON THE CAMPUS AT OGDEN, UTAH; AN EMERGENCY CLAUSE, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 222 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 2, 1953

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. 120,* by Messrs. Sanders, Fullmer, Redd, Frandsen, Mrs. Cazier, Messrs. Henderson, Crofts, J. H. Johnson, Gardner, and Esplin, entitled:

AN ACT DIRECTING THE UNIVERSITY OF UTAH TO EVALUATE WEATHER MODIFICATION EXPERIMENTS, AND APPROPRIATING $25,000.00 FOR CARRYING OUT THE PURPOSES OF THIS ACT, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 120 was read the first time and referred to the Sifting Committee.

March 2, 1953

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. 121*, by Messrs. Sanders, Fullmer, Frandsen, Redd, Mrs. Cazier, Messrs. Henderson, Crofts, John H. Johnson, Gardner, and Esplin, entitled:

AN ACT REQUIRING NOTIFICATION AND REPORTS TO THE DEPARTMENT OF METEOROLOGY, STATE SCHOOL OF MINES AND MINERAL INDUSTRIES, UNIVERSITY OF UTAH, BY ALL PERSONS INTENDING TO AND ACTUALLY ATTEMPTING MODIFICATIONS OF THE WEATHER, MAKING IT A MISDEMEANOR TO VIOLATE SAID REQUIREMENTS, FIXING A PENALTY THEREFOR, AND PROVIDING FOR THE ENFORCEMENT OF SAID ACT, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 121 was read the first time and referred to the Sifting Committee.

March 2, 1953

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. 123*, by Messrs. Davis, Thomas, Froerer, Gardner, Kerr, West and Barlow, entitled:

AN ACT AMENDING SECTIONS 41-12-5, 41-12-6, AND 41-12-7, UTAH CODE ANNOTATED 1953, RELATING TO DRIVERS OF MOTOR VEHICLES, ACCIDENTS, SECURITY FOR DAMAGE, SUSPENSION OF LICENSES AND INSURANCE, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 123 was read the first time and referred to the Sifting Committee.

March 2, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. B. No. 148*, by Mr. Lester Taylor, entitled:

AN ACT AMENDING SECTION 59-9-6, UTAH CODE ANNOTATED 1953, RELATING TO LEVY FOR COUNTY PURPOSES AND PROVIDING FOR AN INCREASE IN COUNTIES OF THE FOURTH CLASS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 148 was read the first time and referred to the Sifting Committee.

March 2, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 152*, by Messrs. Durham, Jacobsen, Cope, Grover and R. Clair Anderson, entitled:

AN ACT AMENDING SECTION 17-5-18, UTAH CODE ANNOTATED 1953, RELATING TO ELECTION DISTRICTS AND RAISING MAXIMUM TO FIVE HUNDRED VOTERS IN EACH DISTRICT, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 152 was read the first time and referred to the Sifting Committee.

March 2, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 165*, by Mr. C. W. Larsen, entitled:

AN ACT AMENDING SECTION 41-6-152, UTAH CODE ANNOTATED 1953, RELATING TO WARNING DEVICES TO BE CARRIED IN MOTOR VEHICLES AND PROVIDING THAT ONE-HALF TON OR THREE-QUARTER TON TRUCKS WHICH HAVE A TRUCK BED WIDTH LESS THAN 80 INCHES, WILL NOT BE REQUIRED TO CARRY FLARES, FUSEES, ELECTRIC LANTERNS OR FLAGS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 165 was read the first time and referred to the Sifting Committee.

March 2, 1953

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. 182,* by Messrs. Hopkins, Sevy, Young, Bunderson, Patterson, Rowberry, G. Douglas Taylor, Gardner, Messinger and Brian, entitled:

AN ACT AMENDING SECTIONS 27-6-2, 27-6-3, 27-6-4, 27-6-5, 27-6-6, 27-6-7, 27-6-8, 27-6-9, 27-6-10, 27-6-11, 27-6-12, 27-6-13, 27-6-14, 27-6-15, 27-6-16, 27-6-17, 27-6-18, 27-6-19, 27-6-20, 27-6-21, 27-6-22, 27-6-23, 27-6-24, 27-6-25, 27-6-26, AND 27-6-27, UTAH CODE ANNOTATED 1953; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 27-6-27.10 UTAH CODE ANNOTATED 1953, RELATING TO THE DESIGNATION OF CERTAIN ROADS AS STATE ROADS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 182 was read the first time and referred to the Sifting Committee.

March 2, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 187,* by Mr. C. E. Peterson, entitled:

AN ACT AMENDING 41-3-7, 41-3-12, 41-3-13, 41-3-16 AND 41-3-20, UTAH CODE ANNOTATED 1953, REDUCING THE LICENSE FEE REQUIRED OF MOTORCYCLE DEALERS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 187 was read the first time and referred to the Sifting Committee.

March 2, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 195,* by Messrs. Gunther and C. W. Larsen, entitled:

AN ACT AMENDING SECTION 17-19-11 UTAH CODE ANNOTATED 1953, RELATING TO THE PUBLICATION OF A FINANCIAL

STATEMENT BY THE COUNTY AUDITOR ANNUALLY AND CHANGING TIME FROM JANUARY TO MAY, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 195 was read the first time and referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

March 3, 1953

Mr. President:

Your Sifting Committee reports out the following bills:
S. B. Nos. 128, 129, 153, 87, 137, 47, 125, 108, 214, 144, 50, 154, and 192.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

UNFINISHED BUSINESS

S. B. No. 11, being unfinished business, was before the Senate.

On motion of Senator Gibson, *S. B. No. 11* was made a Special Order of Business for 2:30 P.M. March 4, 1953.

On motion of Senator Gibson, President Paxton appointed a Special Committee consisting of Senators Day, Mabey and Gibson to study and make recommendations concerning *S. B. No. 11*.

On motion of Senator Openshaw, *S. B. No. 143* was lifted from the table.

On motion of Senator Openshaw, the rules were suspended and the Senate voted to now consider *S. B. No. 143*.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Openshaw, *S. B. No. 143* was amended as follows:

Page 1, line 10, after the word "value" delete the comma and the word "service".

S. B. No. 143 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Hafen, Hammond, Jenkins, Kerr, Mabey, Openshaw, Selvin, Tietjen, Watson and Mr. President.

Voting in the negative was Senator Muir.

Absent and not voting: Senators Cannon, Fowles, Gibson, Hopkin, Stringham, Thorn, Tippetts and Woolley.

S. B. No. 128 was read the second time.

Committee report read and adopted.

On motion of Senator Clegg, *S. B. No. 128* was amended as follows:

Page 1, line 1, strike "Introduced by Title only. (See *H. B. No. 145.*)" and insert in lieu thereof the following:

"Section 1. Secs. 38-2-2 and 38-2-4, Utah Code Annotated 1953, are amended to read:

38-2-2. ( ) Every innkeeper, hotel keeper, boarding house or lodging house keeper shall have a lien ( ) on the baggage and other property in and about such inn belonging to ( ) or under control of his guests or boarders for the proper charges due him for their accommodation, board and lodging, for money paid for or advanced to them, and for such other extras as are furnished at their request. The innkeeper, hotel keeper, boarding house or lodging house keeper may detain such baggage and other property until the amount of such charge is paid, and the baggage and other property shall not be exempt from attachment or execution until the hotel or boarding house keeper's lien and the costs of enforcing it are satisfied.

38-2-4. At any time after thirty days after default made in the payment of a debt secured by lien upon personal property as in this chapter provided such lien may be foreclosed by advertisement, upon the same notice and in the same manner as is provided for the foreclosure of chattel mortgages; provided, that if the name and residence of the owner of the property upon which the lien is to be foreclosed is known, a copy of

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the notice shall at the time of the posting or publication be delivered to him, if he resides in the county; otherwise, mailed to him at his last known place of residence. After paying the costs of keeping the property until the time of sale, the reasonable costs of the sale and the amount due the lien claimant, the remainder, if any, shall be paid to the ( ) county treasurer of the county in which the lien is foreclosed with a statement of the lien holder's claim, the costs of enforcing it, a copy of the published notice, and the amount received for such property sold at such sale. Such residue shall be credited by the county treasurer to the general fund of the county, subject to a right of the owner, or his representative, to reclaim it within one (1) year from the date of such deposit. A statement under oath of the proceedings at such sale, such as the law prescribes shall be made to a mortgagor of chattels when sold by advertisement, shall be rendered to the owner upon demand, and for failure to render such a statement the lien holder shall forfeit to the owner the sum of $25 damages.

The fees for the publication of notices shall in no case exceed the sum of $3, and the person crying the sale shall be allowed $2 per day."

On motion of Senator Adams, the rules were suspended and the Senate voted to now consider *S. B. No. 87.*

S. B. No. 87 was read the second time.

Committee report read and adopted.

On motion of Senator Burton, *S. B. No. 87* was amended as follows:

Page 1, line 1, strike "Introduced by Title only. (See *H. B. No. 105.*)" and insert in lieu thereof the following:

"Section 1. The Utah State Building Board is authorized and directed to acquire by purchase or condemnation the following described property to be used as a parking lot for the Pioneer Memorial Museum, to-wit:

Commencing at the Northwest corner of Lot 5, Block 11, Plat "E", Salt Lake City Survey, and running thence South 23 degrees 51′ East 45 feet along the West line of said lot; thence East 110 feet; more or less, to

the East line of said Lot; thence North 23 degrees 51′ West 45 feet; thence West 110 feet to the place of beginning; also described as the North 45 feet of Lot 5, Block 11, Plat "E", Salt Lake City Survey.

Commencing at a point South 23 degrees 51′ East 45 feet from the Northwest corner of Lot 5, Block 11, Plat "E", Salt Lake City Survey and running thence South 23 degrees 51′ East 45 feet; thence East 110 feet; thence North 23 degrees 51′ West 45 feet; thence West 110 feet, to the place of beginning.

Commencing at a point South 23 degrees 51′ East 90 feet from the Northwest corner of Lot 5, Block 11, Plat "E", Salt Lake City Survey, and running thence South 23 degrees 51′ East 50 feet; thence East 110 feet; thence North 23 degrees 51′ West 50 feet; thence West 110 feet to

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the place of beginning.

Commencing at the Northwest corner of Lot 6, Block 11, Plat "E", Salt Lake City Survey, East 63 feet; thence South 3 degrees 18′ East 100.78 feet; thence West 24.09 feet to the West line of Lot 6, thence North 23 degrees 51′ West 110 feet to the place of beginning.

Beginning at the Northeast corner of Lot 6, Block 11, Plat "E", Salt Lake City Survey, and running thence Southeasterly along the East line of said Lot 52.8 feet; thence Northerly to a point 7½ feet East of said Northeast Corner of Lot 6; thence West 7½ feet to place of beginning.

Also: Beginning at the Northeast corner of Lot 6, Lot 6, Block 11, Plat "E" Salt Lake City Survey and running thence South 23 degrees 51′ 24″ East 110 feet; thence West 85.91 feet; thence North 3 degrees 18′ West 100.78 feet; thence East 47 feet to place of beg. Together with R. of W. over: Beginning South 23 degrees 51′ 24″ East from the Northwest corner of Lot 4, said Block 11, 25 feet; and running thence East 106.02 feet; thence North 3 degrees 18′ West 73.26 feet; thence East 85.91 feet; thence South 10 feet; thence West 75.67 feet; thence South 3 degrees 18′ East 86.12 feet; thence West 116.02 feet; thence North 23 degrees 51′ 24″ West 25 feet; to beg. Save and except therefrom, how-

ever, such part of above described premises heretofore conveyed to the State of Utah.

Also: Beginning at a point on the South line of Apricot Ave. 7.5 feet East of the Northwest corner of Lot 7, Block 11, Plat "E", Salt Lake City Survey, and running thence East along said Street 54.98 feet to the West line of Columbus Street; thence along the said West line Southwesterly around a curve to the Right with a radius of 467 feet a distance of 48.64 feet; thence South 17 degrees 47′ West 40.28 feet to the West line of Lot 7, said Block 11, Plat "E", thence North 23 degrees 51′ 45″ West along said line 40.53 feet; thence Northwesterly 52.5 feet, more or less, to the point of beginning.

Also: Commencing at a point which is North 23 degrees 51′ 45″ West 25 feet from the Southwest corner of Lot 6, Block 11, Plat "E", Salt Lake City Survey, and running thence North 23 degrees 51′ 45″ West

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30 feet; thence North 89° 59′ 13″ East 98.37 feet to the West line of Columbus Street; thence South 17 degrees 47′ 15″ West along said Columbus Street 28.22 feet; thence South 89 degrees 59′ 13″ West 77.43 feet to the point of commencement.

Section 2. There is appropriated out of any monies in the general fund of the State Treasury not otherwise appropriated, the sum of $100,000.00 to the Utah State Building Board for the purpose of acquiring said above-described property.

Section 3. This Act shall take effect upon approval."

On motion of Senator Adams, *S. B. No. 87* was amended as follows:

Page 1, lines 1 and 2, delete "and directed".

On motion of Senator Woolley, *S. B. No. 87* was amended as follows:

Page 1, line 2, after the word "acquire" insert the words ", subject to the approval of the Board of Examiners."

S. B. No. 87 was placed on the Third Reading Calendar on the following roll call:

Ayes, 13; Nos, 7; Absent, 3.

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Hammond, Jenkins, Mabey, Muir, Openshaw, Selvin, Stringham, and Thorn.

Voting in the negative were: Senators Gibson, Hafen, Kerr, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Hopkin and Tippetts.

On motion of Senator Fowles, *S. B. No. 219* was lifted from the table.

On motion of Senator Fowles, the rules were suspended and the Senate voted to now consider *S. B. No. 219*.

S. B. No. 219 was read the second time.

Committee report read and adopted.

On motion of Senator Watson, the title of *S. B. No. 219* was amended as follows:

Page 1, line 5 of the title after the word "change" delete the semi-colon, insert a period and delete the remainder of line 5, all of lines 6, 7 and 8.

On motion of Senator Watson, *S. B. No. 219* was amended as follows:

Page 2, line 14, strike the word "daily" and insert in lieu thereof the word "duly".

Lines 16 and 17, strike the words "except those for such state and federal projects".

Line 17, after the word "applicant" insert "or his duly appointed representative".

Page 4, line 8, strike the deletion mark and insert in lieu thereof "filed in the office of the state engineer and the other copy shall be".

On motion of Senator Clegg, the rules were suspended and *S. B. No. 219* was read the third time and placed on its final passage.

S. B. No. 219 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn and Watson.

Absent and not voting: Senators Adams, Gibson, Hopkin, Paxton, Tietjen, Tippetts and Woolley.

S. B. No. 219 was transmitted to the House.

S. B. No. 137 was read the second time.

Committee report read and adopted.

On motion of Senator Mabey, *S. B. No. 137* was tabled.

COMMUNICATIONS FROM THE HOUSE

March 2, 1953

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. 166*, by Messrs. Howe and Durham, entitled:

AN ACT AMENDING SECTION 57-1-5 UTAH CODE ANNOTATED 1953, RELATING TO CO-TENANCIES AND DEFINING THE CREATION OF A JOINT TENANCY BY USE OF CERTAIN WORDS AND CLARIFYING THE MANNER IN WHICH A JOINT TENANCY MAY BE CREATED BY AN OWNER OF LAND BETWEEN SUCH OWNER AND OTHER PERSONS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 166 was read the first time.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider *H. B. No. 166*.

On motion of Senator Mabey, the rules were suspended and *H. B. No. 166* was read the second and third times and placed on its final passage.

H. B. No. 166 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen and Woolley.

Absent and not voting: Senators Gibson, Hafen, Hopkin, Paxton, Tippetts and Watson.

H. B. No. 166 was transmitted to the House.

On motion of Senator Mabey, *S. B. No. 137* was lifted from the table.

On motion of Senator Mabey, the enacting clause of *S. B. No. 137* was struck.

On motion of Senator Fowles, the rules were suspended and the Senate voted to now consider *S. B. No. 128.*

UNFINISHED BUSINESS

On motion of Senator Fowles, the rules were suspended and *S. B. No. 128* was read the third time and placed on its final passage.

S. B. No. 128 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Fowles, Hammond, Jenkins, Kerr, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen and Woolley.

Absent and not voting: Senators Day, Gibson, Hafen, Hopkin, Mabey, Paxton, Tippetts and Watson.

S. B. No. 128 was transmitted to the House.

S. B. No. 129 was read the second time.

Committee report read and adopted.

On motion of Senator Fowles, *S. B. No. 129* was amended as follows:

Page 1, line 1, strike "Introduced by Title only. See *H. B. No. 143.*)" and insert in lieu thereof the following:

"Section 1. Sec. 76-31-1, Utah Code Annotated 1953, is amended to read:

76-31-1. Any person who ( ) shall, with intent to defraud, obtain food, entertainment, lodging, credit, or other accommodation ( ) at any hotel, inn, boarding or lodging house ( ) is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed $300.00 or by imprisonment in the county jail not exceeding six months. Obtaining such food, entertainment, lodging, credit, or other accommodation by false pretense, or by ( ) false ( ) or fictitious show of baggage or ( ) other property, or refusal or neglect to pay therefor on demand, or payment thereof with negotiable paper on which payment was refused, or absconding without paying or offering to pay therefor, or surreptitiously ( ) removing or attempting to remove his baggage ( ), shall be prima

facie evidence of such fraudulent intent, but this section shall not apply where there has been an agreement in writing for more than ten days' delay in such payment."

On motion of Senator Gibson, *S. B. No. 129* was amended as follows:

Page 1, line 5, after the word "misdemeanor" insert a period, strike the word "and" and all of lines 6 and 7 down to and including "six months".

On motion of Senator Fowles, the rules were suspended and *S. B. No. 129* was read the third time and placed on its final passage.

S. B. No. 129 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Fowles, Gibson, Hammond, Jenkins, Kerr, Muir, Openshaw, Selvin, Stringham, Thorn and Tietjen.

Absent and not voting: Senators Day, Hafen, Hopkin, Mabey, Paxton, Tippetts, Watson and Woolley.

S. B. No. 129 was transmitted to the House.

On motion of Senator Thorn, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE GOVERNOR

March 3, 1953

Dear Mr. President and Members of the Senate:

I wish to correct a misunderstanding that has arisen regarding my reported commitment to call a special session of the Legislature to consider and act upon the Public School Survey Commission report.

I have made no commitment to anyone to call a special session of the Legislature for this or any other purpose. I have suggested that the Public School Survey Commission report be presented to the Legislative Council for thorough study and analysis and that the Council then present its recommendation to me.

It should be understood that I am not bound under any circumstances to follow the Council's recommendations, but I value their advice and will give careful consideration to their report.

I always have been willing to call the Legislature into special session if I believe it necessary; but, I repeat, I have made no commitments and I will make no commitment to do this with this Legislature at this time.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 3, 1953

Mr. President:

I am directed 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. 120,* by Messrs. Stringham, Hopkin, Tippetts, Watson and Clegg, entitled:

AN ACT AMENDING SECTION 73-10-3, UTAH CODE ANNOTATED 1953, RELATING TO THE ORGANIZATION OF THE BOARD OF DIRECTORS OF THE UTAH WATER AND POWER BOARD AND THE ELECTION AND APPOINTMENT OF ITS OFFICERS AND EMPLOYEES AND PROVIDING THAT ONE OF ITS MEMBERS OR ANOTHER, WITH THE APPROVAL OF THE GOVERNOR, SHALL BE THE REPRESENTATIVE OF THE STATE OF UTAH IN CONFERENCES FOR THE NEGOTIATION OF COMPACTS BETWEEN THE STATE OF UTAH AND ONE OR MORE SISTER STATES, AND TO REPRESENT THE STATE OF UTAH UPON ANY COMMISSIONS OR OTHER GOVERNING BODIES, AS PROVIDED FOR IN THE COMPACTS THAT MAY HAVE BEEN OR MAY HEREAFTER BE ENTERED INTO BETWEEN THE STATE OF UTAH AND ANY OTHER STATE OR STATES AND ALLOWING HIM A PER DIEM AND EXPENSES; AMENDING SUBDIVISION 6 OF SECTION 73-10-4, UTAH CODE ANNOTATED 1953, SO AS TO PROVIDE THAT THE BOARD SHALL SUPERVISE, IN COOPERATION WITH THE GOVERNOR IN BEHALF OF THE STATE OF UTAH, ALL INTERSTATE COMPACT NEGOTIATIONS AND THE ADMINISTRATION OF SUCH COMPACTS, AND REPEALING SUBDIVISION 7 THEREOF AND RENUMBERING SUBDIVISIONS 8, 9, 10, 11 AND 12, SO AS TO BE RESPECTIVELY 7, 8, 9, 10 AND 11; AMENDING SECTION 73-10-8, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE UTAH WATER AND POWER BOARD CONSTRUCTION FUND AND THE SOURCE THEREOF AND PROVIDING FOR THE BOARD'S INVESTIGATING FUND AND ITS SOURCE, AND FOR INVESTIGATING PARTICULAR PROJECTS TO BE CONSTRUCTED FROM AN ENGINEERING, GEOLOGICAL OR ECONOMIC POINT OF VIEW, AND PROVIDING THAT THE MONIES SO REPAID CONSTITUTING SUCH FUND SHALL BE A CONTINUING FUND AND SHALL NOT REVERT TO THE GENERAL FUND AT THE END OF ANY BIENNIUM; AMENDING SECTION 73-10-11,

UTAH CODE ANNOTATED 1953, PROVIDING THAT THE ATTORNEY GENERAL SHALL ACT AS LEGAL COUNSEL OF THE BOARD AND OF ITS REPRESENTATIVE AND CHARGING THE EXECUTIVE SECRETARY OF THE BOARD WITH THE DUTY OF COLLECTING ANY AND ALL AMOUNTS DUE ON CONTRACTS WITH WATER USERS, AND AMENDING SECTION 73-2-8, UTAH CODE ANNOTATED 1953, BY ELIMINATING THE LAST SENTENCE THEREOF RELATING TO THE REPRESENTATION OF THE STATE OF UTAH BY THE STATE ENGINEER IN THE NEGOTIATION OF COMPACTS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 120 was transmitted to the Governor.

REPORTS OF SPECIAL COMMITTEES

March 2, 1953

Honorable Mark Paxton, President
Utah State Senate
State Capitol
Salt Lake City 1, Utah

Dear President:

The undersigned Special Committee, appointed by you to give consideration to the matter of Civil Defense legislation and to make recommendations thereon, begs to report as follows:

From the information submitted by the Attorney General of the State of Utah, it is evident that the Legislature has neglected to develop any clear cut legislation through which the State of Utah might enter into inter-state compacts, other than for granting permission to doctors, nurses, and a few scientists to carry on their practice in the State of Utah in the event of disaster. No other authority is expressly granted under the present law and in the opinion of your Committee, this State should be unqualifiedly authorized to enter into mutual-aid agreements with other States and to coordinate mutual-aid plans between political subdivisions of this State.

To this end, an amendment to Section 63-5-4, has been prepared authorizing the Utah Council of Defense to negotiate and enter into compacts with other States when approved by the Governor, the State Board of Examiners, and the Federal Civil Defense Administration, when authorized thereto by the federal Congress; provided, that any such compacts shall be made expressly subject to approval by the Legislature of the State of Utah at its next subsequent regular or special session. In the event this amendment is approved, the Utah Council of Defense may proceed to enter into compacts with our sister States, all of which would be subject to the approval of the Legislature at its next session.

In the event this proposed amendment is not passed, the existing law should be amended authorizing the Legislature only to enter into such compacts as we feel that the State of Utah must immediately develop legislation which will grant authority for effective cooperation in the event of an emergency or a disaster.

During the recent flood conditions which existed in the State of Utah, the Attorney General of the State of Utah ruled, in May 1952, that the Governor of the State of Utah could not declare an emergency under existing laws without first calling a special session of the Legislature, which, in our opinion, would have been an unnecessary expense to the taxpayers of the State. To clear the defect and bring it to the attention of the Senate, we have also prepared an amendment to Section 63-5-3, under which the Governor, in conjunction with the State Council, may issue a proclamation declaring that an emergency exists without the necessity of concurrently calling a special session of the Legislature. The amendment as drafted would also grant to the Governor the right to immediately convene a special session.

Under this same proposed amendment, we have attempted to cover coordination of State, City, and County agencies through the Utah State Council of Defense, in order to centralize responsibility in the event of a disaster of emergency proportions. Under the provisions this proposed amendment, no powers that do not already exist within State, County, and local agencies are granted to the State Council of Defense. The authority is given to the Council only to coordinate these agencies. Such action would place the State of Utah in line with the national policy adopted, as set forth in Advisory Bulletin #135 of January 24, 1953, wherein the President of the United States, by Executive Order #10427, authorized the Federal Civil Defense Administration to direct and coordinate all federal agencies on the same basis as proposed to the State Council by the amendment.

We believe that if the Utah State Legislature sees fit to pass the proposed amendments, herewith submitted, that the Utah Legislation will be more or less in conformity with legislation in this field existing among our sister States, and will provide a central agency to act in the event of any disaster.

Because of the urgency and importance of this matter to the citizens of the State of Utah the Committee recommends that the two proposed bills be immediately introduced by the unanimous consent of the Senate; that the Senate and House meet as soon as possible in a joint session to hear the matter and that the proposed amendments be considered as a special order of business by the Legislature as early as possible so that appropriate action can be satisfactorily concluded during this general session.

Respectfully submitted,

EDWIN B. CANNON, Chairman
ALONZO F. HOPKIN
ED. H. WATSON
ORVAL HAFEN

Report adopted and filed.

On motion of Senator Day, the Senate gave unanimous consent to introduce two bills concerning Civil Defense Rights.

INTRODUCTION OF BILLS

S. B. No. 245 By Messrs. Cannon, Hopkin, Hafen and Watson

AN ACT AMENDING SECTION 63-5-4, UTAH CODE ANNOTATED 1953, RELATING TO THE POWERS AND DUTIES OF THE STATE COUNCIL OF DEFENSE AND PROVIDING THAT THE STATE COUNCIL OF DEFENSE MAY ENTER INTO COMPACTS WITH OTHER STATES WITHOUT FIRST OBTAINING THE CONSENT OF THE LEGISLATURE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 246 By Messrs. Cannon, Hopkin, Hafen and Watson

AN ACT AMENDING SECTION 63-5-3, UTAH CODE ANNOTATED, 1953, RELATING TO THE DETERMINATION BY THE STATE COUNCIL OF DEFENSE AND THE GOVERNOR, OF AN EMERGENCY, AND PROVIDING THAT THE COUNCIL SHALL HAVE AUTHORITY TO DIRECT COORDINATION OF STATE, COUNTY AND LOCAL AGENCIES IN TIME OF EMERGENCY, was read the first time and referred to the Committee on Revision and Enrolling.

REPORTS OF STANDING COMMITTEES

March 3, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 66*, by Messrs. Mabey and Woolley, entitled:

AN ACT ESTABLISHING A STATE WATER POLLUTION CONTROL BOARD TO CONTROL, PREVENT AND ABATE THE POLLUTION OF SURFACE AND UNDERGROUND WATERS OF THE STATE; DECLARING A STATE POLICY FOR WATER POLLUTION; SPECIFYING THE POWERS AND DUTIES OF A WATER POLLUTION BOARD OF NINE MEMBERS; PROVIDING FOR THE SELECTION OF BOARD MEMBERS; PROVIDING FOR THE CLASSIFICATION OF WATER; DEFINING ENFORCEMENT, INSPECTION AND INVESTIGATION, MAKING AN APPROPRIATION FOR THE PURPOSES OF THIS ACT AND PROVIDING FOR PENALTIES AND COURT REVIEW, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

ORVAL HAFEN,
Acting Chairman

Report filed.

S. B. No. 66 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, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 222*, by Mr. Fowles, entitled:

AN ACT APPROPRIATING $79,000.00 FROM THE RESERVE BUILDING FUND TO THE UTAH STATE BUILDING BOARD TO ACCEPT A BID TO BUILD A CLASSROOM-ADMINISTRATION BUILDING FOR THE UTAH SCHOOL FOR THE DEAF AND THE UTAH SCHOOL FOR THE BLIND ON THE CAMPUS AT OGDEN, UTAH; AN EMERGENCY CLAUSE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

ORVAL HAFEN,
Acting Chairman

Report filed.

S. B. No. 222 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

S. B. No. 153 was read the second time.

Committee report read and adopted.

On motion of Senator Fowles, *S. B. No. 153* was amended as follows:

Page 1, line 1, strike "(Introduced by Title only. See *H. B. No. 144.*)" and insert in lieu thereof the following:

"Section 1. Secs. 29-1-2 and 29-1-3, Utah Code Annotated 1953, are enacted to read:

29-1-2. An innkeeper, hotel keeper, boarding house or lodging house keeper shall not be obliged to receive from a guest for deposit in such safe or vault, property described in the next preceding section exceeding a total value of Two Hundred Fifty Dollars ($250), and shall not be liable for such property exceeding such value whether received or not. Such innkeeper, hotel keeper, boarding house or lodging house keeper, by

special arrangement with a guest, may receive for deposit in such safe or vault property upon such written terms as may be agreed upon. An innkeeper, hotel keeper, boarding house or lodging house keeper shall be liable for a loss of any of such property of a guest in his inn caused by the theft or negligence of the innkeeper or his servant.

29-1-3. The liability of an innkeeper, hotel keeper, boarding or lodging house keeper, for loss of or injury to personal property placed in his care by his guests other than that described in Section 29-1-1, shall be that of a depositary for hire. Such liability shall not exceed $150 for each trunk and its contents, $50 for each valise, suitcase or other piece of hand luggage and its contents, and $10 for each box, bundle or package,

(Page 2)

and its contents, so placed in his care, unless he has consented in writing with such guest to assume a greater liability."

On motion of Senator Day, 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, 18; Nos, 1; Absent, 4.

Those voting in the affirmative were: Senators Cannon, Clegg, Day, Fowles, Gibson, Hafen, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Watson, Woolley and Mr. President.

Voting in the negative was Senator Adams.

Absent and not voting: Senators Burton, Hammond, Hopkin and Tippetts.

S. B. No. 153 was transmitted to the House.

S. B. No. 47 was read the second time.

Committee report read and adopted.

On motion of Senator Thorn, *S. B. No. 47* was amended as follows:

Page 1, line 10, strike the word "ten" and insert in lieu thereof the word "five".

On motion of Senator Woolley, the rules were suspended and *S. B. No. 47* was read the third time and placed on its final passage.

S. B. No. 47 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Gibson, Hafen, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Hammond, Hopkin and Tippetts.

S. B. No. 47 was transmitted to the House.

On motion of Senator Openshaw, *S. B. No. 200* was lifted from the table.

On motion of Senator Openshaw, the rules were suspended and the Senate voted to now consider *S. B. No. 200.*

S. B. No. 200 was read the second time.

Committee report read and adopted.

On motion of Senator Mabey, *S. B. No. 200* was amended as follows:

Page 2, line 27, after the comma following the word "maximum" insert the following words: "and if the articles of incorporation so authorize".

On motion of Senator Cannon, *S. B. No. 200* was amended as follows:

Page 2, line 29, after the word "prescribed" strike the words "by the by-laws" and insert in lieu thereof the words "by the articles of incorporation".

Page 2, line 30, after the word "may" insert the following "if the articles of incorporation so authorize".

S. B. No. 200 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, Burton, Cannon, Clegg, Day, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Watson and Mr. President.

Absent and not voting: Senators Fowles, Hopkin, Stringham, Tippetts and Woolley.

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

On motion of Senator Mabey, the Senate resolved itself into Regular Session.

On motion of Senator Mabey, the Senate recessed for fifteen minutes.

The Senate re-assembled.

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

MEMBERS, BOARD ON ALCOHOLISM:

Thomas F. Kearns, Salt Lake City

Dr. William D. O'Gorman, Ogden

Rex Hughes, Provo

N. Blaine Winters, Salt Lake City

Albert Scowcroft, Ogden

All for two year terms beginning March 1, 1953, and ending March 1, 1955.

COMMISSIONER, DEPARTMENT OF AGRICULTURE:

Ariel M. Jorgensen, Amalga, Cache County, for six-year term beginning March 1, 1953, and ending March 1, 1959.

COMMISSIONER, DEPARTMENT OF BUSINESS REGULATION:

Donald Hacking, Salt Lake City, for six-year term beginning March 1, 1953, and ending March 1, 1959.

STATE ENGINEER:

Joseph M. Tracy, Salt Lake City, for four-year term beginning March 1, 1953, and ending March 1, 1957.

COMMISSIONER, DEPARTMENT OF FINANCE:

A. N. Smith, Price, for six-year term beginning March 1, 1953, and ending March 1, 1959.

MEMBER, STATE BOARD OF HEALTH:

Dr. Charles Ruggeri, Jr., Salt Lake City, for seven-year term beginning March 1, 1953, and ending March 1, 1960.

MEMBERS, HISTORICAL SOCIETY, BOARD OF CONTROL:

Dr. Leland H. Creer, Salt Lake City

Mrs. Juanita Brooks, St. George

Joel E. Ricks, Logan

Russell B. Swenson, Provo

Paul Sullivan, Salt Lake City

All for four-year terms beginning April 1, 1953, and ending April 1, 1957.

COMMISSIONER, LIQUOR CONTROL COMMISSION:

Charles H. Foote, Nephi, for six-year term beginning July 1, 1953, and ending July 1, 1959.

COMMISSIONER, DEPARTMENT OF PUBLIC WELFARE:

Edith E. Garner, Ogden, for six-year term beginning March 1, 1953, and ending March 1, 1959.

COMMISSIONERS, STATE TAX COMMISSION:

Patrick Healy, Jr., Ogden, and J. Welton Ward, Willard, for four-year terms beginning March 1, 1953, and ending March 1, 1957.

Motion carried.

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

MEMBERS, STATE BOARD OF CORRECTIONS:

Samuel C. Powell, Ogden

George R. Putnam, Salt Lake City

For six-year terms beginning the first Monday in March, 1953, and ending the first Monday in March, 1959.

COMMISSIONER, DEPARTMENT OF ENGINEERING:

Layton Maxfield, Salt Lake City, (D), for a six-year term, beginning March 1, 1953, and ending March 1, 1959.

COMMISSIONERS, FISH AND GAME COMMISSION:

W. Rulon White, Ogden, (D), District No. 1,

Robert B. Mitchell, Parowan, (D), District No. 5

Both are for six year terms beginning March 1, 1953, and ending March 1, 1959.

COMMISSIONERS, INDUSTRIAL COMMISSION:

C. S. Carroll, Ogden, (D), for unexpired term ending March 1, 1957.

L. L. Taylor, Moab (R), for six-year term beginning March 1, 1953, and ending March 1, 1959.

MEMBER, ADVISORY COUNCIL FOR THE SCHOOLS FOR DEAF AND BLIND:

Ray G. Wenger, Salt Lake City

For five-year term beginning March 1, 1953, and ending March 1, 1958.

Motion carried.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 125 was read the second time.

Committee report read and adopted.

S. B. No. 125 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, Burton, Cannon, Clegg, Day, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Hopkin, Stringham, Thorn and Tippetts.

S. B. No. 108 was read the second time.

Committee report read and adopted.

On motion of Senator Kerr, the rules were suspended and *H. B. No. 190* was lifted from the Sifting Committee.

On motion of Senator Kerr, the rules were suspended and the Senate voted to now consider *H. B. No. 190.*

H. B. No. 190 was read the second time.

On motion of Senator Kerr, *H. B. No. 190* was amended as follows:

Page 3, line 28, after the word "or" insert the word "duplicate".

On motion of Senator Tietjen, the rules were suspended and *H. B. No. 190* was read the third time and placed on its final passage.

H. B. No. 190 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hammond, Jenkins, Kerr, Openshaw, Selvin, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Gibson, Hafen, Hopkin, Mabey, Muir, Stringham, Thorn and Tippetts.

H. B. No. 190 was returned to the House.

On motion of Senator Kerr, the enacting clause of *S. B. No. 108* was struck.

S. B. No. 214 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 214* was read the third time and placed on its final passage.

S. B. No. 214 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Gibson, Hafen, Hopkin, Stringham, Thorn and Tippetts.

S. B. No. 214 was transmitted to the House.

S. B. Nos. 144-50-154-192 were referred back to the Sifting Committee in compliance with that Committee's report, as adopted on the 36th Legislative day.

President Paxton recognized Mr. Paul Thorn, brother of Senator Thorn, members of the Stuart Junior High School, together with their teacher, Mr. Brundage.

On motion of Senator Adams, the Senate adjourned until Wednesday, March 4, 1953 at 10:00 A.M.

FIFTY-SECOND DAY

MORNING SESSION

March 4, 1953

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

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

Prayer by the Chaplain.

March 4, 1953

Mr. President:

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

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 3, 1953

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. 98*, by Messrs. Postma and Young, entitled:

AN ACT AMENDING SECTIONS 31-32-9 AND 31-32-10, UTAH CODE ANNOTATED 1953, RELATING TO THE CHARTER PROVISIONS AND MEMBERSHIP AND STOCKHOLDER PROVISIONS OF COOPERATIVE INSURANCE ASSOCIATIONS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 98 was read the first time and referred to the Sifting Committee.

March 3, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 186*, by Messrs. Postma, Monson, Dunn, and White, entitled:

AN ACT TO AMEND SECTION 53-34-6, UTAH CODE ANNOTATED 1953, RELATING TO THE DEPOSIT AND USE OF FEES AND INCOME AND THE MAKING OF REPORTS BY THE UNIVERSITY OF UTAH AND THE UTAH STATE AGRICULTURAL COLLEGE, AND CHANGING METHOD OF CREDITING FUNDS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 136 was read the first time and referred to the Sifting Committee.

March 2, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 162*, by Mrs. Jack, entitled:

AN ACT AMENDING SECTION 20-6-1, 20-6-3, 20-6-4 AND 20-6-6, UTAH CODE ANNOTATED 1953, RELATING TO QUALIFICATION FOR VOTING AND PROVIDING THAT PERSONS CONFINED MAY VOTE AND FOR PHYSICIANS CERTIFICATES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 162 was read the first time and referred to the Sifting Committee.

March 3, 1953

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. 174*, by Messrs. Wm. E. Anderson, Sheffield, Conover, and G. D. Taylor, entitled:

AN ACT RELATING TO PRINTING FOR THE STATE OF UTAH; TO PRESCRIBE PENALTIES FOR THE VIOLATION OF THE PROVISION OF THIS ACT AND QUALIFICATIONS OF A RESPONSIBLE BIDDER; TO PERMIT PRINTING BY CERTAIN STATE INSTITUTIONS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 174 was read the first time and referred to the Sifting Committee.

March 3, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 223*, by Messrs. W. G. Larson, Rowberry, Gardner, Bunderson, Crofts, G. D. Taylor, and Hopkins, entitled:

AN ACT AMENDING SECTION 41-1-88, UTAH CODE ANNOTATED 1953, TO PERMIT RECIPROCAL AGREEMENTS WITH

OTHER STATES FOR THE USE OF THE HIGHWAYS OF THIS AND SUCH OTHER STATES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 223 was read the first time and referred to the Sifting Committee.

March 3, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 228*, by Messrs. Frandsen and Henderson, entitled:

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION OF THE STATE OF UTAH TO ACCEPT LAND FOR THE USE OF THE CARBON COLLEGE IN PRICE, UTAH, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 228 was read the first time and referred to the Sifting Committee.

March 3, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 243*, by Messrs. Froerer, C. E. Peterson, Hopkins, and Jones, entitled:

AN ACT AMENDING SECTION 36-1-4, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE REDISTRICTING OF COUNTIES HAVING MORE THAN ONE REPRESENTATIVE IN THE HOUSE OF REPRESENTATIVES OF THE STATE LEGISLATURE INTO REPRESENTATIVE DISTRICTS AND FOR NUMBERING 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,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 243 was read the first time and referred to the Sifting Committee.

March 2, 1953

Mr. President:

I am directed to inform your Honorable Body that on the 2nd day of March, 1953, the Governor did veto *H. B. No. 22*, by Messrs. Kerr, Edward C. Larsen, and Postma, entitled:

AN ACT AMENDING SECTIONS 8-1-6, 8-1-7, 8-1-12, AND 8-1-20, UTAH CODE ANNOTATED 1953, RELATING TO THE CREATION, ORGANIZATION AND MAINTENANCE OF CEMETERY DISTRICTS AND PROVIDING FOR THE LEVYING OF TAXES BY THE CEMETERY BOARDS THEREOF.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

REPORTS OF SPECIAL COMMITTEES

March 4, 1953

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 118 and 158 and S. B. Nos. 144, 50, 237, 154, 192, 85, 77, and S. J. R. No. 2.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

On motion of Senator Clegg, *S. B. No. 42* was lifted from the table.

On motion of Senator Clegg, the rules were suspended and the Senate voted to now consider *S. B. No. 42*.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 42 was before the Senate.

On motion of Senator Hafen, *S. B. No. 42* was amended as follows:

Page 1, line 1, strike the last letter "s" from the word "Sections"; also strike "59-10-1 and".

Line 2, strike the word "are" and insert in lieu thereof the word "is".

Line 3, strike all of lines 3 to 17 inclusive.

Page 2, line 1, strike all of lines 1-2-3-4 and 5; and insert in lieu thereof:

"59-10-2. Every current tax upon personal property is a lien upon the real property of the owner thereof from and after 12 o'clock M. of the first day in January of each year, ( ) provided that such personal property is listed with the real property before July 1st of the year in which the personal property tax becomes a lien. Such listing shall be made either on the same sheet with the record of assessment of real property or by entering on the sheet whereon the assessment of the real property is recorded a reference which shows the record or records of the assessment of the personal property; provided further that the total assessed valuation of the personal property which is listed with the real property is not in excess of double the assessed valuation of the real property.

Section 2. This act shall take effect January 1, 1954."

On motion of Senator Hafen, the title of *S. B. No. 42* was amended as follows:

Line 1, strike the letter "S" from the word "SECTIONS" to read "SECTION."

Line 7, after the word "ROLLS" strike the comma and insert a period in lieu thereof; strike the remainder of line 7 and lines 8 and 9.

S. B. No. 42 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Gibson, Thorn, Tippetts and Watson.

S. B. No. 42 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 118 was read the second time.

On motion of Senator Burton, the Senate resolved itself into a Committee of the Whole.

Mayor Earl J. Glade appeared before the Committee of the Whole.

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

On motion of Senator Thorn, *H. B. No. 118* was amended as follows:

Page 2, line 9, after the word "municipality" strike the period, and insert ", or to pay principal and interest on bonds issued for the construction of such facilities provided construction thereof has actually commenced subsequent to the enactment of this statute."

On motion of Senator Mabey, *H. B. No. 118* was amended as follows:

Page 2, following line 13, insert a new section to read as follows: "Section 3. If any provision of this act is termed invalid, the remainder of this act shall not be affected thereby."

H. B. No. 118 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, Burton, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Gibson and Tippetts.

On motion of Senator Day, *H. B. No. 42* was lifted from the table.

On motion of Senator Day, the rules were suspended and *H. B. No. 42* was placed at the head of the Second Reading Calendar.

On motion of Senator Day, *H. B. No. 43* was lifted from the table.

On motion of Senator Day, the rules were suspended and *H. B. No. 43* was placed following *H. B. No. 42* on the Second Readnig Calendar.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider *H. B. No. 42*.

H. B. No. 42 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 Burton, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen and Watson.

Absent and not voting: Senators Adams, Cannon, Gibson, Muir, Paxton, Tippetts and Woolley.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider *H. B. No. 43*.

H. B. No. 43 was read the second time.

Committee report read and adopted.

On motion of Senator Day, *H. B. No. 43* was amended as follows:

Page 7, line 5, strike "strued" and insert in lieu thereof "structed".

Page 11, line 24, strike "17-27-10" and insert in lieu thereof "17-27-6".

On motion of Senator Day, *H. B. No. 43* was made a Special Order of Business for March 4, 1953 at 3:30 P.M.

On motion of Senator Fowles, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE HOUSE

March 4, 1953

Mr. President:

I am directed 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. 66*, by Messrs. Mabey and Woolley, entitled:

AN ACT ESTABLISHING A STATE WATER POLLUTION CONTROL BOARD TO CONTROL, PREVENT AND ABATE THE POLLUTION OF SURFACE AND UNDERGROUND WATERS OF THE STATE; DECLARING A STATE POLICY FOR WATER POLLUTION; SPECIFYING THE POWERS AND DUTIES OF A WATER POLLUTION BOARD OF NINE MEMBERS; PROVIDING FOR THE SELECTION OF BOARD MEMBERS; PROVIDING FOR THE CLASSIFICATION OF WATER; DEFINING ENFORCEMENT, INSPECTION AND INVESTIGATIONS, MAKING AN APPROPRIATION FOR THE PURPOSES OF THIS ACT AND PROVIDING FOR PENALTIES AND COURT REVIEW, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 66 was transmitted to the Governor.

March 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day stricken the enacting clause from *S. B. No. 68*, as amended by the House, by Messrs. Stringham and Hopkin, entitled:

AN ACT AMENDING SECTION 17-5-69, UTAH CODE ANNOTATED 1953, RELATING TO AND EMPOWERING COUNTY COMMISSIONERS TO LEVY SPECIAL TAX ON TAXABLE PROPERTY TO CREATE FUNDS TO BE USED FOR COLLECTING, REPAIRING AND MAINTAINING EXHIBITS OR PRODUCTS AND INDUSTRIES AT ANY EXPOSITION, FAIR OR LIVESTOCK SHOW OR FOR PURPOSE OF PROMOTING AND MAKING WATER SURVEYS; LIMITING AMOUNT OF SUCH TAX, and the said bill is herewith returned for your files.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 68 was filed.

March 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day stricken the enacting clause from *S. B. No. 69*, by Messrs. Stringham and Hopkin, entitled:

AN ACT AMENDING SECTION 17-5-76, UTAH CODE ANNOTATED 1953, RELATING TO AND EMPOWERING BOARDS OF COUNTY COMMISSIONERS TO PROMOTE OR MAKE WATER SURVEYS; EMPOWERING BOARDS OF COUNTY COMMISSIONERS TO LEVY SPECIAL TAX ON TAXABLE PROPERTY; AND AUTHORIZING BOARDS OF COUNTY COMMISSIONERS TO EXPEND PART OF THE MONEY RAISED BY SUCH SPECIAL TAX TO THE UTAH WATER USERS ASSOCIATION FOR ASSISTING IN THE PROMOTING AND MAKING OF WATER SURVEYS," and said bill is herewith returned for your files.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 69 was filed.

March 4, 1953

Mr. President:

I am directed 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. 222*, by Mr. Fowles, entitled:

AN ACT APPROPRIATING $79,000.00 FROM THE RESERVE BUILDING FUND TO THE UTAH STATE BUILDING BOARD TO ACCEPT A BID TO BUILD A CLASSROOM-ADMINISTRATION BUILDING FOR THE UTAH SCHOOL FOR THE DEAF AND THE UTAH SCHOOL FOR THE BLIND ON THE CAMPUS AT OGDEN, UTAH; AN EMERGENCY CLAUSE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 222 was transmitted to the Governor.

March 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 27*, by Messrs. Howe and Young, entitled:

AN ACT AMENDING SECTION 4-20-8, UTAH CODE ANNOTATED 1953, RELATING TO THE ADULTERATION OF DRUGS AND FOODS, DEFINING TERMS USED, AND AUTHORIZING THE STATE BOARD OF AGRICULTURE TO PROMULGATE REGULATIONS GOVERNING THE USE OF, AND ESTABLISHING OF STANDARDS AND TOLERANCES FOR, ANTISEPTIC AND PRESERVATIVE SUBSTANCES AND OTHER CHEMICAL ADDITIVES IN FOOD PRODUCTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 27 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 4, 1953

Mr. President:

I am directed 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. 91*, by Messrs. Durham and Howe, entitled:

AN ACT PROVIDING FOR THE SURVIVAL OF A CAUSE OF ACTION ARISING OUT OF AN INJURY OR DEATH AFTER DEATH OF THE WRONGDOER, AND PROVIDING THAT SUCH CAUSE OF ACTION SHALL NOT ABATE UPON THE DEATH OF THE WRONGDOER, AND PROVIDING FURTHER THAT THE INJURED PERSON

OR PERSONAL REPRESENTATIVES OF ONE MEETING DEATH SHALL HAVE A CAUSE OF ACTION AGAINST THE PERSONAL REPRESENTATIVES OF THE WRONGDOER, AND PROVIDING THAT THE INJURED PERSON IN SUCH CASES SHALL NOT BE ENTITLED TO A RECOVERY EXCEPT UPON COMPETENT EVIDENCE OTHER THAN THE TESTIMONY OF THE INJURED PERSON, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 91 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 4, 1953

Mr. President:

I am directed 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. Jacobsen, Thomas, Davis, Sheffield, Sanders, G. D. Taylor, Barlow, Gardner, Froerer, Young, Esplin, Fullmer, Brian, R. C. Anderson, L. L. Peterson, Kerr, Sevy, Bunderson, Dalebout, C. W. Larsen, Butters, Jones, Conover, Crofts, J. H. Johnson, Postma and Brotherson, entitled:

AN ACT AMENDING SECTION 34-1-2, PARAGRAPH (2), UTAH CODE ANNOTATED 1953, AS AMENDED, PROVIDING THAT A NON-PROFIT CORPORATION OR ASSOCIATION OPERATING AS A HOSPITAL SHALL NOT BE TERMED AN EMPLOYER, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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.

March 4, 1953

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. 23*, by Messrs. Dunn, Postma, and Monson, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF HANS P. ANDERSEN, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 23 was read the first time.

On motion of Senator Muir, the rules were suspended and *H. J. R. No. 23* was read the second and third times and placed on its final passage.

H. J. R. No. 23 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Adams, Hafen, Jenkins and Tippetts.

H. J. R. No. 23 was returned to the House.

REPORTS OF STANDING COMMITTEES

March 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 245*, by Messrs. Cannon, Hopkin, Hafen and Watson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

ORVAL HAFEN,
Acting Chairman

Report filed.

S. B. No. 245 was ordered printed and referred to the Sifting Committee.

March 3, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 246*, by Messrs. Cannon, Hopkin, Hafen and Watson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

ORVAL HAFEN,
Acting Chairman

Report filed.

S. B. No. 246 was ordered printed and referred to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 158 was read the second time.

On motion of Senator Thorn, 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, Burton, Clegg, Day, Fowles, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Gibson, Hafen, Hopkin and Tippetts.

H. B. No. 158 was returned to the House.

On motion of Senator Jenkins, *H. B. No. 130* was lifted from the table.

On motion of Senator Jenkins, the rules were suspended and the Senate voted to now consider *H. B. No. 130.*

On motion of Senator Jenkins, *H. B. No. 130* was amended as follows:

Page 1, line 9, after the word "proprietor" insert the word "and" and delete the comma.

Line 9, after the word "establishment" strike the following: "all similar service businesses."

Line 8, after the word "establishment" strike the following: "electrical repair establishments,".

On motion of Senator Jenkins, the title was amended as follows:

Page 1, line 3, after the word "ESTABLISHMENT" strike "ELECTRICAL REPAIR ESTABLISHMENTS."

Line 4, re-insert the word "AND" and strike "AND ALL SIMILAR SERVICE BUSINESSES."

On motion of Senator Jenkins, *H. B. No. 130* was amended as follows:

Page 1, line 1, after "Section 1." insert "There is hereby added to the Utah Code Annotated 1953 a new section to be known as Section 38-2-3.1."

Line 3, before the word "Every" insert the following: "38-2-3.1".

Page 3, line 31, add the following: "The rights and benefits provided for in this section shall be and are in addition to the rights and benefits provided for in Section 38-2-4."

On motion of Senator Hafen, the title of *H. B. No. 130* was amended as follows:

Page 1, line 7, after the word "NOTICES" insert the following: ", THERE IS HEREBY ENACTED A NEW SECTION TO BE KNOWN AS SECTION 38-2-3.1".

On motion of Senator Clegg, the rules were suspended and *H. B. No. 130* was read the third time and placed on its final passage.

H. B. No. 130 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Gibson and Tippetts.

H. B. No. 130 was returned to the House.

SPECIAL ORDER

S. B. No. 11, being a Special Order of Business, was before the Senate.

On motion of Senator Day, *S. B. No. 11* was made a Special Order of Business for March 4, 1953 at 4:00 P.M.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider Bills on Second Reading.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 143 was read the third time and placed on its final passage.

S. B. No. 143 failed to pass on the following roll call:

Ayes, 10; Nos, 8; Absent, 5.

Those voting in the affirmative were: Senators Clegg, Day, Hammond, Jenkins, Mabey, Openshaw, Selvin, Stringham, Tietjen and Watson.

Those voting in the negative were: Senators Adams, Burton, Cannon, Fowles, Gibson, Muir, Woolley and Mr. President.

Absent and not voting: Senators Hafen, Hopkin, Kerr, Thorn and Tippetts.

S. B. No. 143 was filed.

S. B. No. 87 was read the third time and placed on its final passage.

S. B. No. 87 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hammond, Hopkin, Jenkins, Mabey, Muir, Openshaw, Selvin, Thorn and Watson.

Those voting in the negative were: Senators Gibson, Hafen, Kerr, Stringham, Tietjen, Woolley and Mr. President.

Absent and not voting: Senator Tippetts.

S. B. No. 87 was transmitted to the House.

S. B. No. 200 was read the third time and placed on its final passage.

On motion of Senator Cannon, *S. B. No. 200* was amended as follows:

Page 2, line 1, delete all of paragraph (8) and insert in lieu thereof the following: "The number and kind of its officers and the number of its directors, or that the number of directors shall not be less than a stated minimum nor more than a stated maximum, ( ) the qualifications and terms of office, and the time and manner of ( ) the election, removal and resignation of the officers and directors with the names of the officers and directors to serve until the first general election; provided, that in no case shall the number of directors be less than three ( ) nor more than twenty-five."

Page 3, line 2, insert after the word "number" the following: "together with names and addresses of newly elected directors."

Line 3, insert the following words after the word "state": "and to the County clerk of the County in which the principal place of business of the corporation is located".

Line 4, after the word "corporation." insert "New directors so elected shall not be qualified to act unless and until such notices have been duly filed."

On motion of Senator Adams, *S. B. No. 200* was amended as follows:

Page 3, line 3, following the word "located" strike the period and insert the following: ", and in the county where the articles of incorporation were filed."

S. B. No. 200 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Gibson, Hafen, Hammond, Kerr, Mabey, Muir, Openshaw, Selvin, Tietjen and Watson.

Absent and not voting: Senators Fowles, Hopkin, Jenkins, Paxton, Stringham, Thorn, Tippetts and Woolley.

S. B. No. 125 was read the third time and placed on its final passage.

S. B. No. 125 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen and Watson.

Absent and not voting: Senators Fowles, Gibson, Hopkin, Paxton, Stringham, Tippetts and Woolley.

S. B. No. 125 was transmitted to the House.

On motion of Senator Openshaw, the Senate voted to reconsider the final vote on which it passed *S. B. No. 200.*

On reconsideration *S. B. No. 200* then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen and Watson.

Absent and not voting: Senators Fowles, Paxton, Stringham, Tippetts and Woolley.

S. B. No. 200 was transmitted to the House.

On motion of Senator Clegg, the Senate recessed for twenty minutes.

The Senate re-assembled.

SPECIAL ORDER

H. B. No. 43, being a Special Order of Business, was before the Senate.

On motion of Senator Day, *H. B. No. 43* was amended as follows:

Page 14, strike lines 13 to and including line 33.

Page 15, delete all of line 1 and insert the following:

"17-27-7.10. For the purpose of preserving the integrity of the official map of the county, the board of county commissioners may provide by

general ordinance that no permit shall be issued for any building or structure or part thereof on any land located between the mapped lines of any street as shown on the official map. Any such ordinance shall provide that the board of adjustment, if the county has such a board, or if not, that the board of adjustment created for the purpose in such ordinance, shall, upon an appeal filed with it by the owner of any such land, authorize the grant of a permit for a building or structure or part thereof within any mapped-street location, if, after a hearing, it finds that the official map has been recorded for more than one year and a demand has been made upon the board of county commissioners to buy, or if the offering price is felt by the board of county commissioners to be unreasonable, they have failed to commence an action to condemn such land, or if a judgment of condemnation has been entered and the county commissioners have failed to pay the price therein provided. If an appeal is filed before one year shall have elapsed from the date of the filing of the official map, the board of adjustment may, if it finds upon the evidence submitted at a hearing held upon the appeal that, balancing of interest of the county in preserving the integrity of the official map and the interest of the owner in the use and benefits of the property, the granting of a building permit is required by consideration of justice and equity, then such a building permit may be issued, but upon the ultimate condemnation of the property the value of improvements made under such permit shall not be considered in determining the value of the property so condemned."

On motion of Senator Day, *H. B. No. 43* was amended as follows:

Page 15, line 6, strike the figure "2" and insert in lieu thereof the figure "3".

H. B. No. 43 was placed on the Third Reading Calendar on the following roll call:

Ayes, 16; Nos, 4; Absent, 3.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn and Watson.

Voting in the negative were: Senators Adams, Gibson, Hopkin and Mr. President.

Absent and not voting: Senators Tietjen, Tippetts and Woolley.

SPECIAL ORDER

S. B. No. 11, being a Special Order of Business, was before the Senate.

On motion of Senator Mabey, *S. B. No. 11* was amended as follows:

Page 3, line 32, strike "curlews, sandpipers and willetts" and insert "cranes, rails and shore birds".

Page 21, line 19, strike "curlews, sandpipers and willets" and insert "cranes, rails and shore birds".

Page 21, in lines 24 and 25, strike the word "game".

Page 19, line 1, strike the word "personal".

On motion of Senator Day, *S. B. No. 11* was amended as follows:

Page 20, strike the part of line 6 after the period, and lines 7 to 12, and insert in lieu thereof: "Upon being notified of such damage, the fish and game department shall forthwith remove, as far as possible, such big game animals.

"In the event that it becomes necessary for the land owner to kill big game animals to protect crops on or from cleared and planted land, he may do so after having first notified the fish and game department of the necessity of killing such animals and shall immediately after making the kill notify the game warden."

Page 20, line 18, re-insert the original copy as follows: "on or from cleared and planted land."

Page 20, line 33, strike "general" at the beginning of the line; also strike "such" and insert "the general season to commence on the Saturday on or nearest the 20th day of October of each year and shall continue for the time prescribed by the Board."

Page 20, line 7, after the word "shall" insert "forthwith remove as far as possible".

Line 3, after the word "on" insert "or from".

Line 9, after the word "crops" insert "on or from cleared and planted".

Line 10, strike "obtained a permit from" and insert "notifying".

Line 11, after the word "department" insert "of the necessity of killing" and strike "to kill."

Page 21, line 29, strike "copperhawk" and insert "cooper's hawk".

Page 38, line 2, strike the word "stages".

Line 3, strike the words "warehouse, stores".

Line 4, strike the word "restaurants," and, after the word "barrels", insert "hunting camps and where game is processed and stored".

Page 38, in lines 16 and 17, strike "vehicles, automobiles, trucks, airplanes, horses, and other means or devices" and insert "chemicals, shocking devices, traps and snares".

Page 45, line 28, strike "attacks or."

Line 29, strike "a felony" and insert "an indictable misdemeanor."

On motion of Senator Mabey, the Senate voted to stop passing bills at noon on the 11th of March and to so notify the House.

S. B. Nos. 144, 50, 237, 154, 192, 85, 77 and S. J. R. No. 2 were referred back to the Sifting Committee in compliance with that Committee's report, as adopted on the 36th Legislative day.

President Paxton recognized Mrs. Lund, Miss Watts, Members of the Davis High School Student Body, High School Student Body President, Mr. Dean Larsen and instructor, Mr. Gardner.

On motion of Senator Thorn, the Senate adjourned until Thursday, March 5, 1953 at 9:30 A.M.

FIFTY-THIRD DAY

MORNING SESSION

March 5, 1953

The Senate was called to order at 9:30 A.M. President Paxton in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

March 5, 1953

Mr. President:

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

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

REPORTS OF SPECIAL COMMITTEES

March 5, 1953

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 125, 182, 123, 107, 108, 31, and 32 and H. C. R. Nos. 1 and 7 and S. B. No. 154.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

UNFINISHED BUSINESS

S. B. No. 11, being Unfinished Business, was before the Senate.

On motion of Senator Mabey, *S. B. No. 11* was amended as follows:

Page 3, line 1, after the word "misdemeanor" insert a period and strike the word "unless."

Line 2, strike the words "otherwise provided for by this Code."

On motion of Senator Gibson, *S. B. No. 11* was amended as follows:

Page 3, line 1, after the word "misdemeanor" strike the period and insert the following: "and is punishable by imprisonment in a county jail not exceeding six months or by a fine in any sum less than $400.00 or by both."

On motion of Senator Mabey, *S. B. No. 11* was amended as follows:

Page 15, line 15, after the word "misdemeanor" strike the comma, insert a period and delete the words "and shall be"; and delete lines 16, 17 and 18.

Line 27, after the word "misdemeanor" insert a period and strike "and is pun-"; and all of lines 28 and 29.

Page 17, line 4, after the word "be" strike the remainder of line 4, all of lines 5 and 6 and insert in lieu thereof "guilty of a misdemeanor."

Line 13, after the word "misdemeanor" strike the words "and shall"; strike all of lines 14 and 15 to and including the word "imprisonment".

Page 18, line 8, after the word "misdemeanor" insert a period and strike the balance of line 8 and all of lines 9 and 10.

Page 19, line 27, after the word "misdemeanor" insert a period and strike the balance of line 27, and all of lines 28 and 29 to and including the word "imprisonment".

Page 26, line 17, re-insert the following original copy: "A resident, before establishing such farm, shall make application in writing to the Com-

mission, describing such farm and location thereof, setting forth the kind or kinds of birds which it is proposed to rear, and the Commission shall issue such person a permit to establish such farm."

Line 20, insert at the end of this line the following: "said permit shall be issued without charge."; and re-insert lines 23 to 28 inclusive.

Page 26, following line 28, insert "It shall be unlawful to maintain a private game farm without first fencing that portion thereof where game birds are to be kept, which fence need not contain a cover."

Line 12, after the word "misdemeanor" insert a period and strike balance of line 12, and all of lines 13 and 14.

Page 28, line 17, after the word "misdemeanor" insert a period and strike balance of line 17, and all of lines 18 and 19.

Page 29, line 23, after the word "misdemeanor" insert a period, and strike the balance of the line and all of lines 24 and 25.

Page 37, line 16, after the word "misdemeanor" insert a period and strike the balance of line 16 and all of lines 17 and 18.

Line 24, after the word "misdemeanor" insert a period; strike the balance of line 24 and all of lines 25 and 26 down to and including the word "imprisonment".

Page 39, line 5, after the word "misdemeanor" insert a period; strike the balance of line 5 and all of lines 6 and 7.

Line 13, after the word "meanor" insert a period, and strike the balance of the line and all of lines 14 and 15.

Line 30, after the word "demeanor" insert a period, and strike the balance of line 30 and all of lines 31 and 32.

Page 40, line 2, after the word "misdemeanor" strike the comma and insert in lieu thereof a semi-colon. Strike the balance of line 2, all of line 3 and line 4 down to and including "imprisonment".

Strike all of lines 19 to and including line 24.

Line 28, after the word "misdemeanor" strike the comma and insert in lieu thereof a period; then strike the balance of line 28 and all of lines 29 and 30.

Page 41, line 1, after the word "misdemeanor" strike the comma, insert a period; then strike the balance of line 1, and all of lines 2 and 3.

Line 12, after the word "misdemeanor" strike the comma, insert a period. Strike the balance of line 12 and all of lines 13 to and including line 19.

Line 23, after the word "misdemeanor" insert a period; strike all of lines 23, 24 and 25.

Page 42, beginning with line 28, strike all of Sec. 23-10-17.

Page 43, beginning with line 3, strike all of Sec. 23-10-18.

Line 6, strike "23-10-20" and insert in lieu thereof "23-10-17".

On motion of Senator Gibson, *S. B. No. 11* was amended as follows:

Page 43, line 24, after the word "least" strike the word "three" and insert in lieu thereof "ten".

On motion of Senator Mabey, *S. B. No. 11* was amended as follows:

Page 44, line 32, after the word "misdemeanor" strike the comma, insert a period; strike the remainder of line 32 and all of line 33.

Page 45, line 1, strike the following words: "such fine and imprisonment".

Line 4, after the word "misdemeanor" strike the comma, insert a semicolon; strike balance of line 4, all of lines 5 and 6 to and including the word "imprisonment".

Line 18, after the word "misdemeanor" insert a period; strike remainder of line 18 and line 19 to and including the word "imprisonment".

On motion of Senator Tietjen, *S. B. No. 11* was amended as follows:

Page 45, line 28, after the words "any who" insert the following: "attacks and".

On motion of Senator Openshaw, *S. B. No. 11* was amended as follows:

Page 29, beginning with line 28, re-insert the following original copy: "Any person, before establishing such farm shall make application in writing to the Commission describing such farm and location thereof, setting forth the kind or kinds of animals which it proposes to rear and the Commission shall issue such person a permit to establish such farm."

On motion of Senator Gibson, *S. B. No. 11* was amended as follows:

Page 29, line 32, after the word "permit" insert "without charge".

On motion of Senator Openshaw, *S. B. No. 11* was amended as follows:

Page 30, re-insert the original copy in lines 1 to 7 as follows:

"It is provided that receipts must be issued by the vendor to the vendee in any case where furbearing animals or furs shall change ownership by virtue of this Section and both the vendor and vendee shall produce such receipt or evidence of legal transaction upon request by the State Fish and Game Commission, the State Fish and Game Director, or any employee of the Fish and Game Department or other person authorized to enforce the Fish and Game Laws."

On motion of Senator Stringham, *S. B. No. 11* was amended as follows:

Page 20, beginning with line 6 of the Day amendment, after the word "event" strike the word "that" and insert "such removal is not accomplished forthwith".

On motion of Senator Tippetts, *S. B. No. 11* was amended as follows:

Page 21, line 15, after the word "headgear" strike the comma, and insert: "and a red shirt, sweater or jacket".

On motion of Senator Adams, *S. B. No. 11* was amended as follows:

Page 11, line 25, after the word "Code" delete the remainder of line 25 and all of line 26.

On motion of Senator Day, *S. B. No. 11* was amended as follows:

Page 45, following line 32, add a new section to read as follows: "Section 4. If any provision of this act is held unconstitutional the remainder shall remain in full force and effect.".

On motion of Senator Hafen, *S. B. No. 11* was amended as follows:

Page 45, line 22, after the word "while", strike "hunting" and insert "on a hunting trip, carelessly or negligently".

On motion of Senator Mabey, the title of *S. B. No. 11* was amended as follows:

Page 1, beginning with line 11, re-insert the following original copy: "PROVIDING FOR THE LICENSING AND SUPERVISION OF PRIVATE GAME, FISH OR FURBEARING FARMS OR PONDS;".

S. B. No. 11 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, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Tippetts, Watson and Woolley.

Voting in the negative was Mr. President (explained vote).

Absent and not voting: Senators Hammond and Thorn.

On motion of Senator Day, the Senate voted to order the re-printing of *S. B. No. 11*, as amended by the Senate.

On motion of Senator Cannon, the Senate voted to reconsider its final action on *S. B. No. 143* and, under suspension of the rules, to now consider *S. B. No. 143*.

On motion of Senator Openshaw, *S. B. No. 143* was amended as follows:

Page 1, beginning with line 3, strike all of Section 13-5-2 to and including line 10.

Page 1, line 1, strike the "s" from "Secs"; strike "13-5-2 and"; strike the word "are" and insert in lieu thereof the word "is".

On motion of Senator Openshaw, the title of *S. B. No. 143* was amended as follows:

Page 1, line 1, strike the last "S" from the word "SECTIONS"; also strike "13-5-2 AND".

Line 2, after the word "ACT" delete the comma, insert a period and delete all of lines 3 and 4.

S. B. No. 143 then passed on the following roll call on reconsideration:

Ayes, 16; Nos, 3; Absent, 4.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson (explained vote), Hafen, Hopkin, Jenkins, Kerr, Openshaw, Selvin, Stringham, Tietjen, Tippetts and Watson.

Voting in the negative were: Senators Mabey, Woolley and Mr. President.

Absent and not voting: Senators Adams, Hammond, Muir and Thorn.

S. B. No. 143 was transmitted to the House.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE GOVERNOR

March 4, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved this day and am transmitting to the Secretary of State, *S. B. No. 33*, by Messrs. Openshaw, Fowles, Woolley and Gibson, entitled:

AN ACT AMENDING TITLE 32, CHAPTER 1, SECTION 6, SUBSECTION J, UTAH CODE ANNOTATED 1953, RELATING TO THE STATUTORY MARK-UP ON LIQUOR SOLD BY THE UTAH LIQUOR

CONTROL COMMISSION, TO PROVIDE THAT SAID MARK-UP SHALL BE UPON THE BASIS OF COST TO THE COMMISSION EXCLUSIVE OF FEDERAL EXCISE TAXES.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

March 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, on reconsideration, *H. B. No. 197*, by Messrs. Durham, Brotherson, and R. Clair Anderson, entitled:

AN ACT AMENDING SECTION 20-1-13, UTAH CODE ANNOTATED 1953, RELATING TO OPENING AND CLOSING OF POLLS AT ELECTIONS AND CHANGING CLOSING TIME FROM 8 TO 7 P.M., and the same is transmited herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 197 was read the first time and referred to the Sifting Committee.

March 3, 1953

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. 230*, by Messrs. Young, Brotherson, Dunn, Gardner, R. Clair Anderson, Grover, C. W. Larsen, E. C. Larsen,and Mrs. Gerald Cazier, entitled:

AN ACT CREATING THE UTAH EDUCATIONAL TELEVISION COMMISSION; PRESCRIBING THE POWERS AND DUTIES THEREOF AND THE POWERS AND DUTIES OF ITS MEMBERS, INCLUDING THE RIGHT TO ACQUIRE, OPERATE, AND MAINTAIN EDUCATIONAL TELEVISION STATIONS, AND RECEIVE AND DISBURSE APPROPRIATIONS, GIFTS AND DONATIONS; AND APPROPRIATING FROM THE EMERGENCY RELIEF FUND NOT OTHERWISE APPROPRIATED THE SUM OF $250,000.00 TO CARRY OUT THE PURPOSES OF THIS ACT, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 230 was read the first time and referred to the Sifting Committee.

March 4, 1953

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. 13*, by Messrs. Tietjen, Fowles, Mabey, Thorn and Stringham, entitled:

AN ACT AMENDING SECTION 7-3-48, UTAH CODE ANNOTATED 1953, RELATING TO STOP-PAYMENT ORDERS WITH RESPECT TO CHECKS DRAWN ON BANKS OR TRUST COMPANIES OR ANY BRANCH OR BRANCHES THEREOF, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 13 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 18*, by Messrs. Woolley, Burton and Fowles, entitled:

AN ACT AMENDING SECTIONS 32-4-4 AND 32-6-1, UTAH CODE ANNOTATED 1953, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 32-6-1.1, 32-6-1.2 AND SECTIONS 32-6-4.1, 32-6-4.2, 32-6-4.3, 32-6-4.4, 32-6-4.5, 32-6-4.6 AND 32-6-4.7 UTAH CODE ANNOTATED 1953, AND REPEALING SECTIONS 32-6-2, 32-6-3, 32-6-8, 32-6-9, 32-6-10, 32-6-11, 32-6-12, 32-6-13, 32-6-14, 32-6-15, 32-6-16, UTAH CODE ANNOTATED 1953, 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 the same is returned herewith for your further consideration.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 18 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, *S. B. No. 23*, by Messrs. Openshaw, Day, Fowles and Cannon, entitled:

AN ACT AMENDING SECTION 10-6-41, UTAH CODE ANNOTATED 1953, RELATING TO AND FIXING SALARIES OF OFFICERS OF CITIES OF THE FIRST AND SECOND CLASS, and the same is transmitted herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Watson, the Senate voted to concur in the House amendments.

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

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Jenkins, Mabey, Muir, Selvin, Stringham, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Cannon, Hammond, Hopkin, Kerr, Openshaw, Thorn and Woolley.

S. B. No. 23 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 37*, by Messrs. Day, Cannon and Hafen, entitled:

AN ACT AMENDING SECTION 78-4-9, UTAH CODE ANNOTATED 1953, RELATING TO COMPENSATION OF JUDGES OF THE CITY COURT AND PROVIDING FOR AN INCREASE IN SALARIES, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 37 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 3, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, *S. B. No. 41*, by Messrs. Mabey, Fowles, Openshaw and Hafen, entitled:

AN ACT AMENDING SECTIONS 17-16-13, 17-16-14, 17-16-15, 17-16-17 AND 17-16-19, UTAH CODE ANNOTATED 1953, RELATING TO CLASSIFICATION OF COUNTIES, FIXING AND DETERMINING SALARIES OF COUNTY OFFICERS, INCREASE AND DECREASE IN SALARIES OF COUNTY OFFICERS, CHANGE OF CLASS EFFECT ON SALARIES, SALARIES OF NEW COUNTIES, AND SALARIES TO BE FULL COMPENSATION AND PER DIEM FOR CERTAIN DEPUTIES, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Selvin, the Senate voted to concur in the House amendments.

S. B. No. 41 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Cannon, Hammond, Hopkin, Openshaw, Tietjen and Woolley.

S. B. No. 41 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 4, 1953

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. 49*, by Messrs. Day, Clegg, Cannon, Selvin and Hafen, entitled:

AN ACT AMENDING SECTION 78-56-3, UTAH CODE ANNOTATED 1953, RELATING TO COMPENSATION OF COURT REPORTERS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 49 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 119*, by Messrs. Cannon and Clegg, entitled:

AN ACT AMENDING SECTIONS 31-20-2, AND 31-20-4, UTAH CODE ANNOTATED 1953, 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 returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 119 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 5, 1953

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. 135*, by Messrs. Openshaw and Fowles, entitled:

AN ACT AMENDING SECTION 76-40-6, UTAH CODE ANNOTATED 1953, RELATING TO LIBEL BY NEWSPAPERS, RADIO AND TELEVISION STATIONS AND PROVIDING CERTAIN PRIVILEGE FOR FAIR REPORT OF PUBLIC OR OFFICIAL PROCEEDINGS AND COMPLIANCE WITH FEDERAL LAW AND REGULATIONS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 135 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 4, 1953

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. 163*, by Messrs. Fowles and Hammond, entitled:

AN ACT AMENDING SECTIONS 39-1-3, 39-1-12, 39-1-18, 39-1-21, 39-1-46, AND 39-1-51, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 39-1-61, UTAH CODE ANNOTATED 1953, RELATING TO THE POWERS OF THE GOVERNOR AS COMMANDER IN CHIEF OF THE NATIONAL GUARD; THE COMPOSITION OF THE STAFF OF THE COMMANDER IN CHIEF; THE OFFICE OF THE ADJUTANT GENERAL AND THE APPOINTMENT, QUALIFICATIONS AND DUTIES OF THE ADJUTANT GENERAL; THE DUTIES, QUALIFICATIONS AND SALARIES OF THE ASSISTANT ADJUTANT GENERAL; THE DUTIES, QUALIFICATIONS AND SALARY OF THE PERSONNEL OFFICERS; THE SALARY AND BOND OF THE ADJUTANT GENERAL; THE MAINTENANCE OF AN ARSENAL AND THE MAINTENANCE AND REQUISITION OF MILITARY SUPPLIES AND PLACING RESPONSIBILITY FOR LOSS DUE TO CARELESSNESS AND NEGLIGENCE; PROVIDING FOR PAY OF MEMBERS OF THE NATIONAL GUARD WHILE IN STATE SERVICE; AND CREATING A NATIONAL GUARD ADVISORY BOARD, AND DEFINING ITS PURPOSE, DUTIES AND POWERS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Fowles, the Senate voted to concur in the House amendments.

S. B. No. 163 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Cannon, Hammond, Hopkin, Openshaw and Woolley.

S. B. No. 163 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 4, 1953

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. 217*, by Mr. Mabey, entitled:

AN ACT AMENDING SECTIONS 78-12-5, 78-12-7, AND 78-12-12, UTAH CODE ANNOTATED 1953; AND ENACTING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 78-12-5.1 AND 78-12-5.2, UTAH CODE ANNOTATED 1953, RELATING TO THE PERIOD WITHIN

WHICH ACTIONS MAY BE COMMENCED FOR RECOVERY OF REAL PROPERTY OR THE POSSESSION THEREOF; AND RELATING TO THE PERIOD FOR THE RECOVERY OF PROPERTY SOLD FOR TAXES; AND ESTABLISHING PRIMA FACIE EVIDENCE OF POSSESSION; AND PROVIDING FOR THE PAYMENT OF TAXES NECESSARY TO ESTABLISH ADVERSE POSSESSION; AND A STATEMENT OF LEGISLATIVE INTENT, and the same is transmitted herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, the Senate refused to concur in the House amendments to *S. B. No. 217* and requested the House to recede.

March 5, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 166*, by Messrs. Howe and Durham, entitled:

AN ACT AMENDING SECTION 57-1-5 UTAH CODE ANNOTATED 1953, RELATING TO CO-TENANCIES AND DEFINING THE CREATION OF A JOINT TENANCY BY USE OF CERTAIN WORDS AND CLARIFYING THE MANNER IN WHICH A JOINT TENANCY MAY BE CREATED BY AN OWNER OF LAND BETWEEN SUCH OWNER AND OTHER PERSONS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 166 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 5, 1953

Mr. President:

I am directed 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. 23*, by Messrs. S. A. Dunn, S. J. Postma and Harley W. Monson, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF HANS P. ANDERSEN, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 23 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 5, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 190,* by Mrs. Vance, entitled:

AN ACT AMENDING SECTIONS 4-20-64, 4-20-67 AND 4-20-69, UTAH CODE ANNOTATED 1953, RELATING TO THE INSPECTION OF MEAT ANIMALS AND MEAT PRODUCTS, AUTHORIZING THE STATE BOARD OF AGRICULTURE TO ADOPT REGULATIONS ESTABLISHING MEAT INSPECTION DISTRICTS, COLLECT INSPECTION FEES, EMPLOY VETERINARIANS AND INSPECTORS, DESIGNATE KILLING DAYS FOR SLAUGHTERING ESTABLISHMENTS; AND PROHIBITING THE FEEDING OF RAW GARBAGE TO SWINE, REQUIRING PURCHASE OF LICENSE TO FEED GARBAGE TO SWINE, AND AUTHORIZING THE DEPARTMENT OF AGRICULTURE TO COLLECT A LICENSE FEE THEREFOR.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 118 was read the third time and placed on its final passage.

On motion of Senator Clegg, the title of *H. B. No. 118* was amended as follows:

Line 9, after the word "THEREFOR" insert the following: "OR TO PAY PRINCIPAL AND INTEREST ON ANY BONDS ISSUED FOR THE CONSTRUCTION OF SUCH FACILITIES".

On motion of Senator Hafen, *H. B. No. 118* was amended as follows:

Page 2, line 2, after the word "system" insert the following: "or a system for the supply, treatment or distribution of water".

H. B. No. 118 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Cannon, Hammond, Hopkin, Openshaw and Woolley.

H. B. No. 118 ws 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, 14; Nos, 3; Absent, 6.

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Hafen, Jenkins, Mabey, Selvin, Stringham, Thorn, Tietjen, Tippetts and Watson.

Those voting in the negative were: Senators Gibson, Muir and Mr. President.

Absent and not voting: Senators Cannon, Hammond, Hopkin, Kerr, Openshaw and Woolley.

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, 16; Nos, 3; Absent, 4.

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Hafen, Hopkin, Jenkins, Kerr, Mabey, Selvin, Stringham, Thorn, Tietjen, Tippetts and Watson.

Those voting in the negative were: Senators Gibson, Muir and Mr. President.

Absent and not voting: Senators Cannon, Hammond, Openshaw and Woolley.

H. B. No. 43 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 125 was read the second time.

Committee report read and adopted.

On motion of Senator Burton, *H. B. No. 125* was amended as follows:

Page 2, line 1, after the word "misdemeanor" insert a period; strike balance of line 1, and all of lines 2 and 3.

On motion of Senator Fowles, the rules were suspended and *H. B. No. 125* was read the third time and placed on its final passage.

H. B. No. 125 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Clegg, Day, Fowles, Hafen, Hopkin, Jenkins, Kerr, Mabey, Muir, Stringham, Watson, Woolley and Mr. President.

Those voting in the negative were: Senators Adams and Tietjen.

Absent and not voting: Senators Cannon, Gibson, Hammond, Openshaw, Selvin, Thorn and Tippetts.

H. B. No. 125 was returned to the House.

H. B. No. 182 was read the second time.

On motion of Senator Kerr, *H. B. No. 182* was amended as follows:

Page 10, line 19, after "(g)" insert deletion marks.

H. B. No. 182 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Clegg, Day, Fowles, Gibson, Hafen, Hopkin, Jenkins, Kerr, Openshaw, Selvin, Stringham, Thorn, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Cannon, Hammond, Mabey, Muir and Tippetts.

H. B. No. 123 was read the second time.

H. B. No. 123 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen and Watson.

Those voting in the negative were: Senators Gibson and Mr. President.

Absent and not voting: Senators Cannon, Hafen, Hammond, Hopkin, Stringham, Tippetts and Woolley.

H. B. Nos. 107, 108, 31, 32 and H. C. R. No. 1, H. C. R. No. 2 and S. B. No. 154 were referred back to the Sifting Committee in compliance with that committee's report, as adopted on the 36th Legislative day.

President Paxton recognized students from the Springville High School American history class and their instructors, members of the Payson High School, together with their instructor, Mr. Bates and members of the Hillside Jr. High School, together with their teacher, Mrs. Graff.

President Paxton recognized former Senators Rue Clegg and Lorenzo E. Elggren; Mrs. Della Loveridge, former member of the House.

On motion of Senator Gibson, the Senate adjourned until Friday, March 6, 1953 at 10:00 A.M.

FIFTY-FOURTH DAY

MORNING SESSION

March 6, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 6, 1953

Mr. President:

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

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 5, 1953

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. 10*, by Messrs. Stringham and Woolley, entitled:

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA WITH REFERENCE TO PROCEEDING WITH THE DEVELOPMENT OF THE COLORADO RIVER IN THE UPPER BASIN STATES BY AUTHORIZING THE COLORADO RIVER STORAGE PROJECT AND PARTICIPATING PROJECTS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. J. R. No. 10 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 5, 1953

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. 74*, by Messrs. Fowles, Mabey, Openshaw, Day, Jenkins and Watson, entitled:

AN ACT AMENDING SECTIONS 49-6-2, 49-6-4, 49-6-7, AND 49-6-8, UTAH CODE ANNOTATED 1953, 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; PAYMENTS 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 returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 74 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 5, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 86*, by Mr. Hopkin, entitled:

AN ACT AMENDING SECTION 63-11-10, UTAH CODE ANNOTATED 1953, RELATING TO THE DESCRIPTION OF CERTAIN PROPERTY IN THE VICINITY OF "THIS IS THE PLACE" MONUMENT ORDERED TO BE CONDEMNED FOR STATE PARK PURPOSES, AND PROVIDING FOR THE EXCLUSION THEREFROM OF A TRACT OF LAND KNOWN AS KENNEDY DRIVE, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 86 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 5, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 109*, by Messrs. Mabey, Kerr, Woolley, Hopkin, Hammond and Watson, entitled:

AN ACT AMENDING SECTION 10-6-75, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT, POWERS, SALARY, AND QUALIFICATIONS OF CITY MANAGERS IN CITIES OF THE THIRD CLASS AND TOWNS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 109 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 5, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, *S. B. No. 134*, by Messrs. Openshaw and Fowles, entitled:

AN ACT AMENDING SECTIONS 45-2-5, 45-2-6, 45-2-7, AND 45-2-8, UTAH CODE ANNOTATED 1953, RELATING TO LIABILITY FOR LIBEL SLANDER, AND DEFAMATION ARISING OUT OF RADIO OR TELEVISION BROADCASTS AND REQUIRING THE DEFAMED PARTY TO PROVE LACK OF DUE CARE AND REPEALING SECTION

45-2-9, UTAH CODE ANNOTATED 1953, RELATING TO MINIMIZING DAMAGES BY RETRACTING THE STATEMENT UNDER CERTAIN CONDITIONS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Fowles, the Senate voted to concur in the House amendments.

S. B. No. 134 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Selvin, Tietjen, Tippetts and Mr. President.

Absent and not voting: Senators Cannon, Gibson, Jenkins, Openshaw, Stringham, Thorn, Watson and Woolley.

S. B. No. 134 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 5, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 223*, by Messrs. Hopkin and Kerr, entitled:

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO CONTRACT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR FOR THE WELFARE AND EDUCATION OF INDIANS IN PUBLIC SCHOOLS OF UTAH, and the same is returned herewith for your further action. ,

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 223 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 5, 1953

Mr. President:

I am directed to inform your Honorable Body that on motion of Representative C. E. Peterson, Messrs. C. E. Peterson, Grover, and Hopkins have

been appointed by the Speaker of the House to meet with a like Committee of the Senate, to confer with the Senate on Legislative procedure for the remainder of the session.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Kerr, President Paxton appointed a Conference Committee consisting of Senators Hafen, Kerr and Fowles to meet with a like committee of the House to confer concerning procedure for remainder of session.

REPORTS OF STANDING COMMITTEES

March 5, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 13*, by Messrs. Tietjen, Fowles, Mabey, Thorn and Stringham, entitled:

AN ACT AMENDING SECTION 7-3-48, UTAH CODE ANNOTATED 1953, RELATING TO STOP-PAYMENT ORDERS WITH RESPECT TO CHECKS DRAWN ON BANKS OR TRUST COMPANIES OR ANY BRANCH OR BRANCHES THEREOF, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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.

March 5, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 23*, by Messrs. Openshaw, Day, Fowles and Cannon, entitled:

AN ACT AMENDING SECTION 10-6-41, UTAH CODE ANNOTATED 1953, RELATING TO AND FIXING SALARIES OF OFFICERS OF CITIES OF THE FIRST AND SECOND CLASS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 23 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 5, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 37*, by Messrs. Day, Cannon and Hafen, entitled:

AN ACT AMENDING SECTION 78-4-9, UTAH CODE ANNOTATED 1953, RELATING TO COMPENSATION OF JUDGES OF THE CITY COURT AND PROVIDING FOR AN INCREASE IN SALARIES, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 37 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 5, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 41*, by Messrs. Mabey, Fowles, Openshaw and Hafen, entitled:

AN ACT AMENDING SECTIONS 17-16-13, 17-16-14, 17-16-15, 17-16-17 AND 17-16-19, UTAH CODE ANNOTATED 1953, RELATING TO CLASSIFICATION OF COUNTIES, FIXING AND DETERMINING SALARIES OF COUNTY OFFICERS, INCREASE AND DECREASE IN SALARIES OF COUNTY OFFICERS, CHANGE OF CLASS EFFECT ON SALARIES, SALARIES OF NEW COUNTIES, AND SALARIES TO BE FULL COMPENSATION AND PER DIEM FOR CERTAIN DEPUTIES, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 41 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 5, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 49*, by Messrs. Day, Clegg, Cannon, Selvin and Hafen, entitled:

AN ACT AMENDING SECTION 78-56-3, UTAH CODE ANNOTATED 1953, RELATING TO COMPENSATION OF COURT REPORTERS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 49 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 5, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 119*, by Messrs. Cannon and Clegg, entitled:

AN ACT AMENDING SECTIONS 31-20-2, AND 31-20-4, UTAH CODE ANNOTATED 1953, RELATING TO GROUP DISABILITY INSURANCE, REQUIREMENTS OF GROUP DISABILITY INSURANCE CONTRACT AND PROVIDING THAT GROUP DISABILITY INSURANCE MAY INCLUDE SPOUSE AND CHILDREN UNDER 19, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 119 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 6, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 135*, by Messrs. Openshaw and Fowles, entitled:

AN ACT AMENDING SECTION 76-40-6, UTAH CODE ANNOTATED 1953, RELATING TO LIBEL BY NEWSPAPERS, RADIO AND TELEVISION STATIONS AND PROVIDING CERTAIN PRIVILEGE FOR FAIR REPORT OF PUBLIC OR OFFICIAL PROCEEDINGS AND COMPLIANCE WITH FEDERAL LAW AND REGULATIONS, has

examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 135 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, 1953

Mr. President:

Your Sifting Committee reports out the following bills:
H. B. No. 223, S. J. R. No. 17 and S. B. Nos. 154, 237, 218, 234, 110, 88, 89, 90, 91, 231, 140, 166, and 203.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

March 4, 1953

Mr. President:
Mr. Speaker:

We your Conference Committee, after careful consideration of *H. B. No. 14*, beg leave to recommend that the House concur in the Senate amendments on Line 3, Page 2 of the bill.

Respectfully,

ALONZO F. HOPKIN,
Chairman, Senate Committee

WENDELL GROVER,
Chairman, House Committee

Communication filed.

On motion of Senator Mabey, the Senate voted that when it recesses at noon today, the recess will be until 1:30 P. M.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider bills on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 223 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 223* was read the third time and placed on its final passage.

H. B. No. 223 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Selvin, Tietjen, Tippetts and Woolley.

Absent and not voting: Senators Cannon, Hopkin, Muir, Openshaw, Paxton, Stringham, Thorn and Watson.

On motion of Senator Kerr, the Senate voted to reconsider the final vote on which it passed *H. B. No. 223*.

On reconsideration *H. B. No. 223* then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts and Woolley.

Absent and not voting: Senators Cannon, Gibson, Paxton, Stringham and Watson.

H. B. No. 223 was returned to the House.

S. J. R. No. 17 was read the second time.

On motion of Senator Tietjen, the rules were suspended and the Senate voted to now consider *S. B. No. 154*.

S. B. No. 154 was read the second time.

Committee report read and adopted.

On motion of Senator Thorn, the Senate resolved itself into a Committee of the Whole.

Dr. Geo. A. Spendlove and Mr. Lynn S. Richards appeared before the Committee of the Whole.

On motion of Senator Clegg, the Committee of the Whole was dissolved.

On motion of Senator Hopkin, *S. B. No. 154* was amended as follows:

Page 5, line 9, following the word "chronic", delete "or occupational diseases,".

Page 6, line 7, following the word "to", insert "cooperate with the Utah State Industrial Commission to".

Page 6, line 11, delete "(14) To assist industries of Utah in a program to decrease or eliminate occupational health hazards and occupational diseases."

Page 6, line 13, renumber sub-sections 15 to 17 inclusive.

Page 6, line 33, delete "(18) To impound any and all vegetables and other edible crops".

Page 7, delete lines 1 to 11 inclusive.

Page 7, line 12, change "(20)" to "(17)".

Page 7, line 21, delete lines 21 to 32 inclusive.

Pages 7 and 8, renumber sub-sections 22 to 25 inclusive.

Page 8, delete lines 27 to 33 inclusive.

Page 9, line 1, change "(i)" to "(f)".

Page 9, line 20, following the word "state.", insert "However, for the control of hospitals, the board of health may adopt only rules and regulations recommended by the hospital council."

Page 15, line 15, after the word "physician", insert "or accredited practitioner of any Church or religious denomination relying upon treatment by prayer or spiritual means in accordance with the creeds or tenets of such church".

Page 25, line 10, following the word "compensation", insert "subject to approval by the governing bodies of participating local jurisdiction".

Page 28, line 4, following the word "tax", delete the remainder of that line, all of line 5 and in line 6, delete "city or county,".

Line 7, delete the period and insert ", as provided in Section 17-5-62, Utah Code Annotated 1953, as amended."

Page 30, line 9, beginning with the word "in", delete the balance of that line, and lines 10, 11 and 12.

Page 32, delete lines 28 to 33 inclusive.

Page 33, delete lines 1 to 23 inclusive.

Page 33, line 25, delete the word "other" and the words "approval of".

Page 33, line 30, after the word "necessary," delete the balance of the line and all of lines 31, 32, and 33.

Page 34, delete line 1.

Page 34, after line 27, insert "i. Homes or institutions referred to in Section 7 of the General Provisions of this Act."

Page 35, line 27, after the word "beds," delete the balance of the line.

Page 35, line 28, delete the words "hundred and fifty beds," delete the word "one", and insert in lieu thereof "two"; delete the word "a", and change the word "hospital" to read "hospitals". Delete "one hundred and".

Page 36, delete lines 22 to 25 inclusive.

Page 38, line 12, after "7.", insert "With approval of the hospital advisory council,"; change capital "T" to "t" in the word "the".

Page 43, line 2, strike "such employees shall be limited to".

Line 3, delete the line to and including semi-colon.

Page 45, line 15, after the comma, delete balance of the line and all of lines 16, 17 and 18.

Page 46, line 31, after the period, delete the balance of line 31 and all of lines 32 and 33.

Page 47, delete all of line 1.

Page 50, delete lines 1 to 8 inclusive.

Page 4, line 25, in the blank space insert the figures "$11,500."

S. B. No. 154 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, Burton, Clegg, Day, Fowles, Gibson, Hammond, Hopkin, Jenkins, Kerr, Mabey, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Woolley.

Absent and not voting: Senators Cannon, Hafen, Muir, Openshaw and Paxton.

S. B. No. 237 was read the second time.

On motion of Senator Thorn, the rules were suspended and *S. B. No. 237* was read the third time and placed on its final passage.

S. B. No. 237 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Woolley.

Absent and not voting: Senators Adams, Cannon, Gibson, Hopkin and Paxton.

S. B. No. 237 was transmitted to the House.

On motion of Senator Clegg, the rules were suspended and the Senate voted to now consider *S. J. R. No. 17.*

UNFINISHED BUSINESS

On motion of Senator Clegg, the rules were suspended and *S. J. R. No. 17* was read the third time and placed on its final passage.

S. J. R. No. 17 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton (explained vote), Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Selvin, Stringham, Thorn, Tietjen, Tippetts and Watson.

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

Absent and not voting: Senators Cannon, Gibson, Hopkin, Muir, Openshaw, Paxton and Woolley.

S. J. R. No. 17 was transmitted to the House.

On motion of Senator Thorn, *S. B. No. 218* retained its position on the Second Reading Calendar.

On motion of Senator Clegg, the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE GOVERNOR

March 5, 1953

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:

BANK COMMISSIONER:

Louis S. Leatham, Salt Lake City

For four-year term beginning April 1, 1953, and ending April 1, 1957.

MEMBERS, STATE FAIR ASSOCIATION:

District	Name and Residence	Party
3	O. A. Mickelsen, Draper	Republican
3	Herbert A. Snow, Salt Lake	Democrat
3	Mrs. Genevieve Lawrence, Salt Lake City	Republican
3	T. K. Voyer, Tooele	Democrat
4	John W. Gillman, Orem	Democrat
6	E. H. Street, Richfield	Republican

All for four-year terms beginning June 1, 1953, and ending June 1, 1957.

1	Mrs. E. A. Parson, Logan	Republican

For unexpired term ending June 1, 1955.

MEMBERS, INSTITUTE OF FINE ARTS:

Fred E. Smith, Salt Lake City
Dr. C. Lowell Lees, Salt Lake City
Conrad B. Harrison, Salt Lake City
Raymond J. Ashton, Kaysville
Mrs. Stewart P. Dobbs, Ogden
David L. McKay, Salt Lake City
George M. Gadsby, Salt Lake City

All for four-year terms beginning June 30, 1953 and ending June 30, 1957.

Mrs. Harold Christensen, Springville

For unexpired term ending June 30, 1955.

MEMBERS, UTAH WATER AND POWER BOARD:

District	Name and Residence	Party
1	Orson A. Christensen, Brigham City	Democrat
3	Henry D. Moyle, Salt Lake	Democrat
5	Heber Winget, Monroe	Democrat
7	Charles R. Redd, La Sal	Republican
7	Gordon Clark, St. George	Republican

All for six-year terms ending March 1, 1959.

4	Jay R. Bingham, Springville	Democrat

For unexpired term ending March 1, 1956.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication referred to the Special Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 5, 1953

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. 24*, by Wm. E. Anderson, Sheffield, and Edward C. Larsen, entitled:

A RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH TO EXPRESS APPRECIATION AND COMMENDATION CONCERNING THE OFFICIAL DINNER PARTY AND DANCE OF THE 30TH UTAH LEGISLATURE, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 24 was read the first time.

On motion of Senator Day, the rules were suspended and *H. J. R. No. 24* was read the second and third times and placed on its final passage.

H. J. R. No. 24 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Hopkin, Stringham and Woolley.

H. J. R. No. 24 was returned to the House.

March 6, 1953

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to *S. B. No. 217*, by Mr. Mabey, entitled:

AN ACT AMENDING SECTIONS 78-12-5, 78-12-7, AND 78-12-12, UTAH CODE ANNOTATED 1953; AND ENACTING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 78-12-5.1 AND 78-12-5.2, UTAH CODE ANNOTATED 1953, RELATING TO THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR RECOVERY OF REAL PROPERTY OR THE POSSESSION THEREOF; AND RELATING TO THE PERIOD FOR THE RECOVERY OF PROPERTY SOLD FOR TAXES; AND ESTABLISHING PRIMA FACIE EVIDENCE OF POSSESSION; AND PROVIDING FOR THE PAYMENT OF TAXES NECES-

ARY TO ESTABLISH ADVERSE POSSESSION; AND A STATEMENT OF LEGISLATIVE INTENT, and has appointed a conference committee consisting of Representatives Sheffield, Howe, and Durham to act with a like committee from the Senate on this bill.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

President Paxton appointed a Conference Committee consisting of Senators Mabey, Gibson and Hafen to act with a like Committee from the House to confer on *S. B. No. 217.*

March 6, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 43*, by Messrs. Sheffield and Grover, entitled:

AN ACT AMENDING SECTIONS 17-27-2, 17-27-3, 17-27-4, 17-27-6, 17-27-7, 17-27-8, 17-27-11, 17-27-17, 17-27-19, 17-27-21, 17-27-26, 17-27-27, 57-5-3 AND 57-5-5, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT AND TERMS OF OFFICE OF THE COUNTY PLANNING COMMISSION; PROVIDING FOR THE APPOINTMENT OF A CHAIRMAN, THE ADOPTION OF RULES, THE LIMITATIONS UPON EXPENSES AND THE PROCURING OF TECHNICAL ADVICE; DESCRIBING THE FUNCTION OF THE COUNTY PLANNING COMMISSION AND PERMITTING TWO OR MORE COUNTIES TO COOPERATE IN PLANNING; PROVIDING FOR THE ADOPTION OF THE MASTER PLAN; PROVIDING FOR THE ADOPTION OF AN OFFICIAL MAP; SETTING FORTH THE LEGAL FUNCTION OF THE OFFICIAL MAP; PROVIDING FOR REGULATION OF LAND USE; AUTHORIZING THE APPOINTMENT OF AND OUTLINING THE DUTIES OF DISTRICT PLANNING COMMISSIONS; PERMITTING THE COUNTY COMMISSION TO EXTEND THE EXPIRATION DATE OF TEMPORARY ZONING REGULATIONS; PROVIDING FOR APPROVAL OF SUBDIVISION PLATS; PROVIDING FOR NONRETROACTIVE PROVISIONS OF ZONING; SUPPLYING DEFINITIONS; AND ENACTING A NEW SECTION TO BE KNOWN AS 17-27-7.10, UTAH CODE ANNOTATED 1953, RELATING TO THE ISSUANCE OF BUILDING PERMITS IN MAPPED STREETS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 6, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 118*, by Messrs. Jones, Kerr, and Mrs. Jack, entitled:

AN ACT TO GRANT MUNICIPALITIES OF THE STATE OF UTAH THE RIGHT TO LEVY NOT TO EXCEED FOUR MILLS ON THE DOLLAR ON ALL PROPERTY WITHIN THE MUNICIPALITY FOR THE PURPOSE OF BUILDING FACILITIES FOR TREATING CULINARY WATER OF THE MUNICIPALITY AND FACILITIES FOR THE DISPOSITION, TREATMENT AND CARE OF THE SEWAGE OF THE MUNICIPALITY OR THE CREATION OF A RESERVE FUND THEREFOR, OR TO PAY PRINCIPAL AND INTEREST ON ANY BONDS ISSUED FOR THE CONSTRUCTION OF SUCH FACILITIES.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 6, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 125*, by Messrs. H. V. Davis, Thomas, Sheffield, Jacobsen, G. D. Taylor, and Barlow, entitled:

AN ACT ENACTING NEW SECTIONS TO BE KNOWN AS 63-9-10, 63-9-11, AND 63-9-12, UTAH CODE ANNOTATED 1953, AUTHORIZING THE STATE BOARD OF EXAMINERS TO MAKE RULES AND REGULATIONS GOVERNING THE PARKING OF VEHICLES ON THE STATE GROUNDS SURROUNDING THE STATE CAPITOL BUILDING AND CAPITOL GROUNDS AND PRESCRIBING PENALTY FOR THE VIOLATION THEREOF.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 6, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 130*, by Messrs. Postma and Monson, entitled:

AN ACT RELATING TO LIENS ON PERSONAL PROPERTY FOR SERVICES RENDERED BY DRY CLEANING ESTABLISHMENTS,

LAUNDRIES, STORAGE ESTABLISHMENTS, AND SHOE REPAIR SHOPS PROVIDING FOR LIENS, SALE OF UNCLAIMED PERSONAL PROPERTY, NOTICE TO OWNERS, DISPOSITION OF PROCEEDS OF SALE AND POSTING OF NOTICES. THERE IS HEREBY ENACTED A NEW SECTION TO BE KNOWN AS SECTION 38-2-3.1

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 6, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and House, in body and title of *S. B. No. 206*, by Messrs. Fowles and Jenkins, entitled:

AN ACT AUTHORIZING THE STATE BOARD OF EXAMINERS TO DISPOSE OF REAL PROPERTY AND THE BUILDINGS ON THE WEBER COLLEGE CAMPUS. THIS ACT IS TO BE DESIGNATED AS 53-33-5a, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Fowles, the Senate voted to concur in the House amendments.

S. B. No. 206 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Cannon, Gibson, Hopkin, Mabey and Woolley.

S. B. No. 206 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 6, 1953

Mr. President:

I am directed 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. Tietjen, Fowles, Mabey, Thorn and Stringham, entitled:

AN ACT AMENDING SECTION 7-3-48, UTAH CODE ANNOTATED 1953, RELATING TO STOP-PAYMENT ORDERS WITH RESPECT TO CHECKS DRAWN ON BANKS OR TRUST COMPANIES OR ANY BRANCH OR BRANCHES THEREOF, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

March 6, 1953

Mr. President:

I am directed 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. Openshaw, Day, Fowles and Cannon, entitled:

AN ACT AMENDING SECTION 10-6-41, UTAH CODE ANNOTATED 1953, RELATING TO AND FIXING SALARIES OF OFFICERS OF CITIES OF THE FIRST AND SECOND CLASS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

March 6, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *S. B. No. 41*, by Messrs. Mabey, Fowles, Openshaw and Hafen, entitled:

AN ACT AMENDING SECTIONS 17-16-13, 17-16-14, 17-16-15, 17-16-17 AND 17-16-19, UTAH CODE ANNOTATED 1953, RELATING TO CLASSIFICATION OF COUNTIES, FIXING AND DETERMINING SALARIES OF COUNTY OFFICERS, INCREASE AND DECREASE IN SALARIES OF COUNTY OFFICERS, CHANGE OF CLASS EFFECT ON SALARIES, SALARIES OF NEW COUNTIES, AND SALARIES TO BE FULL COMPENSATION AND PER DIEM FOR CERTAIN DEPUTIES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 41 was transmitted to the Governor.

March 6, 1953

Mr. President:

I am directed 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 Messrs. Day, Clegg, Cannon, Selvin and Hafen, entitled:

AN ACT AMENDING SECTION 78-56-3, UTAH CODE ANNOTATED 1953, RELATING TO COMPENSATION OF COURT REPORTERS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 49 was transmitted to the Governor.

March 6, 1953

Mr. President:

I am directed 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. 119*, by Messrs. Cannon and Clegg, entitled:

AN ACT AMENDING SECTIONS 31-20-2, AND 31-20-4, UTAH CODE ANNOTATED 1953, 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 forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 119 was transmitted to the Governor.

March 6, 1953

Mr. President:

I am directed 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. 135*, by Messrs. Openshaw and Fowles, entitled:

AN ACT AMENDING SECTION 76-40-6, UTAH CODE ANNOTATED 1953, RELATING TO LIBEL BY NEWSPAPERS, RADIO AND TELEVISION STATIONS AND PROVIDING CERTAIN PRIVILEGE

FOR FAIR REPORT OF PUBLIC OR OFFICIAL PROCEEDINGS AND COMPLIANCE WITH FEDERAL LAW AND REGULATIONS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 135 was transmitted to the Governor.

March 6, 1953

Mr. President:

I am directed 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 Messrs. Froerer and Barlow, entitled:

AN ACT APPROPRIATING $13,324.00 TO THE DEPARTMENT OF PUBLIC SAFETY TO COVER OPERATING COSTS OF DIVISION OF SAFETY AND FINANCIAL RESPONSIBILITY, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 6, 1953

Mr. President:

I am directed 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. 190,* by Mrs. Vance, entitled:

AN ACT AMENDING SECTIONS 4-20-64, 4-20-67 AND 4-20-69, UTAH CODE ANNOTATED 1953, RELATING TO THE INSPECTION OF MEAT ANIMALS AND MEAT PRODUCTS, AUTHORIZING THE STATE BOARD OF AGRICULTURE TO ADOPT REGULATIONS ESTABLISHING MEAT INSPECTION DISTRICTS, COLLECT INSPECTION FEES, EMPLOY VETERINARIANS AND INSPECTORS, DESIGNATE KILLING DAYS FOR SLAUGHTERING ESTABLISHMENTS; AND PROHIBITING THE FEEDING OF RAW GARBAGE TO SWINE, REQUIRING PURCHASE OF LICENSE TO FEED GARBAGE TO SWINE, AND AUTHORIZING THE DEPARTMENT OF AGRICULTURE TO COLLECT A LICENSE FEE THEREFOR, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 190 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, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 74*, by Messrs. Fowles, Mabey, Openshaw, Day, Jenkins and Watson, entitled:

AN ACT AMENDING SECTIONS 49-6-2, 49-6-4, 49-6-7, AND 49-6-8, UTAH CODE ANNOTATED 1953, 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; PAYMENTS 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 examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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.

On motion of Senator Openshaw, the rules were suspended and the Senate voted to give its unanimous consent to introduce two bills.

INTRODUCTION OF BILLS

S. B. No. 247 By Messrs. Openshaw and Muir

AN ACT AMENDING SECTION 58-14-3, UTAH CODE ANNOTATED 1953, RELATING TO DEFINITION OF NURSING SCHOOL ACCREDITATION BOARD OF REVIEW, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 248 By Messrs. Openshaw and Muir

AN ACT CREATING THE NURSING SCHOOL ACCREDITATION BOARD OF REVIEW; PROVIDING THE MANNER OF ITS APPOINTMENT AND ITS COMPOSITION; AND DESIGNATING ITS POWERS AND DUTIES, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS

(copy)

February 28, 1953

Hon. Lamont F. Toronto,
Secretary of State
Capital Building

Dear Mr. Toronto:

The provisions of Section 73-10-2, Utah Code Annotated, 1953, provide that the Utah Water and Power Board shall be composed of a chairman and thirteen members, two of whom shall be appointed by the President of the Senate.

The term of office of Wallace B. Mathis, St. George, (D), one of the oppointees of the President of the Senate has expired and I am hereby naming JOHN B. STEPHENS, Henefer, (D), as a new member to fill this vacancy, to hold office for a six-year term expiring March 1, 1959.

Sincerely yours,

MARK PAXTON

Copy of communication filed.

On motion of Senator Kerr, the Senate resolved itself into a Committee of the Whole in order to consider and discuss *S. B. Nos. 245* and *246*.

Mr. Gus P. Backman appeared before the Committee of the Whole.

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

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 234 was read the second time.

On motion of Senator Hammond, *S. B. No. 234* was amended as follows:

Page 1, line 14, strike "Section 3. This act shall expire December 31, 1953."

On motion of Senator Selvin, the rules were suspended and *S. B. No. 234* was read the third time and placed on its final passage.

S. B. No. 234 then passed on the following roll call:

Ayes, 17; Nos, 3; Absent, 3.

Those voting in the affirmative were: Senators Clegg, Day (explained vote), Fowles, Hafen (explained vote), Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen (explained vote), Tippetts, Watson and Woolley.

Those voting in the negative were: Senators Adams (explained vote), Burton and Mr. President (explained vote).

Absent and not voting: Senators Cannon, Gibson, and Hopkin.

S. B. No. 234 was transmitted to the House.

S. B. No. 110 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen, the rules were suspended and *S. B. No. 110* was read the third time and placed on its final passage.

S. B. No. 110 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Burton, Cannon, Gibson, Hopkin and Kerr.

S. B. No. 110 was transmitted to the House.

S. B. No. 88 was read the second time.

On motion of Senator Openshaw, *S. B. No. 88* was amended as follows:

Page 1, line 12, after the deletion mark delete the words "Department of Registration" and insert in lieu thereof "BOARD."

Line 13, delete the word "department" and insert the word "BOARD".

Line 14, after the word "shall" insert the word "thereupon".

Line 19, after the word "committee" insert a period and delete the words "and the Department".

Page 2, line 7, delete "department" and insert in lieu thereof "board".

Line 10, after the word "the" delete the word "Department" and insert in lieu thereof "BOARD".

Line 11, after the word "for" delete "the" and insert "a" and after the words "before the" insert the word "BOARD" and delete "member of".

Line 12, delete "the Business Regulation Commission".

Line 13, after the word "the" delete 'Department" and insert "BOARD".

In lines 16, 18, 20 and 21, delete "commission" and insert in lieu thereof "BOARD".

On motion of Senator Openshaw, the title was amended as follows:

Line 3, after the word "MADE," delete "THAT A REPORT OF THE SURVEY BE MADE TO THE DEPARTMENT OF REGISTRATION;".

Line 6, change the period to a semicolon and insert "AND PROVIDING FOR APPEAL".

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

The Senate re-assembled.

On motion of Senator Clegg, a Call of the Senate was made.

On motion of Senator Mabey, the Call of the Senate was lifted.

S. B. No. 88 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 Burton, Clegg (explained vote), Day (explained vote), Hafen, Hammond, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Cannon, Fowles, Gibson, Hopkin, Jenkins, Thorn and Tietjen.

S. B. No. 89 was read the second time.

On motion of Senator Openshaw, *S. B. No. 89* was amended as follows:

Page 2, line 22, after first deletion mark, strike "two" and insert in lieu thereof "four".

Line 23, after first deletion mark delete balance of line 23, and all of lines 24, 25 and line 26 to end of the sentence.

Line 23, after deletion mark insert the following: "one registered nurse who is either an instructor in practical nursing or a director of a practical nurse school".

Line 28, after "1954" insert a period and strike the balance of line 28 and all of lines 29 and 30.

S. B. No. 89 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, Burton, Clegg, Day, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Fowles, Gibson, Hopkin and Thorn.

S. B. No. 90 was read the second time.

On motion of Senator Openshaw, *S. B. No. 90* was amended as follows:

Page 1, line 5, after the words "he shall" insert the following: ", in the case of registered nurses".

Line 6, after the word "the" insert "Utah League of Nursing,".

Page 1, delete all of lines 7, 8, 9 and, in line 10, delete the words "tors of Hospitals." and insert in lieu thereof "and in the case of the licensed practical nurses, he shall give due consideration to recommendations made by the Bureau of Home Nursing and the Licensed Practical Nurses Association of Utah".

Line 12, after the word "provided" delete the balance of line 12, all of lines 13, 14, 15, 16, 17 and 18 and insert in lieu thereof: "however, that of those first appointed under this act, two of the registered nurses and one of the practical nurses shall serve for a period of one year, and one of the registered nurses and the registered nurse who is either an instructor in practical nursing or a director of a practical nurse school shall serve for a period of two years, and one of the practical nurses and one of the registered nurses shall serve for a period of three years."

S. B. No. 90 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Hafen, Hammond, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Gibson, Hopkin, Jenkins, Kerr, and Stringham.

S. B. No. 91 was read the second time.

On motion of Senator Muir, *S. B. No. 91* was amended as follows:

Page 1, line 14, strike the word "department" and insert in lieu thereof the word "BOARD".

Page 1, line 15, strike the word "department" and insert in lieu thereof the word "BOARD".

Page 1, line 20, strike the deletion mark and insert a period.

Page 2, line 1, strike the words "and the department".

Page 2, line 7, strike the word "Department" and insert in lieu thereof the word "BOARD".

Page 2, line 8, strike the letters "ed" from the word "listed".

Page 2, line 9, strike the word "Department" and insert in lieu thereof the word "BOARD".

Page 2, line 10, strike the word "members" and insert in lieu thereof the word "BOARD".

Page 2, line 11, strike the words "The Business Regulations Commission".

Page 2, line 12, strike the word "Department" and insert in lieu thereof the word "BOARD".

Page 2, line 15, strike the word "commission" and insert in lieu thereof the word "BOARD".

Page 2, line 16, strike the word "Com-".

Page 2, line 17, strike "mission" and insert in lieu thereof the word "BOARD".

Page 2, line 19, strike the word "commission" in two places in this line and insert in lieu thereof the word "BOARD" in both places.

On motion of Senator Muir, the title of *S. B. No. 91* was amended as follows:

Lines 3 and 4, after the semi-colon strike "A REPORT MADE TO THE DEPARTMENT OF REGISTRATION;".

Line 6, after the word "AND" strike "SETTING HEARING." and insert in lieu thereof "PROVIDING FOR APPEAL."

S. B. No. 91 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, Burton, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Mabey, Muir, Openshaw, Selvin, Thorn, Tippetts and Woolley.

Absent and not voting: Senators Cannon, Gibson, Hopkin, Kerr, Paxton, Stringham, Tietjen and Watson.

On motion of Senator Woolley, the rules were suspended and *S. B. Nos. 247-248* were lifted from the Committee on Revision and Enrolling and placed at the head of the Second Reading Calendar.

On motion of Senator Woolley, the rules were suspended and *S. B. No. 247* was read the second time.

S. B. No. 247 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Woolley.

Absent and not voting: Senators Burton, Cannon, Gibson, Hopkin, Kerr and Paxton.

On motion of Senator Woolley, the rules were suspended and *S. B. No. 248* was read the second time.

S. B. No. 248 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Mabey, Muir, Openshaw, Selvin (explained vote), Stringham, Thorn, Tietjen, Tippetts, Watson and Woolley.

Absent and not voting: Senators Burton, Cannon, Gibson, Hopkin, Kerr and Paxton.

S. B. No. 231 was read the second time.

S. B. No. 231 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, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Mabey, Muir, Selvin, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Burton, Cannon, Gibson, Hopkin, Kerr, Openshaw, Stringham and Thorn.

S. B. No. 140 was read the second time.

Committee report read and adopted.

On motion of Senator Clegg, the rules were suspended and *S. B. No. 140* was read the third time and placed on its final passage.

S. B. No. 140 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Clegg, Day, Hafen, Hammond, Jenkins, Kerr, Mabey, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Burton, Cannon, Fowles, Gibson, Hopkin, Muir and Stringham.

S. B. No. 140 was transmitted to the House.

S. B. No. 166 was read the second time.

Committee report read and adopted.

On motion of Senator Kerr, the rules were suspended and *S. B. No. 166* was read the third time and placed on its final passage.

S. B. No. 166 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Clegg, Day, Hafen, Hammond, Kerr, Mabey, Muir, Openshaw, Selvin (explained vote), Stringham, Tietjen, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Burton, Cannon, Fowles, Gibson, Hopkin, Jenkins, Thorn and Tippetts.

S. B. No. 166 was transmitted to the House.

S. B. No. 203 was read the second time.

Committee report read and adopted.

S. B. No. 203 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Day, Hafen, Hammond, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Watson, Woolley and Mr. President.

Voting in the negative was Senator Clegg.

Absent and not voting: Senators Adams, Burton, Cannon, Fowles, Gibson, Hopkin, Jenkins, Thorn and Tippetts.

President Paxton recognized Mr. C. H. Anderson and a group of students from Weber College, Dr. Alonzo J. Morley and a group of students from the Speech Department of the B. Y. U., Mr. E. L. Hansen and a group of Students from the North Summit High School, together with their superintendent, Mr. Ralph S. Chipman.

President Paxton recognized Mrs. Julia Caine, Dr. Lloyd A. Drury, Winston Mercer, Stan Leavitt and a group of students from the B. Y. High School, Provo, Utah.

S. B. No. 218 was referred back to the Sifting Committee in compliance with that committee's report, as adopted on the 36th Legislative day.

On motion of Senator Kerr, the Senate adjourned until Saturday, March 7, 1953, at 9:30 A.M.

FIFTY-FIFTH DAY

MORNING SESSION

March 7, 1953

The Senate was called to order at 9:30 A.M. President Paxton in the chair.

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

Prayer by Senator Orval Hafen.

March 7, 1953

Mr. President:

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

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 6, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved on March 5, and am transmitting to the Secretary of State this day, *S. B. No. 222*, by Mr. Fowles, entitled:

AN ACT APPROPRIATING $79,000.00 FROM THE RESERVE BUILDING FUND TO THE UTAH STATE BUILDING BOARD TO ACCEPT A BID TO BUILD A CLASSROOM-ADMINISTRATION BUILDING FOR THE UTAH SCHOOL FOR THE DEAF AND THE UTAH SCHOOL FOR THE BLIND ON THE CAMPUS AT OGDEN, UTAH; AN EMERGENCY CLAUSE.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

March 6, 1953

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. 101*, by Messrs. Woolley, Day, Kerr, Mabey, Openshaw and Burton, entitled:

AN ACT AMENDING SECTION 53-2-8, UTAH CODE ANNOTATED 1953, PROVIDING FOR ORGANIZATION OF A STATE BOARD OF EDUCATION AND APPOINTMENT OF STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; COMPENSATION, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate voted to concur in the House amendments.

S. B. No. 101 then passed on the following roll call:

Ayes, 16; Nos, 3; Absent, 4.

Those voting in the affirmative were: Senators Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Stringham, Thorn, Tietjen, Woolley and Mr. President.

Those voting in the negative were: Senators Adams, Tippets and Watson.

Absent and not voting: Senators Cannon, Jenkins, Openshaw and Selvin.

S. B. No. 101 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 6, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *S. B. No. 37*, by Messrs. Day, Cannon and Hafen, entitled:

AN ACT AMENDING SECTION 78-4-9, UTAH CODE ANNOTATED 1953, RELATING TO THE COMPENSATION OF JUDGES OF THE CITY COURT AND PROVIDING FOR AN INCREASE IN SALARIES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 37 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

March 6, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 18*, by Messrs. Woolley, Burton and Fowles, entitled:

AN ACT AMENDING SECTIONS 32-4-4 AND 32-6-1, UTAH CODE ANNOTATED 1953, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 32-6-1.1, 32-6-1.2 AND SECTIONS 32-6-4.1, 32-6-4.2, 32-6-4.3, 32-6-4.4, 32-6-4.6 AND 32-6-4.7 UTAH CODE ANNOTATED 1953, AND REPEALING SECTIONS 32-6-2, 32-6-3, 32-6-8, 32-6-9, 32-6-10, 32-6-11, 32-6-12, 32-6-13, 32-6-14, 32-6-15, 32-6-16, UTAH CODE ANNOTATED 1953, 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, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 18 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 7, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 109*, by Messrs. Mabey, Kerr, Woolley, Hopkin, Hammond and Watson, entitled:

AN ACT AMENDING SECTION 10-6-75, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT, POWERS, SALARY, AND QUALIFICATIONS OF CITY MANAGERS IN CITIES OF THE THIRD CLASS AND TOWNS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 109 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 6, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 163*, by Messrs. Fowles and Hammond, entitled:

AN ACT AMENDING SECTIONS 39-1-3, 39-1-12, 39-1-18, 39-1-21, 39-1-46, AND 39-1-51, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 39-1-61, UTAH CODE ANNOTATED 1953, RELATING TO THE POWERS OF THE GOVERNOR AS COMMANDER IN CHIEF OF THE NATIONAL GUARD; THE COMPOSITION OF THE STAFF OF THE COMMANDER IN CHIEF; THE OFFICE OF THE ADJUTANT GENERAL AND THE APPOINTMENT, QUALIFICATIONS AND DUTIES OF THE ADJUTANT GENERAL; THE DUTIES, QUALIFICATIONS AND SALARIES OF THE ASSISTANT ADJUTANT GENERAL; THE DUTIES, QUALIFICATIONS AND SALARY OF THE PERSONNEL OFFICER; THE SALARY AND BOND OF THE ADJUTANT GENERAL; THE MAINTENANCE OF AN ARSENAL AND THE MAINTENANCE AND REQUISITION OF MILITARY SUPPLIES AND PLACING RESPONSIBILITY FOR LOSS DUE TO CARELESSNESS AND NEGLIGENCE; PROVIDING FOR PAY OF MEMBERS OF THE NATIONAL GUARD WHILE IN STATE SERVICE; AND CREATING A NATIONAL GUARD AD-

VISORY BOARD, AND DEFINING ITS PURPOSE, DUTIES AND POWERS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 163 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, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 223*, by Messrs. Hopkin and Kerr, entitled:

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO CONTRACT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR FOR THE WELFARE AND EDUCATION OF INDIANS IN PUBLIC SCHOOLS IN UTAH, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 223 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

REPORTS OF SPECIAL COMMITTEES

March 7, 1953

Mr. President:

Your Sifting Committee reports back the following bills:

S. B. Nos. 218, 144, 192, 245, 188, 235, 194, 30, 71, 116, 117, 224, 139, 141, 142, 17, 190, 72, 76.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

On motion of Senator Mabey, the Senate voted to suspend the rules and, with unanimous consent, *S. B. No. 249* was introduced.

INTRODUCTION OF BILLS

S. B. No. 249 By Messrs. Woolley, Kerr and Mabey

AN ACT AMENDING SECTION 53-37-5, UTAH CODE ANNOTATED, 1953, RELATING TO BUDGETING AND RETENTION OF SURPLUS FUNDS BY COLLEGES AND UNIVERSITIES, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider Bills on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 218 was read the second time.

Committee report read and adopted.

On motion of Senator Thorn, the rules were suspended and *S. B. No. 218* was read the third time and placed on its final passage.

S. B. No. 218 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Watson (explained vote), Woolley and Mr. President.

Absent and not voting: Senators Gibson, Jenkins, Kerr and Tippetts.

S. B. No. 218 was transmitted to the House.

S. B. No. 192 was read the second time.

Committee report read and adopted.

On motion of Senator Woolley, the rules were suspended and *S. B. No. 192* was read the third time and placed on its final passage.

S. B. No. 192 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Gibson, Jenkins, Kerr, Mabey, and Openshaw.

S. B. No. 192 was transmitted to the House.

S. B. No. 144 was read the second time.

Committee report read and adopted.

On motion of Senator Stringham, the rules were suspended and the Senate voted to now consider *S. B. No. 71*.

S. B. No. 71 was read the second time.

Committee report read and adopted.

S. B. No. 71 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Fowles, Hafen, Hammond, Hopkin, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Woolley.

Those voting in the negative were: Senators Adams and Day.

Absent and not voting: Senators Gibson, Jenkins, Kerr and Paxton.

S. B. No. 245 was read the second time.

On motion of Senator Muir, *S. B. No. 245* was amended as follows:

Page 3, line 2, strike the word "administrator" and insert in lieu thereof the word "administration."

On motion of Senator Openshaw, the rules were suspended and *S. B. No. 245* was read the third time and placed on its final passage.

S. B. No. 245 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Jenkins and Kerr.

S. B. No. 245 was transmitted to the House.

S. B. No. 188 was read the second time.

Committee report read and adopted.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider *S. B. No. 235*.

S. B. No. 235 was read the second time.

S. B. No. 235 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, Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Jenkins and Kerr.

UNFINISHED BUSINESS

S. B. No. 188 failed to pass to the Third Reading Calendar on the following roll call:

Ayes, 8; Nos, 13; Absent, 2.

Those voting in the affirmative were: Senators Gibson, Muir, Openshaw, Stringham, Thorn, Tietjen, Woolley and Mr. President.

Those voting in the negative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Kerr, Mabey, Selvin, Tippetts and Watson.

Absent and not voting: Senators Hopkin and Jenkins.

S. B. No. 188 was filed.

REPORTS OF STANDING COMMITTEES

March 7, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 249*, by Messrs. Woolley, Kerr, and Mabey, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

On motion of Senator Mabey, the rules were suspended and *S. B. No. 249* was placed on the Second Reading Calendar, ordered not printed.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider *S. B. No. 249*.

On motion of Senator Woolley, the rules were suspended and *S. B. No. 249* was read the second time.

On motion of Senator Kerr, the Senate resolved itself into a Committee of the Whole.

Mrs. Dorothy Pine, Republican State Vice Chairman, introduced Mrs. Ivy Baker Priest, Treasurer of the United States, who briefly addressed the Senate.

On motion of Senator Kerr, the Committee of the Whole was dissolved.

On motion of Senator Mabey, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE GOVERNOR

March 7, 1953

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, UTAH STATE AGRICULTURAL COLLEGE:

Adam S. Bennion, Salt Lake City
Herschel Bullen, Jr., Logan
Glenn G. Nielsen, Logan
Roger C. Armstrong, Ephraim
Carl W. Peterson, Kenilworth
Charles R. Hunter, Cedar City

All for four year terms beginning July 1, 1953, and ending July 1, 1957

Dr. George M. Fister, Ogden

Emma K. Laub, Logan

Both for unexpired terms ending July 1, 1955.

MEMBERS, BOARD OF REGENTS, UNIVERSITY OF UTAH:

Walter E. Cosgriff, Salt Lake City
LeRoy H. Cox, St. George
Reed C. Culp, Salt Lake City
Mrs. J. L. Gibson, Salt Lake City

William J. O'Connor, Salt Lake City
Arthur Woolley, Ogden

All for four year terms beginning July 1, 1953, and ending July 1, 1957.

Richard L. Evans, Salt Lake City

For unexpired term ending July 1, 1955.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication referred to the Special Committee on Appointments.

March 7, 1953

Dear Mr. President:

I have forwarded to the House of Representatives the February 27, 1953, issue of the periodical "Counterattack," which contains information relating to Chief Justice James H. Wolfe. As a result of this pamphlet, which evidently has had wide circulation, this office has received considerable mail requesting this office to take action.

I also am enclosing two copies of a report taken from the files of the Committee on Un-American Activities of the United States House of Representatives which also has been brought to my attention.

In addition to the foregoing, this office has also received complaints to the effect that Justice Wolfe is not a bona fide resident of Utah and spends only a minimum amount of time in this State.

As you are undoubtedly aware, it is the prerogative of the Legislature to investigate the conduct of judges, and does not fall within the duties or purview of my office.

In view of the fact that the foregoing is outside of the scope of my duties, I am transmitting the same to you for whatever action you and the members of the Legislature may deem appropriate.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, upon reconsideration, *H. B. No. 103*, by Messrs. Durham, Howe and Sheffield, entitled:

AN ACT AMENDING SECTION 78-7-2, UTAH CODE ANNOTATED 1953, RELATING TO THE PRACTICE OF LAW BY JUDGES OF THE SUPREME, DISTRICT AND CITY COURTS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 103 was read the first time and referred to the Sifting Committee.

March 7, 1953

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. L. B. Johnson, Brian, Fullmer, Esplin, R. C. Anderson, J. H. Johnson, Dunn, C. E. Peterson, E. C. Larsen, and Sanders, entitled:

AN ACT RELATING TO AND PROVIDING FOR A SCHOOL BUILDING SURVEY COMMISSION, DEFINING ITS DUTIES, PROVIDING FOR THE DETERMINATION OF SCHOOL BUILDING NEEDS IN SCHOOL DISTRICTS OF THE STATE, PROVIDING FOR STANDARDS OF ELIGIBILITY TO OBTAIN STATE FUNDS TO MEET EMERGENCY SUPPLEMENTAL NET BUILDING NEEDS; DIRECTING THE STATE BOARD OF EDUCATION TO PRESCRIBE MINIMUM SCHOOL PLANT STANDARDS; APPROPRIATING THE SUM OF TWO MILLION ONE HUNDRED FIFTY SEVEN THOUSAND DOLLARS ($2,157,000) FOR EMERGENCY SUPPLEMENTAL STATE AID IN ADDITION TO THE APPROPRIATION PREVIOUSLY MADE; ESTABLISHING CERTAIN PRIORITIES AND PROVIDING FOR THE DISTRIBUTION OF STATE AID AND THE CONDITIONS PRECEDENT THERETO, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 206 was read the first time and referred to the Sifting Committee.

March 7, 1953

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. 235*, by Messrs. Jones and Rowberry, entitled:

AN ACT APPROPRIATING $30,000 TO BE USED FOR THE DISTRIBUTING OF INFORMATION ON THE CAPITOL BUILDING AND GROUNDS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 235 was read the first time and referred to the Sifting Committee.

March 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of March, 1953, approve and transmit to the Secretary of State, *H. B. No. 27*, by Messrs. Howe and Young, entitled:

AN ACT AMENDING SECTION 4-20-8, UTAH CODE ANNOTATED 1953, RELATING TO THE ADULTERATION OF DRUGS AND FOODS, DEFINING TERMS USED, AND AUTHORIZING THE STATE BOARD OF AGRICULTURE TO PROMULGATE REGULATIONS GOVERNING THE USE OF, AND ESTABLISHING OF STANDARDS AND TOLERANCES FOR, ANTISEPTIC AND PRESERVATIVE SUBSTANCES AND OTHER CHEMICAL ADDITIVES IN FOOD PRODUCTS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of March, 1953, approve and transmit to the Secretary of State, *H. B. No. 110*, by Messrs. C. E. Peterson, G. D. Taylor, Mesdames Cazier and Vance, entitled:

AN ACT AMENDING SECTIONS 77-49-1 AND 77-49-7, UTAH CODE ANNOTATED 1953, RESPECTING MENTAL EXAMINATION, COMMITMENTS, RESTORATION AND RELEASE OF PERSONS CONVICTED OF CERTAIN SEXUAL OFFENSES.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of March, 1953, approve and transmit to the Secretary of State, *H. B. No. 111*, by Messrs. C. E. Peterson, G. D. Taylor, Mesdames Cazier, and Vance, entitled:

AN ACT REPEALING SECTIONS 85-7-18a AND 85-7-18b, UTAH CODE ANNOTATED 1943 (RETAINED IN THE FOOTNOTE OF SECTION 64-7-14, UTAH CODE ANNOTATED 1953), AMENDING SECTIONS 64-7-31, 64-7-32, 64-7-33, 64-7-34, 64-7-35, 64-7-36 AND 64-7-40, UTAH CODE ANNOTATED 1953, ENACTING A NEW SECTION TO BE DESIGNATED SECTION 64-7-55 UTAH CODE ANNOTATED 1953, ALL PERTAINING AND RELATING TO PROCEDURES FOR RECEPTION OF PATIENTS FOR CARE AND TREATMENT AT THE UTAH STATE HOSPITAL, AND OTHER HOSPITALS DESIGNATED FOR SUCH CARE AND TREATMENT.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of March, 1953, approve and transmit to the Secretary of State, *H. B. No. 146*, by Messrs. Jacobsen, Thomas, Davis, Sheffield, Sanders, G. D. Taylor, Barlow, Gardner, Froerer, Young, Esplin, Fullmer, Brian, R. D. Anderson, L. L. Peterson, Kerr, Sevy, Bunderson, Dalebout, C. E. Larsen, Butters, Jones, Conover, Crofts, J. H. Johnson, Postma and Brotherson, entitled:

AN ACT AMENDING SECTION 34-1-2, PARAGRAPH (2), UTAH CODE ANNOTATED 1953, AS AMENDED, PROVIDING THAT A NON-PROFIT CORPORATION OR ASSOCIATION OPERATING AS A HOSPITAL SHALL NOT BE TERMED AN EMPLOYER.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 6, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *S. B. No. 18*, by Messrs. Woolley, Burton and Fowles, entitled:

AN ACT AMENDING SECTIONS 32-4-4 AND 32-6-1, UTAH CODE ANNOTATED 1953, AND ENACTING NEW SECTIONS TO BE

KNOWN AS SECTIONS 32-6-1.1, 32-6-1.2 AND SECTIONS 32-6-4.1, 32-6-4.2, 32-6-4.3, 32-6-4.4, 32-6-4.5, 32-6-4.6 AND 32-6-4.7 UTAH CODE ANNOTATED 1953, AND REPEALING SECTIONS 32-6-2, 32-6-3, 32-6-8, 32-6-9, 32-6-10, 32-6-11, 32-6-12, 32-6-13, 32-6-14, 32-6-15, 32-6-16, UTAH CODE ANNOTATED 1953, 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 the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

March 7, 1953

Mr. President:

I am directed 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. Fowles, Mabey, Openshaw, Day, Jenkins, and Watson, entitled:

AN ACT AMENDING SECTIONS 49-6-2, 49-6-4, 49-6-7, AND 49-6-8, UTAH CODE ANNOTATED 1953, 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; PAYMENTS 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,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 74 was transmitted to the Governor.

March 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *S. B. No. 109*, by Messrs. Mabey, Kerr, Woolley, Hopkin, Hammond and Watson, entitled:

AN ACT AMENDING SECTION 10-6-75, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT, POWERS, SALARY, AND QUALIFICATIONS OF CITY MANAGERS IN CITIES OF THE THIRD CLASS AND TOWNS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 109 was transmitted to the Governor.

March 6, 1953

Mr. President:

I am directed 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. 163,* by Messrs. Fowles and Hammond, entitled:

AN ACT AMENDING SECTIONS 39-1-3, 39-1-12, 39-1-18, 39-1-21, 39-1-46, AND 39-1-51, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 39-1-61, UTAH CODE ANNOTATED 1953, RELATING TO THE POWERS OF THE GOVERNOR AS COMMANDER IN CHIEF OF THE NATIONAL GUARD; THE COMPOSITION OF THE STAFF OF THE COMMANDER IN CHIEF; THE OFFICE OF THE ADJUTANT GENERAL AND THE APPOINTMENT, QUALIFICATIONS AND DUTIES OF THE ADJUTANT GENERAL; THE DUTIES, QUALIFICATONS AND SALARIES OF THE ASSISTANT ADJUTANT GENERAL; THE DUTIES, QUALIFICATIONS AND SALARY OF THE PERSONNEL OFFICER; THE SALARY AND BOND OF THE ADJUTANT GENERAL; THE MAINTENANCE OF AN ARSENAL AND THE MAINTENANCE AND REQUISITION OF MILITARY SUPPLIES AND PLACING RESPONSIBILITY FOR LOSS DUE TO CARELESSNESS AND NEGLIGENCE; PROVIDING FOR PAY OF MEMBERS OF THE NATIONAL GUARD WHILE IN STATE SERVICE; AND CREATING A NATIONAL GUARD ADVISORY BOARD, AND DEFINING ITS PURPOSE, DUTIES AND POWERS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 163 was transmitted to the Governor.

March 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *S. B. No. 223,* by Messrs. Hopkin and Kerr, entitled:

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO CONTRACT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR FOR THE WELFARE AND EDUCATION OF INDIANS IN PUBLIC SCHOOLS OF UTAH, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 223 was transmitted to the Governor.

March 7, 1953

Mr. President:

I am directed 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 W. G. Larsen, entitled:

AN ACT AMENDING SECTIONS 27-1-29 AND 27-1-30, UTAH CODE ANNOTATED 1953, RELATING TO MAXIMUM WEIGHTS OF MOTOR VEHICLES AND COMBINATIONS OF VEHICLES DRIVEN OR MOVED ON ANY HIGHWAY AND PROVIDING FOR ENFORCEMENT THEREOF, PENALTIES AND DISTRIBUTION OF FINES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 14 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 7, 1953

Mr. President:

I am directed 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. 118*, by Messrs. Jones, Kerr and Mrs. Jack, entitled:

AN ACT TO GRANT MUNICIPALITIES OF THE STATE OF UTAH THE RIGHT TO LEVY NOT TO EXCEED FOUR MILLS ON THE DOLLAR ON ALL PROPERTY WITHIN THE MUNICIPALITY FOR THE PURPOSE OF BUILDING FACILITIES FOR TREATING CULINARY WATER OF THE MUNICIPALITY AND FACILITIES FOR THE DISPOSITION, TREATMENT AND CARE OF THE SEWAGE OF THE MUNICIPALITY OR THE CREATION OF A RESERVE FUND THERE-

FOR, OR TO PAY PRINCIPAL AND INTEREST ON ANY BONDS ISSUED FOR THE CONSTRUCTION OF SUCH FACILITIES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 118 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, 1953

Mr. President:

I am directed 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. 130*, by Messrs. Postma, and Monson, entitled:

AN ACT RELATING TO LIENS ON PERSONAL PROPERTY FOR SERVICES RENDERED BY DRY CLEANING ESTABLISHMENTS, LAUNDRIES, STORAGE ESTABLISHMENTS, AND SHOE REPAIR SHOPS, PROVIDING FOR LIENS, SALE OF UNCLAIMED PERSONAL PROPERTY, NOTICE TO OWNERS, DISPOSITION OF PROCEEDS OF SALE AND POSTING OF NOTICES. THERE IS HEREBY ENACTED A NEW SECTION TO BE KNOWN AS SECTION 38-2-3.1, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 130 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, 1953

Mr. President:

Your Special Committee on Procedure for the closing days of the Thirtieth Session of the Legislature has met with a like committee from the House, and wishes to make the following joint recommendations:

First, that no bills be passed after adjournment Wednesday, the fifty-ninth day. We likewise urge a limited debate in order that the bills passed by each house might be considered by the other before adjournment.

Respectfully,

CLIFTON G. M. KERR, Chairman
ORVAL HAFEN
FRANCIS FOWLES

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

March 7, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 10,* by Messrs. Stringham and Woolley, entitled:

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA WITH REFERENCE TO PROCEEDING WITH THE DEVELOPMENT OF THE COLORADO RIVER IN THE UPPER BASIN STATES BY AUTHORIZING THE COLORADO RIVER STORAGE PROJECT AND PARTICIPATING PROJECTS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 10 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 6, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 86,* by Mr. Hopkin, entitled:

AN ACT AMENDING SECTION 63-11-10, UTAH CODE ANNOTATED 1953, RELATING TO THE DESCRIPTION OF CERTAIN PROPERTY IN THE VICINITY OF "THIS IS THE PLACE" MONUMENT ORDERED TO BE CONDEMNED FOR STATE PARK PUR-

POSES, AND PROVIDING FOR THE EXCLUSION THEREFROM OF A TRACT OF LAND KNOWN AS KENNEDY DRIVE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 86 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, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 101*, by Messrs. Woolley, Day, Kerr, Mabey, Openshaw and Burton, entitled:

AN ACT AMENDING SECTION 53-2-8, UTAH CODE ANNOTATED 1953, PROVIDING FOR ORGANIZATION OF A STATE BOARD OF EDUCATION AND APPOINTMENT OF STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; COMPENSATION, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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.

March 7, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 134*, by Messrs. Openshaw and Fowles, entitled:

AN ACT AMENDING SECTIONS 45-2-5, 45-2-6, 45-2-7, AND 45-2-8, UTAH CODE ANNOTATED 1953, RELATING TO LIABILITY FOR LIBEL, SLANDER, AND DEFAMATION ARISING OUT OF RADIO OR TELEVISION BROADCASTS AND REQUIRING THE DEFAMED PARTY TO PROVE LACK OF DUE CARE AND REPEALING SECTION 45-2-9, UTAH CODE ANNOTATED 1953, RELATING TO MINIMIZING

DAMAGES BY RETRACTING THE STATEMENT UNDER CERTAIN CONDITIONS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 134 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 7, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 206*, by Messrs. Fowles and Jenkins, entitled:

AN ACT AUTHORIZING THE STATE BOARD OF EXAMINERS TO DISPOSE OF REAL PROPERTY AND THE BUILDINGS ON THE WEBER COLLEGE CAMPUS. THIS ACT IS TO BE DESIGNATED AS 53-33-5a, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 206 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

UNFINISHED BUSINESS

S. B. No. 249, being unfinished business, was before the Senate.

On motion of Senator Woolley, *S. B. No. 249* was amended as follows:

Page 1, line 5, after the word "biennium" strike the period, and insert the following: ", and provided further that any unexpended appropriated funds on hand at the end of any biennium shall lapse and be closed out, the provisions of Section 10 of House Bill 239 of the 30th Legislature notwithstanding."

On motion of Senator Mabey, a Call of the Senate was made.

On motion of Senator Mabey, the Call of the Senate was lifted.

On motion of Senator Muir, the rules were suspended and S. *B. No. 249* was read the third time and placed on its final passage.

S. *B. No. 249* then passed on the following roll call:

Ayes, 14; Nos, 5; Absent, 4.

Those voting in the affirmative were: Senators Burton, Clegg, Day, Hafen, Hammond, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn, Tietjen, Woolley and Mr. President.

Those voting in the negative were: Senators Adams, Gibson, Hopkin, Selvin and Tippetts.

Absent and not voting: Senators Cannon, Fowles, Jenkins and Watson.

S. *B. No. 249* was transmitted to the House.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider Bills on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Day, the reprinted copy of S. *B. No. 11* was substituted for the original printed copy of S. *B. No. 11*, as amended.

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

On motion of Senator Day, S. *B. No. 11* was amended as follows:

Page 19, line 19, after the word "crops" insert the word "on"; after the word "or" insert the word "from".

Page 20, line 1, after the word "on" insert the words "or from".

Page 21, line 8, strike the word "game".

Line 9, strike the word "game".

Page 25, line 33, after the word "be" strike "un" from the word "unlawful".

Page 26, line 14, after the word "fencing" strike the rest of line 14; all of line 15 and insert in lieu thereof: "that portion thereof where game birds are to be kept; the fence need not contain a cover."

Page 33, line 4, strike "northwesterly" and insert in lieu thereof "northeasterly".

Page 38, line 17, at the end of the line strike the word "or".

Line 18, strike the word "transporting".

Line 20, strike the words "or transportation".

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

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Gibson, Hafen, Hammond, Hopkin (explained vote), Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts and Mr. President (explained vote).

Absent and not voting: Senators Cannon, Fowles, Jenkins, Watson and Woolley.

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

UNFINISHED BUSINESS

S. B. No. 144 was before the Senate for its consideration.

On motion of Senator Hafen, *S. B. No. 144* was amended as follows:

Page 3, line 11, after the word "issued", insert the words ", which estimate shall not be a limitation on the amount of bonds thereafter issued,".

Page 4, line 12, following the word "petition", insert the following words: "seeking the establishment of the district".

Page 4, line 19, following the word "hereunder" insert the following words: "excepting a district the boundaries of which coincide with the boundaries of an incorporated municipality".

Page 4, line 20, delete the words, "at least five (5)"; after the word "trustee", delete the period and insert the following: "created in one of the following ways;

"1. Whenever a district is created outside the corporate limits of any city or town the County Commissioners of the initiating county may in the initial resolution creating the district declare that the County Commissioners of said county shall act as the trustees of the district created thereby and shall constitute all of the trustees thereof; and thereupon and thereafter the duly elected and qualified county commissioners of said county shall act as the said trustees of the said district and shall have all of the powers, authority and responsibility vested in the trustees under this act, and may if they so desire, utilize any existing County offices, officers, or employees for the purposes of the district, when in the opinion of the said Commissioners, it would be advisable so to do, provided, however, that the district shall be charged by the Commissioners and shall pay to the County Treasurer for the general fund of the County, a reasonable amount for the services rendered for the district by the County officers, offices and employees so used other than the County Commissioners.

"2. At any time after creation of any district under the provisions of subsection one, the County Commissioners of the initiating county, may by resolution determine that the interests of the district would thereafter be

best served by the appointment of a board of at least three (3) trustees to be appointed by the Board of County Commissioners and to serve for the same terms as is provided hereafter for elected trustees.

"3. Upon a petition, signed by at least ten (10) percent of the persons eligible to vote on a bond issue in any district created under this act, being filed with the Board of County Commissioners, thirty (30) days prior to the date set for the bond election, or ninety (90) days prior to the date set for succeeding elections, requesting that an election for trustees be held, the Board of County Commissioners shall be required to proceed with the election in the manner provided hereafter.

"4. The Board of County Commissioners of the initiating county may in the initial resolution creating the district, appoint a board of trustees to serve until the election and qualification of the successors as hereafter provided."

Page 4, line 20, strike "The Board of County".

Strike lines 21 and 22 and the beginning of line 23 to and including the period.

Page 4, line 24, following the word "Within" insert the following words: "but does not coincide with".

Page 4, line 33, following the word "municipality." add a new paragraph to read as follows: "The governing body of a district, the boundaries of which at the time of the creation of the district coincides with the boundaries of an incorporated municipality, shall be a board of trustees comprised of the governing body of such municipality. Said board shall maintain separate minutes, accounts and other records of the affairs of the district but may utilize existing facilities and personnel of the municipality in the administration of district affairs in order to avoid inefficiency and unnecessary duplication. Anything in this act to the contrary, notwithstanding, the offices of board members shall coincide with their offices as officials of such municipalies and they shall be representative of the district at large."

Page 5, before line 1, insert the following words: "An election of the member or members of the Board of Trustees, not appointed as a representative of a municipality shall be held at the time of holding the bond election."

Page 5, line 1, delete the word "Members" and insert in lieu thereof the words "A member of".

Page 5, line 13, delete "five (5)" and insert in lieu thereof "three (3)".

Page 5, line 17, after the word "area." insert the following words: "The three persons, or such lesser number as may be qualified as provided above, receiving the highest number of votes at the election shall constitute the members of the Board of Trustees together with those members appointed by a municipality or incorporated area."

Page 6, line 4, after the word "first" and before the word "election" insert the following word: "general".

Page 8, line 12, delete the period and insert "except that when the Board of County Commissioners act as the Board of Trustees, no compensation shall be paid to them as trustees."

Page 10, line 32, after the word "values", insert the words "after compliance with provisions of Section 63-2-35, U. C. A,, 1953, all sales of bonds shall be advertised publicly and sealed bids shall be required."

Page 12, line 26, delete the words "power and authority".

Line 27, after "(a)", insert "power and authority".

Page 14, line 21, delete the word "of" after the word "resolution" and insert in lieu thereof the word "or".

Page 14, line 22, delete the word "of" after the word "proceedings" and insert in lieu thereof the word "or".

Page 14, line 23, after the word "and" insert "after".

Page 15, line 7, delete all of Section 17-6-3.13 and insert in lieu thereof the following section:

"17-6-3.13. Wherever any district has been heretofore created or purported to be created under authority of Chapter 25, Laws of Utah 1947, Chapter 24, Laws of Utah, 1949 or the act hereby amended and where proceedings have been adopted by the governing body of such district for the purpose of authorizing the bonds of such district, whether or not such bonds are payable from operating revenues or from taxes or both, and whether or not such bonds have been heretofore delivered, all proceedings had in connection with the creation of such district, the organization of the governing body thereof, and all proceedings had in connection with the authorization of such bonds, and, when duly delivered and paid for as required by such proceedings, the bonds themselves, are hereby validated, ratified and declared to be binding and effective in accordance with their terms notwithstanding any failure to comply with any one or more pertinent statutory provisions and notwithstanding whether such proceedings have been continuously in effect from the date of their adoption to the date of the passage of this act.

"As to each district coming within the purview of this Section which has heretofore authorized bonds which have not yet been issued, the governing body of such district is hereby authorized and empowered to do all things necessary to the issuance of such bonds and to the performance and carrying out of the contracts of such district, and such things may be done and such bonds when issued shall benefit from the curative provisions of this section whether or not changes in the details of the bonds and in the proceedings authorizing the issuance thereof have been made since the original adoption thereof or may hereafter be made and without regard to the nature of such changes.

"Where any district has been originally initiated or created under authority of either Chapter 6 or 7 of Title 17 Utah Code Annotated, 1953, the governing authority of such district may proceed to issue bonds and operate facilities under the authority of the law under which it was created or may,

if in so doing provision is made for the payment in full of all expenses and obligations heretofore incurred by such district for legal, engineering, fiscal agent's and other proper services, make such changes and amendments in the proceedings for the authorization of such bonds as may be necessary act done or failure to peform any act, while discharging his official duties, to effect the authorization and issuance of such bonds under the provisions of this act as amended, and to that end, may increase or decrease the amount of bonds so authorized, may make such bonds payable in whole or in part from the operating revenues of the district or from taxes or both as herein provided, and may make any other changes in such proceedings it may deem to the best interests of the district. If any such change has the effect of pledging or allocating to the payment of any such bond taxes to be levied by such district, such amendatory proceedings shall become effective only when there shall have been given the notice contemplated by Section 17-6-3 hereof, and when the hearing required by such section shall have been held and appeals taken therefrom, if any, terminated. For the purpose of this section 17-6-3.13, the Board of County Commissioners under districts initiated or created under said Chapter 7, shall at its option, if it elects hereafter to proceed hereunder, exercise all duties and functions provided by this act to be exercised by the Board of Trustees of any district created hereunder or may cause an election to be held for the election of trustees in accordance with the provisions of this act."

Page 6, line 17, delete the words "at the general election," and insert in lieu thereof the following words, "at an election held on the first Wednesday in December."

Page 6, beginning in line 22, delete the words "Trustees shall be nominated and elected in the manner then provided by law for the election of members of the board of county commissioners."; insert in lieu thereof the following: "Elections for elective members of boards of trustees shall be held on the first Wednesday in December in each succeeding two years after the first election. Elections for elective membrs of boards of trustees shall be held on the first Wednesday in December in each succeeding two years after the first election. The election shall be called and conducted, and the canvass of returns shall be made, and the qualifications of electors shall be as provided in the general registration election laws, except as in this chapter provided. One voting place shall be provided for every 500 registered electors in the district. It shall be necessary for each candidate, or at least five citizens in behalf of a candidate, to file with the clerk of the Board of Trustees not less than fifteen days next preceding the day of election a signed statement announcing that he or she is a candidate. Appointments of judges of election shall be made by the Board of Trustees at any convenient time prior to the day of election. The Board of Trustees shall furnish to the judges of election at every voting place a sufficient number of ballots for election purposes and shall exercise all such powers relative to the election of trustees as are conferred upon the board of county commissioners in other elections, so far as conformable with this chapter. All lawful and necessary expenses of the election shall be paid by the district, provided, however, the county clerk shall furnish without expense to the district at least five days previous to the day of election a certified copy of a list of registered voters residing in the district outside of any municipality or incorporated area."

Page 6, line 27, delete the words "nomination, election."

Page 5, line 20, after the word "board" strike the comma, insert a period in lieu thereof; strike the balance of line 20, and all of lines 21 to 33 inclusive.

Page 6, strike all of line 1.

On motion of Senator Hafen, the title of *S. B. No. 144* was amended as follows:

Page 1, line 15, after the word "CONTRACTS", insert the words, "PERMITTING OTHER POLITICAL SUBDIVISIONS TO ENTER INTO CONTRACTS WITH SUCH DISTRICTS:"

Line 18, after the word "PUBLICATION", insert the words, "MAKING BONDS PAYABLE FROM TAXES LEGAL INVESTMENTS;".

Lines 19 and 20, delete the phrase beginning with "VALIDATING" and ending with "1953" and insert in lieu thereof "VALIDATED CERTAIN PROCEEDINGS HERETOFORE HAD FOR THE CREATION OF IMPROVEMENT DISTRICTS AND THE AUTHORIZATION OF BONDS THEREOF UNDER THE LAW HEREIN AMENDED; VALIDATING SUCH DISTRICTS AND PROCEEDINGS AND THE CONTRACTS AND BONDS OF SUCH DISTRICTS; AUTHORIZING THE MAKING OF CHANGES IN SUCH PROCEEDINGS; AUTHORIZING ALL DISTRICTS CREATED UNDER CHAPTER 6 AND 7, TITLE 17, UTAH CODE ANNOTATED, 1953, TO COMPLETE THE ISSUANCE OF BONDS UNDER AUTHORITY OF THIS ACT, OR UNDER AUTHORITY OF THE ACT UNDER WHICH SAID DISTRICT WAS CREATED, WITHOUT REGARD TO THE SOURCE OF PAYMENT OF SUCH BONDS, AND TO MAKE ALL CHANGES IN EXISTING PROCEEDINGS NECESSARY TO THAT END, INCLUDING INCREASES IN THE AMOUNTS OF BONDS SO AUTHORIZED:".

S. B. No. 144 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, Burton (explained vote), Clegg, Day (explained vote), Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Fowles, Gibson, Jenkins, Stringham, Tietjen and Watson.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 194 was read the second time.

Committee report read and adopted.

S. B. No. 194 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, Burton, Clegg, Day, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Fowles, Gibson, Jenkins, Stringham, Tietjen and Watson.

On motion of Senator Woolley, the Senate voted to now reconsider its action on *S. B. No. 194*.

On motion of Senator Woolley, the rules were suspended and *S. B. No. 194* was read the third time and placed on its final passage, and passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Fowles, Gibson, Jenkins, Stringham and Watson.

S. B. No. 194 was transmitted to the House.

On motion of Senator Thorn, the rules were suspended and the Senate voted to now consider *S. B. No. 224*.

S. B. No. 224 was read the second time.

Committee report read and adopted.

On motion of Senator Thorn, *S. B. No. 224* was amended as follows:

Page 2, line 3, after the word "to" insert the words: "a pensioned employee, or to".

Line 32, after the word "Act" strike the period and insert the following: ", or under the terms and provisions of any other pension fund, pension plan or pension trust.".

On motion of Senator Thorn, the title of *S. B. No. 224* was amended as follows:

Line 5, after the word "ACT" insert the following: "OR UNDER ANY OTHER PENSION FUND, PENSION PLAN OR PENSION TRUST".

On motion of Senator Thorn, the rules were suspended and *S. B. No. 224* was read the third time and placed on its final passage.

S. B. No. *224* then passed on the following roll call:

Ayes, 17; Nos, 0; Absent, 5.

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Woolley and Mr. President.

Senator Tippetts was excused from voting.

Absent and not voting: Senators Cannon, Fowles, Gibson, Jenkins and Watson.

S. B. No. *224* was transmitted to the House.

On motion of Senator Thorn, the rules were suspended and the Senate voted to place S. B. Nos. *190, 139, 141* and *142* in this order at the head of the Second Reading Calendar.

On motion of Senator Thorn, the rules were suspended and the Senate voted to now consider S. B. No. *190*.

S. B. No. *190* was read the second time.

Committee report read and adopted.

On motion of Senator Thorn, the rules were suspended and S. B. No. *190* was read the third time and placed on its final passage.

S. B. No. *190* then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Clegg, Day, Hafen, Hammond, Hopkin, Kerr, Mabey, Openshaw, Selvin, Thorn, Tietjen, Tippetts and Woolley.

Absent and not voting: Senators Adams, Cannon, Fowles, Gibson, Jenkins, Muir, Paxton, Stringham and Watson.

S. B. No. *190* was transmitted to the House.

S. B. No. *139* was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and S. B. No. *139* was read the third time and placed on its final passage.

S. B. No. *139* then passed on the following roll call:

Ayes, 12; Nos, 0; Absent, 11.

Those voting in the affirmative were: Senators Burton, Clegg, Day, Hafen, Hammond, Hopkin, Openshaw, Selvin, Thorn, Tietjen, Tippetts and Woolley.

Absent and not voting: Senators Adams, Cannon, Fowles, Gibson, Jenkins, Kerr, Mabey, Muir, Paxton, Stringham and Watson.

S. B. No. 139 was transmitted to the House.

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, 18; Nos, 0; Absent, 5.

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Fowles, Jenkins, Stringham and Watson.

S. B. No. 141 was transmitted to the House.

S. B. No. 142 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 142* was read the third time and placed on its final passage.

S. B. No. 142 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Fowles, Jenkins, Stringham and Watson.

S. B. No. 142 was transmitted to the House.

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, 19; Nos, 0; Absent, 4.

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Fowles, Jenkins and Watson.

S. B. No. 116 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen, *S. B. No. 116* was tabled.

On motion of Senator Hafen, *S. B. No. 117* was tabled.

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

Committee report read and adopted.

On motion of Senator Clegg, *S. B. No. 17* was amended as follows:

Page 1, after line 24, insert a new section: "Section 3. This act shall take effect January first, 1954."

On motion of Senator Day, the rules were suspended and *S. B. No. 17* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Gibson, Hammond, Hopkin, Kerr, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Fowles, Hafen, Jenkins, Mabey and Watson.

S. B. No. 17 was transmitted to the House.

S. B. No. 72 was read the second time.

Committee report read and adopted.

On motion of Senator Woolley, *S. B. No. 72* was amended as follows:

Page 1, line 1, strike "(Introduced by Title only. See H. B. No. 89)" and insert in lieu thereof the following:

"1 Section 1. Secs. 76-4-8 and 76-4-9, Utah Code Annotated 1953,

are amended to read as follows:

76-4-8. Any person who uses for advertising purposes or for purposes of trade, or upon any postal card, the name, portrait or picture of any person, if such person is living, without first having obtained the written consent of such person, or, if a minor, of his parent or guardian, or, if such person ( ) died domiciled in the state, without the written consent of his heirs or personal representatives, is guilty of a misdemeanor.

76-4-9. Any living person, or the heirs or personal representatives of any deceased person who died domiciled in the state, whose name, portrait or picture is used within this state for advertising purposes or for purposes of trade, without the written consent first obtained as provided in the next preceding section may maintain an action against such person

(Page 2)

so using his name, picture or portait to prevent and restrain the use thereof; and may in the same action recover damages for any injuries sustained by reason of such use, and, if the defendant shall have knowingly used such person's name, portrait or picture in such manner as is declared to be unlawful, the jury or court, if tried without a jury, in its discretion, may award exemplary damages."

On motion of Senator Hafen, *S. B. No. 72* was amended as follows:

Page 1, line 8, delete the words "heirs or personal representatives" and insert in lieu thereof the words "surviving spouse and children".

Page 1, line 10, strike the words "heirs or personal representatives" and insert in lieu thereof the words "surviving spouse and children."

S. B. No. 72 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, Burton, Clegg, Day, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Fowles, Jenkins and Watson.

S. B. No. 76 was referred back to the Sifting Committee in compliance with that Committee's report, as adopted on the 36th Legislative day.

President Paxton recognized a group of students from the Ogden High School and a group from the Intermountain Indian School, Boy Scout Troop 120, together with their Scoutmaster, Mr. McKay H. Hunz.

On motion of Senator Clegg, the Senate adjourned until Monday, March 9, 1953 at 10:00 A.M.

FIFTY-SEVENTH DAY

MORNING SESSION

March 9, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

March 9, 1953

Mr. President:

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

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 249*, by Messrs. Woolley, Kerr and Mabey, entitled:

AN ACT AMENDING SECTION 53-37-5, UTAH CODE ANNOTATED, 1953, RELATING TO BUDGETING AND RETENTION OF SURPLUS FUNDS BY COLLEGES AND UNIVERSITIES, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 249 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 6, 1953

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. 66*, by Mr. Ralph A. Sheffield, entitled:

AN ACT AMENDING SECTIONS 21-2-5 AND 39-10-29, UTAH CODE ANNOTATED 1953, RELATING TO THE FEES OF COUNTY TREASURERS, AND PUBLICATION OF DELINQUENT LIST, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 66 was read the first time and referred to the Sifting Committee.

March 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 181*, by Messrs. Hopkins, G. D. Taylor, Messinger, Gardner, Sevy, W. G. Larson, Crofts, Rowberry, Brian, Sanders, Patterson, Young, Bunderson, and Lundell, entitled:

"AN ACT AMENDING 27-2-1, UTAH CODE ANNOTATED 1953, RELATING TO THE MEMBERS OF THE STATE ROAD COMMISSION AND INCREASING AUTHORITY TO SETTLE CLAIMS ARISING OUT OF NEGLIGENCE OF THE COMMISSION OR ITS EMPLOYEES TO $500.00," and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk.

Communication filed.

H. B. No. 181 was read the first time and referred to the Sifting Committee.

March 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 191*, by Messrs. Fullmer, White, Kerr, G. D. Taylor, and Elswood, entitled:

AN ACT AMENDING SECTION 70-2-4, UTAH CODE ANNOTATED 1953, RELATING TO THE UNLAWFUL USE OF MARKED CONTAINERS PROVIDING THAT BURLAP OR COTTON SACKS OR BAGS UPON WHICH ANY REGISTERED MARK OR BRAND IS IMPRINTED SHALL BE REVERSED OR MARKINGS OBLITERATED BEFORE RE-USE, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 191 was read the first time and referred to the Sifting Committee.

March 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 193*, by Messrs. Butters, Esplin, Fullmer, Froerer, Kerr, Sevy, Lester Taylor, Gunther, C. W. Larsen, Conover, J. H. Johnson, West, Hopkins and C. E. Peterson, entitled:

AN ACT AMENDING SECTION 78-6-1, UTAH CODE ANNOTATED 1953, RELATING TO SMALL CLAIMS COURTS AND INCREASING JURISDICTIONAL AMOUNT FROM $50,00 TO $100.00, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 193 was read the first time and referred to the Sifting Committee.

March 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 222*, by Messrs. Hopkins, W. G. Larson, Gardner, Crofts, G. D. Taylor, and Bunderson, entitled:

AN ACT AMENDING SECTION 41-1-128, UTAH CODE ANNOTATED 1953, TO DELETE THE SPECIAL VEHICLE MILEAGE TAX DECLARED UNCONSTITUTIONAL, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 222 was read the first time and referred to the Sifting Committee.

March 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 240*, by Messrs. Jones, W. E. Anderson, Brotherson, and Sheffield, entitled:

AN ACT AMENDING SECTIONS 77-61-15, 77-61-16, 77-61-18, 77-61-26, UTAH CODE ANNOTATED 1953, BEING PARTS OF THE UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, PROVIDING FOR ADDITIONAL INFORMATION TO ACCOMPANY THE PETITION FOR SUPPORT, CLARIFYING THE DUTIES OF THIS COURT AS AN INITIATING STATE, CLARIFYING THE POWERS OF THE COURT WITH RESPECT TO ARREST OF DEFENDANT AND MAKING IT THE DUTY OF THE DISTRICT ATTORNEY TO REPRESENT THE PLAINTIFF UNDER CERTAIN CIRCUMSTANCES; AND ENACTING SECTIONS 77-61-32, 77-61-33, 77-61-34, 77-61-35, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE WAIVING OF FEES AND COSTS IN THE DISCRETION OF THE COURT, DESIGNATING THE STATE INFORMATION AGENCY, MAKING IT THE DUTY OF THE COURTS OF THIS STATE WHEN ACTING AS A RESPONDING STATE TO USE ALL MEANS AT ITS DISPOSAL TO TRACE THE DEFENDANT OR HIS PROPERTY, AND PROVIDING FOR APPLICATION OF PAYMENTS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 240 was read the first time and referred to the Sifting Committee.

March 7, 1953

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. 248*, by Messrs. Hopkins, W. G. Larson, Rowberry, G. Douglas Taylor, Sanders, and Sevy, entitled:

AN ACT AMENDING SECTION 2-1-30, UTAH CODE ANNOTATED 1953, OF THE AERONAUTICAL REGULATORY ACT, PERTAINING TO TAMPERING WITH AIRCRAFT WITHOUT CONSENT OF OWNER, AND ENACTING TWO NEW SECTIONS TO BE KNOWN AS 2-1-33 AND 2-1-34, UTAH CODE ANNOTATED 1953, RELATING TO STATUS OF NONPAYING GUEST RIDING IN AN AIRCRAFT AND SHERIFF'S SALE OF ABANDONED OR UNCLAIMED AIRCRAFT, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 248 was read the first time and referred to the Sifting Committee.

March 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 249*, by Messrs. Hopkins, W. G. Larson, G. Douglas Taylor, Rowberry and Sanders, entitled:

AN ACT AMENDING SECTION 2-1-1, 2-1-16, 2-1-27, AND 2-1-32, UTAH CODE ANNOTATED 1953, OF THE AERONAUTICAL REGULATORY ACT, PERTAINING TO SIZE OF AIRPORTS AND LANDING FIELDS, THE LANDING OR TAKING OFF OF AIRCRAFT, AND THE REPORTING OF ACCIDENTS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 249 was read the first time and referred to the Sifting Committee.

March 9, 1953

Mr. President:

I am directed 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. 10*, by Messrs. Stringham and Woolley, entitled:

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA WITH REFERENCE TO PROCEEDING WITH THE DEVELOPMENT OF THE COLORADO RIVER IN THE UPPER BASIN STATES BY AUTHORIZ-

ING THE COLORADO RIVER STORAGE PROJECT AND PARTICIPATING PROJECTS, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. J. R. No. 10 was transmitted to the Secretary of State.

March 9, 1953

Mr. President:

I am directed 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. 86*, by Mr. Hopkin, entitled:

AN ACT AMENDING SECTION 63-11-10, UTAH CODE ANNOTATED 1953, RELATING TO THE DESCRIPTION OF CERTAIN PROPERTY IN THE VICINITY OF "THIS IS THE PLACE" MONUMENT ORDERED TO BE CONDEMNED FOR STATE PARK PURPOSES, AND PROVIDING FOR THE EXCLUSION THEREFROM OF A TRACT OF LAND KNOWN AS KENNEDY DRIVE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 86 was transmitted to the Governor.

March 9, 1953

Mr. President:

I am directed 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. Woolley, Day, Kerr, Mabey, Openshaw and Burton, entitled:

AN ACT AMENDING SECTION 53-2-8, UTAH CODE ANNOTATED 1953, PROVIDING FOR ORGANIZATION OF A STATE BOARD OF EDUCATION AND APPOINTMENT OF STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; COMPENSATION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 101 was transmitted to the Governor.

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 134,* by Messrs. Openshaw and Fowles, entitled:

AN ACT AMENDING SECTIONS 45-2-5, 45-2-6, 45-2-7, AND 45-2-8, UTAH CODE ANNOTATED 1953, RELATING TO LIABILITY FOR LIBEL, SLANDER, AND DEFAMATION ARISING OUT OF RADIO OR TELEVISION BROADCASTS AND REQUIRING THE DEFAMED PARTY TO PROVE LACK OR DUE CARE AND REPEALING SECTION 45-2-9, UTAH CODE ANNOTATED 1953, RELATING TO MINIMIZING DAMAGES BY RETRACTING THE STATEMENT UNDER CERTAIN CONDITIONS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 134 was transmitted to the Governor.

March 9, 1953

Mr. President:

I am directed 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. 206,* by Messrs. Fowles and Jenkins, entitled:

AN ACT AUTHORIZING THE STATE BOARD OF EXAMINERS TO DISPOSE OF REAL PROPERTY AND THE BUILDINGS ON THE WEBER COLLEGE CAMPUS. THIS ACT IS TO BE DESIGNATED AS 53-33-5a, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 206 was transmitted to the Governor.

March 9, 1953

Mr. President:

I am directed 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. Sheffield and Grover, entitled:

AN ACT AMENDING SECTION 10-9-19, SECTION 10-9-26 AND SECTION 10-9-28, UTAH CODE ANNOTATED 1953, RELATING TO MUNICIPAL PLANNING; PROVIDING FOR THE APPOINTMENT OF

PLANNING COMMISSIONS, PROVIDING FOR A PLANNING COMMISSION COMPENSATION, EXPENSES, ASSISTANCE AND CONSULTANCE, PROVIDING FOR VIOLATION, PENALTY AND INJUNCTION AND PROVIDING DEFINITIONS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 9, 1953

Mr. President:

I am directed 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. Sheffield, and Grover, entitled:

AN ACT AMENDING SECTIONS 17-27-2, 17-27-3, 17-27-4, 17-27-6, 17-27-7, 17-27-8, 17-27-11, 17-27-17, 17-27-19, 17-27-21, 17-27-26, 17-27-27, 57-5-3 AND 57-5-5, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT AND TERMS OF OFFICE OF THE COUNTY PLANNING COMMISSION; PROVIDING FOR THE APPOINTMENT OF A CHAIRMAN, THE ADOPTION OF RULES, THE LIMITATIONS UPON EXPENSES AND THE PROCURING OF TECHNICAL ADVICE; DESCRIBING THE FUNCTION OF THE COUNTY PLANNING COMMISSION AND PERMITTING TWO OR MORE COUNTIES TO COOPERATE IN PLANNING; PROVIDING FOR THE ADOPTION OF THE MASTER PLAN; PROVIDING FOR THE ADOPTION OF AN OFFICIAL MAP; SETTING FORTH THE LEGAL FUNCTION OF THE OFFICIAL MAP; PROVIDING FOR REGULATION OF LAND USE; AUTHORIZING THE APPOINTMENT OF AND OUTLINING THE DUTIES OF DISTRICT PLANNING COMMISSIONS; PERMITTING THE COUNTY COMMISSION TO EXTEND THE EXPIRATION DATE OF TEMPORARY ZONING REGULATIONS; PROVIDING FOR APPROVAL OF SUBDIVISION PLATS; PROVIDING FOR NONRETROACTIVE PROVISIONS OF ZONING; SUPPLYING DEFINITIONS; AND ENACTING A NEW SECTION TO BE KNOWN AS 17-27-7.10, UTAH CODE ANNOTATED 1953, RELATING TO THE ISSUANCE OF BUILDING PERMITS IN MAPPED STREETS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 125*, by Messrs. H. V. Davis, Thomas, Sheffield, Jacobsen, G. D. Taylor and Barlow, entitled:

AN ACT ENACTING NEW SECTIONS TO BE KNOWN AS 63-9-10, 63-9-11, AND 63-9-12, UTAH CODE ANNOTATED 1953, AUTHORIZING THE STATE BOARD OF EXAMINERS TO MAKE RULES AND REGULATIONS GOVERNING THE PARKING OF VEHICLES ON THE STATE GROUNDS SURROUNDING THE STATE CAPITOL BUILDING AND CAPITAL GROUNDS AND PRESCRIBING PENALTY FOR THE VIOLATION THEREOF, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 125 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 9, 1953

Mr. President:

I am directed 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. 223*, by Messrs. W. G. Larson, Rowberry, Gardner, Bunderson, Crofts, G. D. Taylor, and Hopkins, entitled:

AN ACT AMENDING SECTION 41-1-88, UTAH CODE ANNOTATED 1953, TO PERMIT RECIPROCAL AGREEMENTS WITH OTHER STATES FOR THE USE OF THE HIGHWAYS OF THIS AND SUCH OTHER STATES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 223 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 9, 1953

Mr. President:

I am directed 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. 24*, by Messrs. Wm. E. (Ted) Anderson, Ralph Sheffield, and Edward C. Larsen, entitled:

A RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH TO EXPRESS APPRECIATION AND COMMENDATION CONCERNING THE OFFICIAL DINNER PARTY AND DANCE OF THE 30TH UTAH LEGISLATURE,

and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 24 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 182 was read the third time and placed on its final passage.

On motion of Senator Mabey, *H. B. No. 182* was amended as follows:

Page 18, line 30, after the word "Springs" insert the following: "(d) Route 255. From a point on U. S. Highway 91 at North Salt Lake, northerly via Bountiful and Centerville and thence westerly to alternate 91, commonly known as Orchard Drive."

On motion of Senator Hafen, *H. B. No. 182* was amended as follows:

Page 3, line 9, after "(f)" strike the deletion mark and insert the following: "Route 16. From Enterprise on Route 18 to New Castle on Route 56,".

On motion of Senator Gibson, *H. B. No. 182* was amended as follows:

Page 3, line 9, after "Route 56," insert the following: "provided this road shall cease to be a portion of the State Highway on May 1, 1955."

H. B. No. 182 then passed on the following roll call:

Ayes 20; Nos, 1; Absent, 2.

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Voting in the negative was Senator Cannon.

Absent and not voting: Senators Fowles and Woolley.

H. B. No. 182 was returned to the House.

H. B. No. 123 was read the third time and placed on its final passage.

On motion of Senator Day, *H. B. No. 123* was amended as follows:

Page 2, line 7, after the word "employer" insert "and to the driver".

Page 2, line 11, strike "shall not apply to such driver" and insert in lieu thereof: "to the registration and driver's license of the driver."

Page 2, delete all of lines 27, 28, 29 and 30.

H. B. No. 123 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Jenkins and Kerr.

H. B. No. 123 was returned to the House.

S. *B. No. 154* was read the third time and placed on its final passage.

On motion of Senator Day, S. *B. No. 154* was amended as follows:

Page 18, strike lines 23, 24, 25, 26 and 27, and insert the words "Pay above claims as certified to him by local registrars semiannually."

Page 21, line 22 and 23, strike the words "of 50,000 population or more".

Page 23, line 2, strike the letter "s" from the word "councils".

Lines 4 and 5, strike the words "or bodies."

Strike line 9, beginning at "(a)" and all of lines 10 to 17 inclusive.

Page 23, line 9, delete colon and insert in lieu thereof a period.

Page 23, line 30 after the word "basis" insert a period. Strike the balance of line 30 and all of lines 31 to 33 inclusive.

Page 24, strike all of lines 1 and 2.

Page 25, line 6, after the word "council" insert a period. Strike the balance of the line and all of lines 7 to 9 inclusive.

Page 33, line 26, after the word "necessary" delete the comma and insert a period. Strike the balance of line 26 and all of lines 27 to 33 inclusive.

Page 5, line 16, after the word "out" insert the word "reasonable".

Page 26, line 18, after the word "out" insert the word "reasonable."

Page 32, line 21, after the word "establish" insert the word "reasonable."

Page 41, beginning with line 12, delete subsections (6) and (7).

Page 41, line 16, strike the number "8" and insert in lieu thereof: "6".

Page 42, line 26, after the word "such" insert the word "reasonable".

On motion of Senator Hopkin, the title of *S. B. No. 154* was amended as follows:

Page 1, line 22, strike the words "GARBAGE, FEEDING GARBAGE TO SWINE,".

Page 1, line 23, strike the words "PROCESSING FOOD,".

Page 1, line 26, strike the word "PACKING".

Page 2, lines 1 and 2, strike the following words: "TO IMPOUND EDIBLES UNFIT FOR HUMAN CONSUMPTION;".

S. B. No. 154 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senator Stringham.

S. B. No. 154 was transmitted to the House.

S. B. No. 88 was read the third time and placed on its final passage.

S. B. No. 88 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon and Selvin.

S. B. No. 88 was transmitted to the House.

S. B. No. 89 was read the third time and placed on its final passage.

S. B. No. 89 then passed on the following roll call:

Ayes, 20; Nos, 0; Absent 3.

Those voting in the affirmative were: Senators Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Cannon and Selvin.

S. B. No. 89 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 20; Nos, 0; Absent, 3.

Those voting in the affirmative were: Senators Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Cannon and Selvin.

S. B. No. 90 was transmitted to the House.

S. B. No. 91 was read the third time and placed on its final passage.

S. B. No. 91 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon and Thorn.

S. B. No. 91 was transmitted to the House.

On motion of Senator Mabey, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS

March 3, 1953

President of the Senate
Utah State Legislature
Salt Lake City, Utah

Sir:

On several occasions during the past two years the War Claims Commission requested and obtained great assistance from the Legislature of your State in distributing statements from the War Claims Commission to the Members of the Legislature. These statements dealt with the deadlines concerning certain benefits available to certain veterans and others.

Public Law 303, 82nd Congress, 2nd Session, approved April 9, 1952, provided a compensation of $1.50 per day for each day an American prisoner of war was subjected to certain violations of the Geneva Convention of 1929. This compensation is in addition to and on a different basis than the $1.00 per day allowed for food deficiency and hence must be specifically claimed. The deadline for filing for these benefits, which are available also to survivors of such veterans, is April 9, 1953. Enclosed are copies of a statement from the Commission relative to this matter, which may be of particular interest to the Members of the Legislature individually. The War Claims Commission will be grateful if you will have them placed on the Members' desks at your earliest convenience.

With best wishes, I am,

Sincerely yours,

F. BYRNE AUSTIN,
Executive Director

Communication filed.

March 6, 1953

President of the Senate
Salt Lake City, Utah

Honorable Sir:

I have the honor to transmit herewith a certified copy of a Resolution adopted by the Senate of Pennsylvania and concurred in by the House of Representatives, which I am forwarding to you at the direction of the Senate.

Respectfully yours,

G. HAROLD WATKINS
Secretary

Senate of Pennsylvania

RESOLUTION

In the Senate
February 10, 1953

WHEREAS, An excise tax on gasoline, which form of taxation is the rightful prerogative of the several states, is presently being levied by both the United States of America and the several states, and

WHEREAS, From time to time the United States has changed its rate of taxation on this commodity which action makes it increasingly difficult for the respective states to develop a comprehensive tax program to provide revenues for the improvement and maintenance of their highways, therefore, be it

RESOLVED, If the House of Representatives concurs, that the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of United States to enact such legislation as will:

(1) Return to each state without restriction all Federal taxes on gasoline collected therein until such time as the individual state is able to enact legislation as may be necessary to permit it to collect such tax;

(2) Eliminate the tax on gasoline now collected by the United States as soon as the individual states have enacted legislation as may be necessary to permit the state to collect the tax;

(3) Eliminate Federal Aid for Highways except in those states where the revenues produced by a tax of two cents per gallon of gasoline is less than present Federal Aid Allocations to such states;

(4) Change the present functions of the Federal Bureau of Public Roads so that it would become a consultive and advisory engineering agency which would collect, correlate and disseminate information relative to the design, construction, maintenance and operation of highways and bridges and the materials used therefor, and be it further

RESOLVED, That the Secretary of the Senate of the Commonwealth of Pennsylvania be directed to forward copies of this resolution upon its passage to the President of the United States, the Secretary of the United States Senate, the Chief Clerk of United States House of Representatives, to all members of the Pennsylvania Congressional Delegation, to the Governors of all other states, and to the presiding officers of the legislative bodies of all other states.

I certify that the foregoing is a true and correct copy of a Resolution introduced by Senator Snowden, adopted by the Senate on the 10th day of February, 1953, and concurred in by the House of Representatives on the 24th day of February, 1953.

(Seal)

G. HAROLD WATKINS
Secretary
Senate of Pennsylvania

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 19*, by Messrs. Hopkins, C. E. Peterson, Patterson, Kerr, G. D. Taylor, C. W. Larsen, Barlow, and Froerer, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH CALLING UPON THE CITIZENS OF THE STATE OF UTAH TO UNITE IN THE CURRENT EMERGENCY IN INTERMOUNTAIN FREIGHT RATES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 19 was read the first time and referred to the Sifting Committee.

March 9, 1953

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. 229*, by Messrs. Lundell, Jones, Barlow, Froerer, Gardner, Bunderson, Esplin, Fullmer, Brian, Kerr, Young, Patterson, Rowberry, W. E. Anderson, West, and Mrs. Cazier, entitled:

AN ACT PROVIDING ADDITIONAL PERSONAL EXEMPTION FROM INCOME TAX FOR VETERANS SERVING IN THE MILITARY SERVICE OF THE UNITED STATES SINCE JUNE, 1950, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 229 was read the first time and referred to the Sifting Committee.

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, upon reconsideration, *H. B. No. 258*, by Mr. Wayne C. Durham, entitled:

AN ACT TO PROVIDE FOR THE DISSOLUTION OF SPECIAL IMPROVEMENT DISTRICTS CREATED UNDER THE AUTHORITY OF CHAPTERS 6 OR 7, TITLE 17, UTAH CODE ANNOTATED 1953, FOR THE GIVING OF NOTICE THEREOF, THE HOLDING OF A DISTRICT COURT HEARING, AND REQUIRING THE PAYMENT OF CLAIMS OF DISTRICTS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 258 was read the first time and referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

March 9, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 249*, by Messrs. Woolley, Kerr and Mabey, entitled:

AN ACT AMENDING SECTION 53-37-5, UTAH CODE ANNOTATED, 1953, RELATING TO BUDGETING AND RETENTION OF SURPLUS FUNDS BY COLLEGES AND UNIVERSITIES, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 249 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

S. B. No. 247 was read the third time and placed on its final passage.

S. B. No. 247 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Cannon, Clegg, Day, Fowles, Gibson, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Burton, Hafen, Stringham and Woolley.

S. B. No. 247 was transmitted to the House.

S. B. No. 248 was read the third time and placed on its final passage.

S. B. No. 248 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Burton and Woolley.

S. B. No. 248 was transmitted to the House.

S. B. No. 231 was read the third time and placed on its final passage.

S. B. No. 231 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Stringham and Woolley.

S. B. No. 231 was transmitted to the House.

S. B. No. 203 was before the Senate for its consideration.

On motion of Senator Gibson, *S. B. No. 203* was tabled.

S. B. No. 71 was read the third time and placed on its final passage.

S. B. No. 71 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Voting in the negative was Senator Adams.

Absent and not voting: Senators Gibson and Woolley.

S. B. No. 71 was transmitted to the House.

S. B. No. 235 was read the third time and placed on its final passage.

S. B. No. 235 then passed on the following roll call:

Ayes, 15; Nos, 5; Absent, 3.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Kerr, Mabey, Muir, Openshaw, Thorn, Tietjen, Woolley and Mr. President.

Those voting in the negative were: Senators Fowles, Jenkins, Selvin, Tippetts and Watson.

Absent and not voting: Senators Gibson, Hopkin and Stringham.

S. B. No. 235 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, Burton, Cannon, Clegg (explained vote), Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson (explained vote), Woolley and Mr. President.

Absent and not voting: Senator Muir.

S. B. No. 30 was transmitted to the House.

S. B. No. 72 was read the third time and placed on its final passage.

On motion of Senator Hopkin, *S. B. No. 72* was tabled.

COMMUNICATIONS FROM THE HOUSE

March 9, 1953

Mr. President:

I am directed 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. 249*, by Messrs. Woolley, Kerr and Mabey, entitled:

AN ACT AMENDING SECTION 53-37-5, UTAH CODE ANNOTATED, 1953, RELATING TO BUDGETING AND RETENTION OF SURPLUS FUNDS BY COLLEGES AND UNIVERSITIES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 249 was transmitted to the Governor.

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

On motion of Senator Mabey, the Senate resolved itself into Regular Session.

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

The Senate re-assembled.

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

On motion of Senator Mabey, the Senate resolved itself into Regular Session.

President Paxton recognized a group of students from the Delta High School together with their instructor, Mr. J. H. Snow.

On motion of Senator Mabey, the Senate adjourned until Tuesday, March 10, 1953 at 9:30 A.M.

FIFTY-EIGHTH DAY

MORNING SESSION

March 10, 1953

The Senate was called to order at 9:30 A.M. President Paxton in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

March 10, 1953

Mr. President:

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

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 9, 1953

Dear Mr. President and Members of the Senate:

I have approved this day and am transmitting to the Secretary of State *S. B. No. 13,* by Messrs. Tietjen, Fowles, Mabey, Thorn and Stringham, entitled:

AN ACT AMENDING SECTION 7-3-48, UTAH CODE ANNOTATED 1953, RELATING TO STOP-PAYMENT ORDERS WITH RESPECT TO CHECKS DRAWN ON BANKS OR TRUST COMPANIES OR ANY BRANCH OR BRANCHES THEREOF.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 9, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I am transmitting to the Secretary of State *S. B. No. 18,* by Messrs. Woolley, Burton and Fowles, entitled:

AN ACT AMENDING SECTIONS 32-4-4 AND 32-6-1, UTAH CODE ANNOTATED 1953, AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 32-6-1.1, 32-6-1.2 AND SECTIONS 32-6-4.1, 32-6-4.2, 32-6-4.3, 32-6-4.4, 32-6-4.5, 32-6-4.6 AND 32-6-4.7 UTAH CODE ANNOTATED 1953, AND REPEALING SECTIONS 32-6-2, 32-6-3, 32-6-8, 32-6-9, 32-6-10, 32-6-11, 32-6-12, 32-6-13, 32-6-14, 32-6-15, 32-6-16, UTAH CODE ANNOTATED 1953, 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, which I approved on March 7, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 9, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved March 6, and am transmitting to the Secretary of State this day, *S. B. No. 66,* by Messrs. Mabey and Woolley, entitled:

AN ACT ESTABLISHING A STATE WATER POLLUTION CONTROL BOARD TO CONTROL, PREVENT AND ABATE THE POLLU-

TION OF SURFACE AND UNDERGROUND WATERS OF THE STATE; DECLARING A STATE POLICY FOR WATER POLLUTION; SPECIFYING THE POWERS AND DUTIES OF A WATER POLLUTION BOARD OF NINE MEMBERS; PROVIDING FOR THE SELECTION OF BOARD MEMBERS; PROVIDING FOR THE CLASSIFICATION OF WATER; DEFINING ENFORCEMENT, INSPECTION AND INVESTIGATONS, MAKING AN APPROPRIATION FOR THE PURPOSES OF THIS ACT AND PROVIDING FOR PENALTIES AND COURT REVIEW.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 9, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I am transmitting to the Secretary of State this day S. *B. No. 109*, by Messrs. Mabey, Kerr, Woolley, Hopkin, Hammond and Watson, entitled:

AN ACT AMENDING SECTION 10-6-75, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT, POWERS, SALARY, AND QUALIFICATIONS OF CITY MANAGERS IN CITIES OF THE THIRD CLASS AND TOWNS, which I approved March 7, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 9, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I am transmitting to the Secretary of State this day, S. *B. No. 119*, by Messrs. Cannon and Clegg, entitled:

AN ACT AMENDING SECTIONS 31-20-2, AND 31-20-4, UTAH CODE ANNOTATED 1953, RELATING TO GROUP DISABILITY INSURANCE, REQUIREMENTS OF GROUP DISABILITY INSURANCE CONTRACT AND PROVIDING THAT GROUP DISABILITY INSURANCE MAY INCLUDE SPOUSE AND CHILDREN UNDER 19, which I approved March 7, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 9, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I am transmitting to the Secretary of State this day, *S. B. No. 120,* by Messrs. Stringham, Hopkin, Tippetts, Watson and Clegg, entitled:

AN ACT AMENDING SECTION 73-10-3, UTAH CODE ANNOTATED 1953, RELATING TO THE ORGANIZATION OF THE BOARD OF DIRECTORS OF THE UTAH WATER AND POWER BOARD AND THE ELECTION AND APPOINTMENT OF ITS OFFICERS AND EMPLOYEES AND PROVIDING THAT ONE OF ITS MEMBERS OR ANOTHER, WITH THE APPROVAL OF THE GOVERNOR, SHALL BE THE REPRESENTATIVE OF THE STATE OF UTAH IN CONFERENCES FOR THE NEGOTIATION OF COMPACTS BETWEEN THE STATE OF UTAH AND ONE OR MORE SISTER STATES, AND TO REPRESENT THE STATE OF UTAH UPON ANY COMMISSIONS OR OTHER GOVERNING BODIES, AS PROVIDED FOR IN THE COMPACTS THAT MAY HAVE BEEN OR MAY HEREAFTER BE ENTERED INTO BETWEEN THE STATE OF UTAH AND ANY OTHER STATE OR STATES AND ALLOWING HIM A PER DIEM AND EXPENSES; AMENDING SUBDIVISION 6 OF SECTION 73-10-4, UTAH CODE ANNOTATED 1953, SO AS TO PROVIDE THAT THE BOARD SHALL SUPERVISE, IN COOPERATION WITH THE GOVERNOR IN BEHALF OF THE STATE OF UTAH, ALL INTERSTATE COMPACT NEGOTIATIONS AND THE ADMINISTRATION OF SUCH COMPACTS, AND REPEALING SUBDIVISION 7 THEREOF AND RENUMBERING SUBDIVISIONS 8, 9, 10, 11 AND 12, SO AS TO BE RESPECTIVELY 7, 8, 9, 10 AND 11; AMENDING SECTION 73-10-8, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE UTAH WATER AND POWER BOARD CONSTRUCTION FUND AND ITS SOURCE, AND FOR INVESTIGATING PARTICULAR PROJECTS TO BE CONSTRUCTED FROM AN ENGINEERING, GEOLOGICAL OR ECONOMIC POINT OF VIEW, AND PROVIDING THAT THE MONIES SO REPAID CONSTITUTING SUCH FUND SHALL BE A CONTINUING FUND AND SHALL NOT REVERT TO THE GENERAL FUND AT THE END OF ANY BIENNIUM; AMENDING SECTION 73-10-11, UTAH CODE ANNOTATED 1953, PROVIDING THAT THE ATTORNEY GENERAL SHALL ACT AS LEGAL COUNSEL OF THE BOARD AND OF ITS REPRESENTATIVE AND CHARGING THE EXECUTIVE SECRETARY OF THE BOARD WITH THE DUTY OF COLLECTING ANY AND ALL AMOUNTS DUE ON CONTRACTS WITH WATER USERS, AND AMENDING SECTION 73-2-8, UTAH CODE ANNOTATED 1953, BY ELIMINATING THE LAST SENTENCE THEREOF RELATING TO THE REPRESENTATION OF THE STATE OF UTAH BY THE STATE ENGINEER IN THE NEGOTIATION OF COMPACTS, which I approved March 6, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 9, 1953

Dear Mr. President and Members of the Senate:

This is to inform you that I am transmitting to the Secretary of State *S. B. No. 132,* by Mr. Kerr for Special Committee on Statutory Salaries, entitled:

AN ACT AMENDING SECTIONS 67-8-1, 67-8-2, 67-8-3, 67-8-4, 67-8-5, AND 67-8-9, UTAH CODE ANNOTATED 1953, RELATING TO CHANGING AND FIXING THE ANNUAL SALARIES OF THE GOVERNOR; SECRETARY OF STATE; STATE TREASURER; STATE AUDITOR; ATTORNEY GENERAL; CLERK OF THE SUPREME COURT AND EX-OFFICIO LIBRARIAN; ASSISTANT LIBRARIAN, STATE LIBRARY; REPORTER OF THE DECISIONS OF THE SUPREME COURT; JUSTICES OF THE SUPREME COURT; JUDGES OF THE DISTRICT COURTS, AND PROVIDING FOR ENTITLEMENT TO ACTUAL AND NECESSARY EXPENSES AND MILEAGE WHEN A JUDGE HOLDS COURT OUTSIDE OF THE COUNTY IN WHICH HE RESIDES; DISTRICT ATTORNEYS; BUILDING COMMISSION SUPERINTENDENT OF CONSTRUCTION; STATE FISH AND GAME DIRECTOR; MEMBERS OF THE INDUSTRIAL COMMISSON; STATE ENGINEER; MEMBERS OF THE COMMISSION OF FINANCE; MEMBERS OF THE TAX COMMISSION; MEMBERS OF THE PUBLIC WELFARE COMMISSION; MEMBERS OF THE BUSINESS REGULATION COMMISSION; BANK COMMISSIONER; MEMBERS OF THE LIQUOR CONTROL COMMISSION; MEMBERS OF THE STATE BOARD OF AGRICULTURE; MEMBERS OF THE ENGINEERING COMMISSION, which has become law without my signature.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 9, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I am transmitting to the Secretary of State this day, *S. B. No. 135,* by Messrs. Openshaw and Fowles, entitled:

AN ACT AMENDING SECTION 76-40-6, UTAH CODE ANNOTATED 1953, RELATING TO LIBEL BY NEWSPAPERS, RADIO AND TELEVISION STATIONS AND PROVIDING CERTAIN PRIVILEGE FOR FAIR REPORT OF PUBLIC OR OFFICIAL PROCEEDINGS AND COMPLIANCE WITH FEDERAL LAW AND REGULATIONS, which I approved March 7, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 9, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I am transmitting to the Secretary of State this day, *S. B. No. 136*, by Mr. Kerr, for the Special Committee on Statutory Salaries, entitled:

AN ACT AMENDING SECTION 41-13-2, UTAH CODE ANNOTATED 1953, BY CHANGING AND FIXING THE ANNUAL SALARY OF THE COMMISSIONER OF PUBLIC SAFETY, which has become law without my signature.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 9, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I am transmitting to the Secretary of State this day, *S. B. No. 223*, by Messrs. Hopkin and Kerr, entitled:

AN ACT AUTHORIZING THE STATE BOARD OF EDUCATION TO CONTRACT WITH THE UNITED STATES DEPARTMENT OF THE INTERIOR FOR THE WELFARE AND EDUCATION OF INDIANS IN PUBLIC SCHOOLS OF UTAH, which I approved March 7, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 10, 1953

Dear Mr. President and Members of the Senate:

I am returning herewith and without my approval *Senate Bill Number 49* entitled:

AN ACT AMENDING SECTION 78-56-3, UTAH CODE ANNOTATED 1953, RELATING TO COMPENSATION OF COURT REPORTERS.

This bill provides an increase in the pay of court reporters from the present level of $4000 per annum to $4800 per annum.

In my opening message to the Legislature, I recommended that "statutory limitations on salaries for State, city, and county officials should be re-examined and re-evaluated in the light of existing conditions." This bill

may have been introduced as a result of that recommendation. However, my reference, although not specified, was directed toward those salaries which had not been adjusted in recent years.

The salaries of court reporters have been increased during each of the last three legislatures, the most recent being by the Twenty-ninth Legislature in 1951. The Twenty-ninth Legislature also provided for an increase in the price that can be charged for transcripts and copies of court proceedings. The increase in salary to court reporters was one of few approved in 1951 and, together with the increase in transcript and copy fees, it represents a substantial salary readjustment.

Most other salaries fixed by statute—notably the salaries of State commissioners and judges—had not been increased recently until this year. Only now have they been restored to a relative level comparable to that attained by court reporters. Consequently, I see no compelling reason to grant another increase to court reporters at this time.

In view of the foregoing, I am vetoing this bill, and I urge you to sustain my position.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

On motion of Senator Day, *S. B. No. 49* was tabled.

COMMUNICATIONS FROM THE HOUSE

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 46*, by Mrs. Jack, entitled:

AN ACT AMENDING SECTION 37-2-1, UTAH CODE ANNOTATED 1953, RELATING TO THE LIMIT OF TAXES FOR MAINTAINING LIBRARIES AND READING ROOMS IN CITIES OF THE FIRST AND SECOND CLASS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 46 was read the first time and referred to the Sifting Committee.

March 9, 1953

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. 87*, by Messrs. White, Edward C. Larsen, Patterson and C. Wilford Larsen, entitled:

AN ACT AMENDING SECTIONS 5-5-4 AND 5-5-5, UTAH CODE ANNOTATED 1953, RELATING TO THE UTAH AGRICULTURAL COMMODITY ACT AND PROVIDING THAT MARKETING ORDERS OR AMENDMENTS SHALL NOT BECOME EFFECTIVE UNTIL THE COMMISSIONER DETERMINES SUCH ORDER APPROVED AND FAVORED BY AT LEAST TWO-THIRDS PRODUCERS VOTING WHO REPRESENT FIFTY-ONE PERCENT OF THE COMMODITY IN SUCH MARKETING ORDER, AND PROVIDING THAT MARKETING ORDER BOARD OF CONTROL SHALL NOT EXCEED NINE MEMBERS, THREE OF WHOM SHALL BE HANDLERS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 87 was read the first time and referred to the Sifting Committee.

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 88*, by Mr. W. G. Larson, entitled:

AN ACT AMENDING SECTION 7-11-3, UTAH CODE ANNOTATED 1953, RELATING TO THE PROVISIONS OF OLD AGE AND SURVIVORS BENEFITS OF THE SOCIAL SECURITY ACT FOR PUBLIC EMPLOYEES OF THE STATE AND ITS POLITICAL SUBDIVISIONS AND EXTENDING THE TIME WITHIN WHICH SUCH COVERAGE MAY BE RETROACTIVELY GRANTED TO SAID EMPLOYEES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 88 was read the first time and referred to the Sifting Committee.

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 169*, by Messrs. Froerer, Dalebout, and Barlow, entitled:

AN ACT AMENDING SECTION 31-31-12, UTAH CODE ANNOTATED 1953, RELATING TO EXAMINATIONS FOR AGENTS AND

SOLICITORS OF MUTUAL BENEFIT ASSOCIATIONS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 169 was read the first time and referred to the Sifting Committee.

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 170*, by Messrs. Froerer, Dalebout, and Barlow, entitled:

AN ACT AMENDING SECTION 31-32-17, UTAH CODE ANNOTATED 1953, RELATING TO EXAMINATIONS FOR AGENTS AND SOLICITORS OF COOPERATIVE ASSOCIATIONS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 170 was read the first time and referred to the Sifting Committee.

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 184*, by Messrs. R. C. Anderson, White and J. H. Johnson, entitled:

AN ACT AMENDING SECTION 53-6-8, UTAH CODE ANNOTATED 1953, RELATING TO COMPENSATION OF MEMBERS OF BOARDS OF EDUCATION, AND RAISING THE YEARLY SALARIES TO $300 IN COUNTY SCHOOL DISTRICTS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 184 was read the first time and referred to the Sifting Committee.

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 196*, by Mr. Clair R. Hopkins, entitled:

AN ACT AMENDING SECTION 17-12-1, UTAH CODE ANNOTATED 1953, RELATING TO THE CREATION OF BONDED INDEBTEDNESS BY COUNTIES, SO AS TO AUTHORIZE COUNTIES TO INCUR BONDED INDEBTEDNESS NOT IN EXCESS OF 2% OF 100% OF THE REASONABLE FAIR CASH VALUE OF TAXABLE PROPERTY IN SUCH COUNTIES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 196 was read the first time and referred to the Sifting Committee.

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 215*, by Mr. C. E. Peterson, entitled:

AN ACT TO CREATE AND ESTABLISH A STATE AGENCY FOR SURPLUS PROPERTY, TO PRESCRIBE ITS POWERS, DUTIES, AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 215 was read the first time and referred to the Sifting Committee.

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. B. No. 226*, by Mr. Kleon Kerr, entitled:

AN ACT APPROPRIATING $50,000.00 FROM THE GENERAL FUND TO THE STATE BOARD OF EXAMINERS FOR THE ERECTION

ON THE UTAH STATE CAPITOL GROUNDS OF A PONY EXPRESS MEMORIAL OF THE DESIGN USED IN THE 1947 UTAH CENTENNIAL CELEBRATION, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 226 was read the first time and referred to the Sifting Committee.

March 9, 1953

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. 245*, by Messrs. Thomas, Gardner, C. W. Larsen, Davis, Poulson, and Mrs. Gerald Cazier, entitled:

AN ACT PROVIDING FOR PROPER ILLUMINATION OF AND UNOBSTRUCTED WINDOWS INTO BEER HALLS, TAVERNS, CABARETS, LOUNGES, DANCE HALLS, AND BALLROOMS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 245 was read the first time and referred to the Sifting Committee.

March 9, 1953

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. 253*, by Messrs. L. Taylor and Young, entitled:

AN ACT AMENDING SECTION 35-1-17 UTAH CODE ANNOTATED 1953 PROVIDING FOR FURTHER STUDY OF ALL PROBLEMS OF THE INDUSTRIAL COMMISSION, INCLUDING REHABILITATION AND RE-EMPLOYMENT OF EMPLOYEES DISABLED BY INDUSTRIAL ACCIDENT OR OCCUPATIONAL DISEASE AND PROVIDING FOR NECESSARY EXPENSES OF COUNCIL MEMBERS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 253 was read the first time and referred to the Sifting Committee.

March 9, 1953

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. 254*, by Mrs. Gerald Cazier, Messrs. Redd, Gardner, and R. Clair Anderson, entitled:

AN ACT APPROPRIATING $5,000.00 TO THE STATE BOARD OF AGRICULTURE TO PROVIDE A PROGRAM OF FALSE CHINCH BUG OR SAY'S BUG ERADICATION AND CONTROL IN COOPERATION WITH FEDERAL OR STATE AGENCIES, COUNTIES, MUNICIPALITIES, FIRMS, CORPORATIONS OR INDIVIDUALS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 254 was read the first time and referred to the Sifting Committee.

March 9, 1953

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. 256*, by Messrs. E. C. Larsen and Grover, entitled:

AN ACT PROVIDING FOR SURVEY OF POST-HIGH SCHOOL PUBLIC EDUCATION IN UTAH, CREATING COMMISSION, DEFINING ITS POWERS AND DUTIES, APPROPRIATING $30,000 FOR THE PURPOSES OF THIS ACT, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 256 was read the first time and referred to the Sifting Committee.

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, *H. J. R. No. 15*, by Messrs. R. Clair Anderson, Davis, Sheffield, and Frandsen, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH AUTHORIZING THE PLACING OF SCULPTURE IN THE STATE CAPITOL BUILDING, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 15 was read the first time and referred to the Sifting Committee.

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 16*, by Messrs. H. Clair Anderson, Jones, Howe, Sheffield, and L. L. Peterson, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 30TH LEGISLATURE OF THE STATE OF UTAH, MAKING ASSIGNMENT OF THE PROPOSED UNIFORM COMMERCIAL CODE TO THE UTAH LEGISLATIVE COUNCIL AND REQUESTING STUDY OF SAID UNIFORM COMMERCIAL CODE AND A REPORT OF ITS FINDINGS THIRTY DAYS PRIOR TO THE CONVENING OF THE 31ST LEGISLATURE OF THE STATE OF UTAH, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J .R. No. 16 was read the first time and referred to the Sifting Committee.

March 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *H. J. R. No. 22*, by Messrs. Grover, Wm. E. Anderson, White, Hopkins, and C. E. Peterson, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH DECLARING THAT IT SHOULD BE THE POLICY OF THIS STATE TO DISCONTINUE THE APPROPRIATION OF STATE FUNDS TO PRIVATE INSTITUTIONS, DEPARTMENTS, AGENCIES OR OTHER ORGANIZATIONS

OVER WHICH THE STATE OR SOME DIVISION THEREOF HAS NO DIRECT CONTROL AND SUPERVISION, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 22 was read the first time and referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

March 10, 1953

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 90, 95, 96, 61, 62, 124, 149, and H. C. R. Nos. 7 and 1 and S. J. R. No. 25.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

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

BANK COMMISSIONER:

Louis S. Leatham, Salt Lake City

For four-year term beginning April 1, 1953, and ending April 1, 1957.

MEMBERS, STATE FAIR ASSOCIATION:

District	Name and Residence	Party
3	O. A. Mickelsen, Draper	Republican
3	Herbert A. Snow, Salt Lake	Democrat
3	Mrs. Genevieve Lawrence, Salt Lake City	Republican
3	T. K. Voyer, Tooele	Democrat
4	John W. Gillman, Orem	Democrat
6	E. H. Street, Richfield	Republican

All for four-year terms beginning June 1, 1953, and ending June 1, 1957.

1	Mrs. E. A. Parson, Logan	Republican

For unexpired term ending June 1, 1955.

MEMBERS, INSTITUTE OF FINE ARTS:

Fred E. Smith, Salt Lake City

Dr. C. Lowell Lees, Salt Lake City

Conrad B. Harrison, Salt Lake City

Raymond J. Ashton, Kaysville

Mrs. Stewart P. Dobbs, Ogden

David L. McKay, Salt Lake City

George M. Gadsby, Salt Lake City

All for four-year terms beginning June 30, 1953 and ending June 30, 1957.

Mrs. Harold Christensen, Springville

For unexpired term ending June 30, 1955.

MEMBERS, UTAH WATER AND POWER BOARD:

District	Name and Residence	Party
1	Orson A. Christensen, Brigham City	Democrat
3	Henry D. Moyle, Salt Lake	Democrat
5	Heber Winget, Monroe	Democrat
7	Charles R. Redd, La Sal	Republican
7	Gordon Clark, St. George	Republican

All for six-year terms ending March 1, 1959.

4	Jay R. Bingham, Springville	Democrat

For unexpired term ending March 1, 1956.

Motion carried.

On motion of Senator Mabey, the Chairman of the Special Committee on Appointments was authorized and directed to communicate with the Governor and request that he reconsider his nominations for membership of the Board of Trustees, Utah State Agricultural College, for occupational and geographical reasons.

On motion of Senator Hopkin, the rules were suspended and the Senate voted unanimous consent to present a Joint Resolution.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 26 By Mr. Hopkin

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 30TH LEGISLATURE OF THE STATE OF UTAH, MAKING ASSIGNMENTS OF STUDY FOR THE UTAH LEGISLATIVE COUNCIL AND REQUESTING A REPORT TO THE 31ST LEGISLATURE.

S. J. R. No. 26 was read the first time.

On motion of Senator Hopkin, the rules were suspended and *S. J. R. No. 26* was placed on the Second Reading Calendar.

On motion of Senator Hopkin, the rules were suspended and *S. J. R. No. 26* was read the second and third times and placed on its final passage.

On motion of Senator Day, *S. J. R. No. 26* was amended as follows:

Page 2, item 6, after the word "Legislature" insert the following: "That this matter be undertaken forthwith."

On motion of Senator Tippets, *S. J. R. No. 26* was amended by inserting a new section, to be numbered "10", to read as follows:

"10. Legislative Procedure

a. A review of our present legislative procedure, with a view to make recommendations to the 31st session of the legislature, for bringing our legislative procedure up to date and in line with recommendations of the council of state governments."

On motion of Senator Hopkin, *S. J. R. No. 26* was amended by inserting a new section, to be numbered "11", to read as follows:

"11. A study of the distribution of the waters of the Colorado River."

On motion of Senator Watson, *S. J. R. 26* was amended by inserting a new section, to be numbered "12", to read as follows:

"12. A study of the qualifications required for licensing engineers."

Page 2, under Item 5, Taxation, insert "Subsection c." to read as follows: "The study of corporate taxation".

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Muir, Openshaw, Selvin, Stringham, Thorn, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson Mabey and Tietjen.

S. J. R. No. 26 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 9, 1953

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. 261*, by Appropriations Committee, entitled:

AN ACT AMENDING SECTIONS 63-10-16 AND 63-10-18, UTAH CODE ANNOTATED 1953, RELATING TO APPROPRIATIONS TO THE RESERVE BUILDING FUND FROM THE EMERGENCY RELIEF FUND; PRIORITY OF ALLOCATIONS TO THE UTAH WATER AND POWER BOARD CONSTRUCTION REVOLVING FUND AND STATE BUILDING FUNDS; REPEALING SECTIONS 63-10-17 AND 63-10-20, UTAH CODE ANNOTATED 1953, AND RE-ENACTING A NEW SECTION TO BE KNOWN AS SECTION 63-10-17, UTAH CODE ANNOTATED 1953, RELATING TO A SCHEDULE OF APPROPRIATIONS FOR STATE BUILDING AND CONSTRUCTION PURPOSES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 261 was read the first time.

On motion of Senator Woolley, the rules were suspended and the Senate voted to now consider *H. B. No. 261*.

On motion of Senator Woolley, the rules were suspended and *H. B. No. 261* was read the second time.

On motion of Senator Kerr, *H. B. No. 261* was amended as follows:

Page 1, in "63-10-16," after the figure "$5,000,000." delete the following: "in the emergency relief reserve fund."

On motion of Senator Woolley, *H. B. No. 261* was amended as follows:

Page 2, item "1", after the word "alterations" delete "and" and insert a comma; after the word "repairs" insert "and facilities".

On motion of Senator Tippetts, *H. B. No. 261* was amended as follows:

Page 2, item "5", after the word "construction" insert "and acquisition of property".

On motion of Senator Woolley the rules were suspended and *H. B. No. 261* was read the third time and placed on its final passage.

H. B. No. 261 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson and Muir.

H. B. No. 261 was returned to the House.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Hafen, mimeographed copy of amended *S. B. No. 144* was substituted for the printed copy of *S. B. No. 144*, as amended.

S. B. No. 144 was read the third time and placed on its final passage.

On motion of Senator Hafen, *S. B. No. 144* was amended as follows:

Page 4, lines 18 and 19, strike the underscore of the following words "benefited by the proposed improvements".

Page 4, line 32, underscore the following words "seeking the establishment of the district".

Page 7, line 24, after the period, insert: "As a member of the Board of Trustees, each representative shall be entitled to vote on all questions, orders, resolutions and ordinances coming before the board."

On motion of Senator Woolley, *S. B. No. 144* was amended as follows:

Page 4, line 9, after the deletion marks insert the following: "If, at or before the time fixed in said notice written protest shall be filed, signed by more than twenty-five percent (25%) in number of the real property owners within the said proposed district, according to the last assessment roll for county taxes completed prior to the publishing of the notice, the district shall not be established. The board may require the county surveyor to check and report on the accuracy of the proposed boundaries of the district and may require the officials who prepared the assessment roll to segregate and certify to the board the assessed valuation of the real property appearing on the roll which lies within the proposed boundaries of the district. A written protest filed by a corporation owning real property in the district shall be sufficient if it is signed by the president, vice-president or duly authorized agent of the corporation. Where title to any real property in the district is held in the name of more than one person, all of the persons holding title thereto must join in the signing of the written protest. The deed records of the county shall be accepted as final and conclusive evidence

of the ownership of the real property in the district. If any written protests are filed and the board shall determine that the protests so filed represent less than twenty-five percent in number of the property owners in the district, the resolution of the board establishing the district shall contain a recital to that effect and such recital shall be binding and conclusive for all purposes. In such resolution establishing such district, the board of county commissioners shall eliminate from said proposed district any property originally included therein, but which it shall determine will not be benefited by the proposed improvements."

S. B. No. 144 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Woolley.

Voting in the negative was Mr. President (explained vote).

Absent and not voting: Senators Fowles, Gibson and Muir.

S. B. No. 144 was transmitted to the House.

On motion of Senator Mabey, the Senate recessed until 2:00 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE GOVERNOR

March 10, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved on March 9, and am transmitting to the Secretary of State this day, *S. B. No. 86*, by Mr. Hopkin, entitled:

AN ACT AMENDING SECTION 63-11-10, UTAH CODE ANNOTATED 1953, RELATING TO THE DESCRIPTION OF CERTAIN PROPERTY IN THE VICINITY OF "THIS IS THE PLACE" MONUMENT ORDERED TO BE CONDEMNED FOR STATE PARK PURPOSES, AND PROVIDING FOR THE EXCLUSION THEREFROM OF A TRACT OF LAND KNOWN AS KENNEDY DRIVE.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 10, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved on March 9, and am transmitting to the Secretary of State this day, *S. B. No. 101*, by Messrs. Woolley, Day, Kerr, Mabey, Openshaw and Burton, entitled:

AN ACT AMENDING SECTION 53-2-8, UTAH CODE ANNOTATED 1953, PROVIDING FOR ORGANIZATION OF A STATE BOARD OF EDUCATION AND APPOINTMENT OF STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; COMPENSATION.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 10, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved on March 9, and am transmitting to the Secretary of State this day, *S. B. No. 134*, by Messrs. Openshaw and Fowles, entitled:

AN ACT AMENDING SECTION 42-2-5, 45-2-6, 45-2-7, AND 45-2-8, UTAH CODE ANNOTATED 1953, RELATING TO LIABILITY FOR LIBEL, SLANDER, AND DEFAMATION ARISING OUT OF RADIO OR TELEVISION BROADCASTS AND REQUIRING THE DEFAMED PARTY TO PROVE LACK OF DUE CARE AND REPEALING SECTION 45-2-9, UTAH CODE ANNOTATED 1953, RELATING TO MINIMIZING DAMAGES BY RETRACTING THE STATEMENT UNDER CERTAIN CONDITIONS.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 10, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved this day and am transmitting to the Secretary of State *S. B. No. 163*, by Messrs. Fowles and Hammond, entitled:

AN ACT AMENDING SECTIONS 39-1-3, 39-1-12, 39-1-18, 39-1-21, 39-1-46, AND 39-1-51, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 39-1-61, UTAH CODE ANNOTATED 1953, RELATING TO THE POWERS OF THE GOVERNOR AS COMMANDER IN CHIEF OF THE NATIONAL

GUARD; THE COMPOSITION OF THE STAFF OF THE COMMANDER IN CHIEF; THE OFFICE OF THE ADJUTANT GENERAL AND THE APPOINTMENT, QUALIFICATIONS AND DUTIES OF THE ADJUTANT GENERAL; THE DUTIES, QUALIFICATIONS AND SALARIES OF ASSISTANT ADJUTANT GENERAL; THE DUTIES, QUALIFICATIONS AND SALARY OF THE PERSONNEL OFFICER; THE SALARY AND BOND OF THE ADJUTANT GENERAL; THE MAINTENANCE OF AN ARSENAL AND THE MAINTENANCE AND REQUISITION OF MILITARY SUPPLIES AND PLACING RESPONSIBILITY FOR LOSS DUE TO CARELESSNESS AND NEGLIGENCE; PROVIDING FOR PAY OF MEMBERS OF THE NATIONAL GUARD WHILE IN STATE SERVICE; AND CREATING A NATIONAL GUARD ADVISORY BOARD, AND DEFINING ITS PURPOSE, DUTIES AND POWERS.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 10, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved on March 9, and am transmitting to the Secretary of State this day, *S. B. No. 206*, by Messrs. Fowles and Jenkins, entitled:

AN ACT AUTHORIZING THE STATE BOARD OF EXAMINERS TO DISPOSE OF REAL PROPERTY AND THE BUILDINGS ON THE WEBER COLLEGE CAMPUS. THIS ACT IS TO BE DESIGNATED AS 53-33-5a.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 10, 1953

Dear Mr. President and Members of the Senate:

This is to advise you that I approved on March 9, and am transmitting to the Secretary of State this day, *S. B. No. 249*, by Messrs. Woolley, Kerr, and Mabey, entitled:

AN ACT AMENDING SECTION 53-37-5, UTAH CODE ANNOTATED, 1953, RELATING TO BUDGETING AND RETENTION OF SURPLUS FUNDS BY COLLEGES AND UNIVERSITIES.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 10, 1953

Dear Mr. President and Members of the Senate:

I have been requested by the Chairman of the Senate Committee on Appointments, on behalf of the members of the Senate, to reconsider the nominations I have submitted for membership on the Board of Trustees, Utah State Agricultural College, for occupational and geographical reasons.

There is desirability, of course, in having ample occupation and geographic representation on the Board, although the only statutory requirement for membership is that Board members shall be resident citizens. Nevertheless, I have endeavored to take into account the various qualities that would be desirable in Board appointments and have reached my decisions on that basis.

Therefore, with but one exception, it is my desire that the appointments I have submitted previously be acted upon by your Honorable Body. Dr. Adam S. Bennion, Salt Lake City, has advised this office of his wish to decline his appointment, and in his place I am submitting the name of Matthew Cowley, Salt Lake City.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication referred to the Special Committee on Appointments.

March 10, 1953

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, COMMITTEE ON UNIFORMITY OF LEGISLATION:

Clifford L. Ashton, Salt Lake City

Marvin J. Bertoch, Salt Lake City

Paul H. Ray, Salt Lake City

For two-year terms beginning July 1, 1953, and ending July 1, 1955.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication referred to the Special Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of March, 1953, approve and transmit to the Secretary of State, *H. B. No. 91*, by Messrs. Durham and Howe, entitled:

AN ACT PROVIDING FOR THE SURVIVAL OF A CAUSE OF ACTION ARISING OUT OF AN INJURY OR DEATH AFTER DEATH OF THE WRONGDOER, AND PROVIDING THAT SUCH CAUSE OF ACTION SHALL NOT ABATE UPON THE DEATH OF THE WRONGDOER, AND PROVIDING FURTHER THAT THE INJURED PERSON OR PERSONAL REPRESENTATIVES OF ONE MEETING DEATH SHALL HAVE A CAUSE OF ACTION AGAINST THE PERSONAL REPRESENTATIVES OF THE WRONGDOER, AND PROVIDING THAT THE INJURED PERSON IN SUCH CASES SHALL NOT BE ENTITLED TO A RECOVERY EXCEPT UPON COMPETENT EVIDENCE OTHER THAN THE TESTIMONY OF THE INJURED PERSON.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of March, 1953, approve and transmit to the Secretary of State, *H. B. No. 158*, by Messrs. Froerer and Barlow, entitled:

AN ACT APPROPRIATING $13,324.00 TO THE DEPARTMENT OF PUBLIC SAFETY TO COVER OPERATING COSTS OF DIVISION OF SAFETY AND FINANCIAL RESPONSIBILITY.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of March, 1953, approve and transmit to the Secretary of State, *H. B. No. 166*, by Messrs. Howe and Durham, entitled:

AN ACT AMENDING SECTION 57-1-5 UTAH CODE ANNOTATED 1953, RELATING TO CO-TENANCIES AND DEFINING THE

CREATION OF A JOINT TENANCY BY USE OF CERTAIN WORDS AND CLARIFYING THE MANNER IN WHICH A JOINT TENANCY MAY BE CREATED BY AN OWNER OF LAND BETWEEN SUCH OWNER AND OTHER PERSONS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of March, 1953, approve and transmit to the Secretary of State, *H. B. No. 190,* by Mrs. Vance, entitled:

AN ACT AMENDING SECTIONS 4-20-64, 4-20-67 AND 4-20-69, UTAH CODE ANNOTATED 1953, RELATING TO THE INSPECTION OF MEAT ANIMALS AND MEAT PRODUCTS, AUTHORIZING THE STATE BOARD OF AGRICULTURE TO ADOPT REGULATIONS ESTABLISHING MEAT INSPECTION DISTRICTS, COLLECT INSPECTION FEES, EMPLOY VETERINARIANS AND INSPECTORS, DESIGNATE KILLING DAYS FOR SLAUGHTERING ESTABLISHMENTS; AND PROHIBITING THE FEEDING OF RAW GARBAGE TO SWINE, REQUIRING PURCHASE OF LICENSE TO FEED GARBAGE TO SWINE, AND AUTHORIZING THE DEPARTMENT OF AGRICULTURE TO COLLECT A LICENSE FEE THEREFOR.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that on the 9th day of March 1953, the Governor did veto item No. 117 of *H. B. No. 239,* by Appropriations and Claims Committee, entitled:

AN ACT MAKING APPROPRIATIONS FOR THE SUPPORT OF THE UTAH STATE GOVERNMENT FOR THE PERIOD BEGINNING JULY 1, 1953, AND ENDING JUNE 30, 1955, AND SETTING UP REGULATIONS AND RESTRICTIONS CONCERNING EXPENDITURES, and the House, this day, after considering said veto message, sustained the action of the Governor, and transmitted the same to the Secretary of State.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 123*, by Messrs. Davis, Thomas, Froerer, Gardner, Kerr, West and Barlow, entitled:

AN ACT AMENDING SECTIONS 41-12-5, 41-12-6 AND 41-12-7, UTAH CODE ANNOTATED 1953, RELATING TO DRIVERS OF MOTOR VEHICLES, ACCIDENTS, SECURITY FOR DAMAGE, SUSPENSION OF LICENSES AND INSURANCE.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 182*, by Messrs. Hopkins, Sevy, Young, Bunderson, Patterson, Rowberry, G. Douglas Taylor, Gardner, Messinger, and Brian, entitled:

AN ACT AMENDING SECTIONS 27-6-2, 27-6-3, 27-6-4, 27-6-5, 27-6-6, 27-6-7, 27-6-8, 27-6-9, 27-6-10, 27-6-11, 27-6-12, 27-6-13, 27-6-14, 27-6-15, 27-6-16, 27-6-17, 27-6-18, 27-6-19, 27-6-20, 27-6-21, 27-6-22, 27-6-23, 27-6-24, 27-6-25, 27-6-26, AND 27-6-27, UTAH CODE ANNOTATED 1953; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 27-6-27.10 UTAH CODE ANNOTATED 1953, RELATING TO THE DESIGNATION OF CERTAIN ROADS AS STATE ROADS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 10, 1953

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. Day, Hopkin, Muir, Fowles, and Mabey, entitled:

AN ACT CREATING A FISH AND GAME CODE FOR THE STATE OF UTAH, TO BE ADMINISTERED BY THE FISH AND GAME DEPARTMENT OF THE STATE OF UTAH; PROVIDING FOR THE ORGANIZATION AND ADMINISTRATION OF THE STATE DEPARTMENT OF FISH AND GAME, ITS POWERS AND DUTIES; CREATING A FISH AND GAME COMMISSION, ITS MEMBERSHIP, TERM OF

OFFICE, POWERS AND DUTIES; PROVIDING FOR THE LICENSING OF PERSONS WHO FISH, HUNT, TRAP, ACT AS GUIDES, SEINE, TRANSPORT GAME, FISH OR FURBEARING ANIMALS, ALIVE OR DEAD, WITHIN OR WITHOUT THE BOUNDARIES OF THE STATE OF UTAH; PROVIDING FOR THE LICENSING AND SUPERVISION OF PRIVATE GAME, FISH OR FURBEARING FARMS OR PONDS; ESTABLISHING PROHIBITIONS, PENALTIES, ARRESTS, SEARCH, SEIZURE AND OTHER JUDICIAL PROCESS; ESTABLISHING PROCEDURE FOR ACQUISITIONS, HOLD, MANAGEMENT, AND SALE OR EXCHANGE OF STATE LANDS FOR FISH AND GAME PURPOSES, PROVIDING FOR RECIPROCAL AGREEMENTS WITH OTHER STATES, GIVING ASSENT TO OTHER STATES, PERSONS AND THE FEDERAL GOVERNMENT IN MATTERS RELATING TO FISH, GAME AND FURBEARERS, ESTABLISHING A FISH AND GAME FUND, ESTABLISHING BOARD OF BIG GAME CONTROL, ITS MEMBERSHIP, POWERS AND DUTIES; AND THE ESTABLISHMENT OF STATE GAME PRESERVES, POSTED HUNTING AREAS, CLOSED AREAS, DAMAGES, AND PROVIDING FOR THE MANAGEMENT, CONTROL, TRANSPORTATION, STORAGE AND TAKING OF GAME, FURBEARING ANIMALS, BIRDS AND FISH; AND DEFINITIONS AND REPEALING TITLE 23, UTAH CODE ANNOTATED 1953, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 11 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

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. 40*, by Messrs. Cannon, Gibson, Openshaw and Burton, entitled:

AN ACT RELATING TO THE EXERCISE BY BOARDS OF EDUCATION OF THEIR POWER OF EMINENT DOMAIN IN THE ACQUISITION, OUTSIDE OF SCHOOL DISTRICT BOUNDARIES, OF SCHOOLHOUSE SITES, EASEMENTS, RIGHTS OF WAY AND OTHER APPURTENANCES THEREFOR, AND THE PURCHASE OF SUCH SITES, AND AMENDING SUBSECTION (3) OF SECTION 78-34-1 OF THE UTAH CODE ANNOTATED 1953, AND ENACTING A NEW SUBSECTION TO BE KNOWN AS (14) PROVIDING THAT THE RIGHT OF EMINENT DOMAIN MAY BE EXERCISED BY EDUCATIONAL INSTITUTIONS OF COLLEGIATE GRADE WITHIN THE STATE OF

UTAH WHEN THE INSTITUTION IS NOT CONDUCTED FOR PROFIT, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 40 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 42*, by Messrs. Mabey and Gibson, entitled:

AN ACT AMENDING SECTION 59-10-2, UTAH CODE ANNOTATED 1953, RELATING TO TAXATION AND PROVIDING THAT A TAX UPON PERSONAL PROPERTY SHALL BE A LIEN UPON THE REAL PROPERTY OF THE OWNER OF THE PERSONALITY TAXED, WHEN SUCH PERSONALITY AND THE TAX THEREON ARE LISTED WITH SUCH REAL PROPERTY UPON THE ASSESSMENTS ROLLS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 42 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

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. 62*, by Messrs. Mabey, Hafen, Selvin, Fowles, Day, Kerr, Burton, Tietjen and Tippetts, entitled:

AN ACT CREATING THE UTAH BOARD ON ALCOHOLISM, DEFINING ITS POWERS AND DUTIES, CREATING A FUND APPROPRIATING $150,000.00 FROM THE LIQUOR CONTROL FUND TO THE UTAH BOARD ON ALCOHOLISM FUND, AND REPEALING SECTIONS 55-7-4, 55-7-5, 55-7-6, 55-7-7, 55-7-8, 55-7-9, AND 55-7-10, UTAH CODE ANNOTATED 1953, and the same is transmitted herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Day, the Senate voted to concur in the House amendments.

S. B. No. 62 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Tietjen, Tippetts and Mr. President.

Absent and not voting: Senators Burton, Cannon, Gibson, Openshaw, Thorn, Watson and Woolley.

S. B. No. 62 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this this day passed *S. B. No. 63*, by Messrs. Mabey, Hafen, Selvin, Fowles, Day, Kerr, Burton, Tietjen, and Tippetts, entitled:

AN ACT AMENDING SECTIONS 32-2-2 AND 32-2-15, UTAH CODE ANNOTATED 1953, TO INCREASE LIQUOR PERMIT FEES AND TO INCREASE THE FEES FOR DUPLICATE PERMITS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 63 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, under suspension of the rules, *S. B. No. 87*, by Messrs. Mabey, Clegg, Burton, Selvin, Tippetts, Muir and Hammond, entitled:

AN ACT AUTHORIZING THE STATE ROAD COMMISSION TO CONVERT A PORTION OF THE STATE CAPITOL GROUNDS INTO A PARKING LOT FOR THE CONVENIENCE OF THE PUBLIC VISITING THE PIONEER MEMORIAL AND THE STATE CAPITOL BUILDING, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate voted to concur in the House amendments.

S. B. No. 87 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Tippetts and Mr. President.

Absent and not voting: Senators Cannon, Gibson, Thorn, Watson and Woolley.

S. B. No. 87 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

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. 140,* by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-7-5, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE FORM OF BALLOT FOR THE GENERAL ELECTION; AND REQUIRING THAT BALLOTS SHALL HAVE ONLY ONE SQUARE IN THE CASE OF THE PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 140 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

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. 141,* by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-2-20, UTAH CODE ANNOTATED 1953, RELATING TO TRANSFERRING FROM ONE VOTING DISTRICT TO ANOTHER, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 141 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

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. 142*, by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-3-29, UTAH CODE ANNOTATED 1953, PROVIDING FOR COUNTING, RECORDING AND RETURNING OF BALLOTS TO COUNTY CLERK, and the same is returned heerwith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 142 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

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. 143*, by Mr. Openshaw, entitled:

AN ACT AMENDING SECTION 13-5-12, UTAH CODE ANNOTATED 1953, RELATING TO THE UNFAIR PRACTICES ACT, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 143 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

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. 179*, by Mr. Hopkin, entitled:

AN ACT AMENDING SECTIONS 41-11-1, 41-11-3, 41-11-4, 41-11-5, 41-11-6, 41-11-7, 41-11-11, 41-11-13, 41-11-15 AND 41-11-17, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ELIMINATION OF

THE REQUIREMENT OF LICENSE AND THE COLLECTION OF MOTOR FUELS TAX FROM RETAIL DEALERS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 179 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

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. 192*, by Mr. Woolley, entitled:

AN ACT AMENDING SECTION 76-20-11, UTAH CODE ANNOTATED 1953, RELATING TO THE ISSUANCE OF CHECKS, DRAFTS OR ORDERS WITHOUT SUFFICIENT FUNDS OR CREDIT, AND RELATING TO PRESUMPTIVE EVIDENCE OF CRIMINAL INTENT, PRESENTATION AND NON-PAYMENT, DEFINING "CREDIT" AS USED IN THIS SECTION, AND PROVIDING THAT VIOLATION OF THIS SECTION SHALL BE MISDEMEANOR, and the same is returned herewith for your futrher action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 192 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

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. 200*, by Messrs. Openshaw and Cannon, entitled:

AN ACT AMENDING SECTIONS 16-2-5 AND 16-2-24, UTAH CODE ANNOTATED 1953, RELATING TO THE NUMBER OF DIRECTORS OF CORPORATIONS, THEIR QUALIFICATIONS AND TERMS OF OFFICE, AND ELECTION AND REMOVAL AND RESIGNATION, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 200 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

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. 218*, by Mr. Hopkin, entitled:

AN ACT APPROPRIATING $44,380.00 FROM THE GENERAL FUND TO THIS IS THE PLACE MONUMENT COMMISSION FOR THE MAINTENANCE AND IMPROVEMENT OF THIS IS THE PLACE MONUMENT AND OF THE GROUNDS SURROUNDING THIS IS THE PLACE MONUMENT, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 218 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and House, *S. B. No. 234*, by Messrs. Day, Hammond, Clegg and Thorn, entitled:

AN ACT DECLARING THE PUBLIC POLICY OF UTAH REGARDING BOY SCOUTS, GIRL SCOUTS, CAMPFIRE GIRLS, AND SIMILAR ORGANIZATIONS, AND PROVIDING FOR THE CONTRACT OR LEASE OF SCHOOL BUSES BY SCHOOL DISTRICTS TO SUCH ORGANIZATIONS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Openshaw, the Senate voted to concur in the House amendments to *S. B. No. 234*.

S. B. No. 234 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Gibson, Thorn and Woolley.

S. B. No. 234 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF SPECIAL COMMITTEES

Mr. President:
Mr. Speaker:

We your Conference Committee, after careful consideration of *S. B. No. 217*, recommend that the Senate concur in the House amendments in this bill.

Respectfully,

RENDELL N. MABEY,
Chairman for the Senate Committee

RALPH A. SHEFFIELD,
Chairman for the House Committee

Report adopted and filed.

On motion of Senator Mabey, the Senate voted to concur in the House amendments to *S. B. No. 217*.

S. B. No. 217 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Tietjen, Tippetts and Mr. President.

Absent and not voting: Senators Gibson, Stringham, Thorn, Watson and Woolley.

S. B. No. 217 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

On motion of Senator Stringham, the rules were suspended and the Senate voted unanimous consent for the presentation of two Senate Resolutions.

PRESENTATION OF RESOLUTIONS

S. R. No. 3 By Messrs. Stringham, Watson and Hafen

A RESOLUTION OF APPRECIATION TO WILLIAM R. WALLACE.

S. R. No. 3 was read the first time and, under suspension of the rules, referred to the Reading Calendar.

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

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

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

S. R. No. 4 By Messrs, Stringham, Watson and Hafen

A RESOLUTION OF APPRECIATION TO WALLACE B. MATHIS.

S. R. No. 4 was read the first time and, under suspension of the rules, referred to the Reading Calendar.

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

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

S. R. No. 4 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Fowles, the rules were suspended and the Senate voted to now consider *H. B. No. 95*.

H. B. No. 95 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 95* was read the third time and placed on its final passage.

H. B. No. 95 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Gibson, Jenkins, Thorn and Woolley.

H. B. No. 95 was returned to the House.

H. B. No. 96 was read the second time.

On motion of Senator Clegg, the rules were suspended and *H. B. No. 96* was read the third time and placed on its final passage.

H. B. No. 96 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Adams, Kerr, Muir and Woolley.

H. B. No. 96 was returned to the House.

H. B. No. 61 was read the second time.

On motion of Senator Day, the rules were suspended and *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, 18; Nos, 0; Absent, 5.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Hopkin, Mabey, Muir and Stringham.

H. B. No. 61 was returned to the House.

H. B. No. 62 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 62* was read the third time and placed on its final passage.

H. B. No. 62 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Cannon, Clegg, Day, Hammond, Jenkins, Kerr, Mabey, Openshaw, Selvin, Thorn, Tietjen, Tippetts and Woolley.

Those voting in the negative were: Senators Burton, Fowles, Gibson, Hafen, Muir, Watson and Mr. President.

Absent and not voting: Senators Hopkin and Stringham.

H. B. No. 62 was returned to the House.

H. B. No. 124 was read the second time.

On motion of Senator Kerr, *H. B. No. 124* was amended as follows:

Page 1, line 3, strike the word "Mormon".

Page 1, line 9, strike the word "Mormon".

On motion of Senator Kerr, the title of *H. B. No. 124* was amended as follows:

In lines 2 and 3, strike the word "MORMON".

On motion of Senator Day, 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 21; Nos, 0; Absent, 2.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Hopkin and Stringham.

H. B. No. 124 was returned to the House.

H. B. No. 149 was read the second time.

On motion of Senator Kerr, the rules were suspended and *H. B. No. 149* was read the third time and placed on its final passage.

H. B. No. 149 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts and Woolley.

Absent and not voting: Senators Gibson, Jenkins, Paxton and Watson.

H. B. No. 149 was returned to the House.

H. C. R. No. 7 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *H. C. R. No. 7* was read the third time and placed on its final passage.

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn, Tietjen and Tippetts.

Absent and not voting: Senators Paxton, Selvin, Watson and Woolley.

H. C. R. No. 7 was returned to the House.

H. C. R. No. 1 was read the second time.

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

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts and Woolley.

Absent and not voting: Senators Paxton and Watson.

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

S. J. R. No. 25 was read the second time.

On motion of Senator Tietjen, the rules were suspended and *S. J. R. No. 25* was read the third time and placed on its final passage.

S. J. R. No. 25 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Woolley.

Absent and not voting: Senator Paxton.

S. J. R. No. 25 was transmitted to the House.

On motion of Senator Kerr, the Senate recessed for fifteen minutes.

The Senate re-assembled.

CONSIDERATION OF BILLS ON SECOND READING

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.

H. B. No. 90 failed to pass on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Day, Hafen, Mabey, Openshaw, Thorn and Mr. President.

Those voting in the negative were: Senators Adams, Cannon, Clegg, Fowles, Gibson, Hammond, Hopkin, Jenkins, Kerr, Selvin, Stringham, Tietjen, Tippetts, Watson and Woolley.

Absent and not voting: Senator Muir.

On motion of Senator Woolley, the rules were suspended and the Senate voted to reconsider its final action on *H. B. No. 90.*

On motion of Senator Woolley, *H. B. N. 90* was made a Special Order of Business for Wednesday, March 11, at 11:00 A.M.

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

On motion of Senator Mabey, the Senate resolved itself into Regular Session.

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

MEMBERS, COMMITTEE ON UNIFORMITY OF LEGISLATION:

Clifford L. Ashton, Salt Lake City

Marvin J. Bertoch, Salt Lake City

Paul H. Ray, Salt Lake City

For two-year terms beginning July 1, 1953, and ending July 1, 1955.

MEMBERS, BOARD OF TRUSTEES, UTAH STATE AGRICULTURAL COLLEGE:

Matthew Cowley, Salt Lake City

Roger C. Armstrong, Ephraim

Carl W. Peterson, Kenilworth

Charles R. Hunter, Cedar City

All for four-year terms beginning July 1, 1953 and ending July 1, 1957.

Dr. George M. Fister, Ogden

For unexpired term ending July 1, 1955.

Motion carried.

Senator Mabey moved that the Senate do not advise and consent to the following appointments for geographical and occupational reasons:

Herschel Bullen, Jr., Logan

Glen G. Nielsen, Logan

Emma K. Laub, Logan

Motion carried.

President Paxton recognized a group of Eighth Grade students from the Judge Memorial School, together with their instructor, Sister Agnetus.

President Paxton recognized Mr. Sherman Eyre, Superintendent of Garfield County Schools, Mr. Owen Davis, Superintendent of Wayne County Schools, Mr. Milton E. Moody, Superintendent of Washington County Schools, President Ernest Wilkinson, Dr. Franklin S. Harris and Dr. Lynn S. Bennion, Superintendent of Salt Lake City Schools.

On motion of Senator Mabey, the Senate adjourned until Wednesday, March 11, 1953 at 9:30 A.M.

FIFTY-NINTH DAY

MORNING SESSION

March 11, 1953

The Senate was called to order at 9:30 A.M. President Paxton in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

March 11, 1953

Mr. President:

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

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 10, 1953

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. 17*, by Messrs. Stringham and Hopkin, entitled:

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH MEMORIALIZING THE STATE ROAD COMMISSION OF THE STATE OF UTAH WITH REFERENCE TO CONSTRUCTION AND MAINTENANCE OF U. S. HIGHWAY 40 EAST OF KIMBALL JUNCTION, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. J. R. No. 17 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and House, *S. B. No. 17*, by Messrs. Clegg, Burton, Thorn and Selvin, entitled:

A BILL TO PROVIDE FOR THE INSTALLATION OF HEAD AND REAR LIGHTS, A WINDSHIELD AND WIPER, ON TRACK MOTOR

CARS OPERATED BY A RAILROAD, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Clegg, the Senate voted to concur in the House amendments.

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

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Selvin, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Fowles, Gibson, Jenkins, Openshaw and Thorn.

S. B. No. 17 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 47*, by Messrs. Thorn and Woolley, entitled:

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 14-1-1.1, UTAH CODE ANNOTATED 1953, AUTHORIZING THE STATE OF UTAH AND ITS POLITICAL SUBDIVISIONS TO REQUIRE THAT SECURITY BE FURNISHED AND FILED IN CONNECTION WITH BIDS FOR DOING WORK OR FURNISHING MATERIALS AND SUPPLIES; AND PROVIDING FOR THE FORFEITURE OF SUCH SECURITY UNDER CERTAIN CONDITIONS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 47 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 88*, by Messrs. Muir and Hafen, entitled:

AN ACT AMENDING SECTION 58-14-10, UTAH CODE ANNOTATED 1953, RELATING TO TRAINING OF PRACTICAL NURSES; PROVIDING THAT A SURVEY BE MADE, PROVIDING THE MANNER FOR ACCREDITING A COURSE AND FOR REMOVING AN ACCREDITED COURSE; AND PROVIDING FOR APPEAL, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 88 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 89*, by Messrs. Muir and Hafen, entitled:

AN ACT AMENDING SECTION 58-1-5, UTAH CODE ANNOTATED 1953, RELATING TO REPRESENTATIVE COMMITTEE FOR NURSES; AND OF WHO SHALL COMPRISE THE COMMITTEE, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 89 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 90*, by Messrs. Muir and Hafen, entitled:

AN ACT AMENDING SECTION 58-14-5, UTAH CODE ANNOTATED 1953, RELATING TO REPRESENTATIVE COMMITTEE FOR NURSES; AND PROVIDING FOR THE PROCEDURE FOR DESIGNATING THE REPRESENTATIVE COMMITTEE FOR NURSES AND THEIR TERM OF OFFICE, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 90 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 91* by Messrs. Muir and Hafen, entitled:

AN ACT AMENDING SECTION 58-14-9, UTAH CODE ANNOTATED 1953, RELATING TO SCHOOLS OF NURSING; PROVIDING THAT A SURVEY SHALL BE MADE; THE MANNER OF APPROVING SCHOOLS; AND OF REMOVING ACCREDITED SCHOOLS WHO FAIL TO COMPLY; AND PROVIDING FOR APPEAL, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 91 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 125*, by Mr. Mabey, entitled:

AN ACT APPROVING, ADOPTING AND LEGALIZING THE STATUTE BOOK CONSISTING OF TEN VOLUMES, UTAH CODE ANNOTATED 1953, FOR THE PURPOSE OF AMENDING OR REPEALING SAID TEXT IN WHOLE OR IN PART, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 125 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

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. 128*, by Messrs. Fowles, Stringham, Gibson, Hammond and Hopkin, entitled:

AN ACT AMENDING SECTIONS 38-2-2 AND 38-2-4, UTAH CODE ANNOTATED 1953, CREATING A HOTEL AND BOARDING HOUSE KEEPER'S LIEN; AND PROVIDING FOR THE METHOD OF FORECLOSURE BY ADVERTISEMENT OF CERTAIN KINDS OF LIENS AND REQUIRING THAT THE SURPLUS BE PAID TO THE COUNTY TREASURER AND ALLOWING THE DEBTOR ONE YEAR TO CLAIM THE SAME, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 128 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 129*, by Messrs. Fowles, Stringham, Hopkin and Gibson, entitled:

AN ACT AMENDING SECTION 76-31-1, UTAH CODE ANNOTATED 1953, RELATING TO DEFRAUDING HOTELS, INNS, BOARDING AND LODGING HOUSES; AND MAKING IT A MISDEMEANOR TO OBTAIN FOOD, ENTERTAINMENT, LODGING, CREDIT OR OTHER ACCOMMODATION AT SUCH PLACES WITH INTENT TO DEFRAUD; MAKING CERTAIN NAMED ACTS PRIMA FACIE EVIDENCE OF SUCH FRAUDULENT INTENT; AND PROVIDING FOR AN EXCEPTION WHERE IN WRITING THERE IS A TEN DAY CREDIT EXTENSION, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 129 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, *S. B. No. 139*, by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTIONS 20-7-10 AND 20-7-13, UTAH CODE ANNOTATED 1953, RELATING TO METHOD OF APPOINTMENT OF JUDGES OF ELECTION, THE NUMBER, QUALIFICA-

TIONS, TERM AND COMPENSATION THEREOF; PROVIDING FOR COUNTING THE BALLOTS, PROHIBITING COMMUNICATION AS TO PROGRESS OF COUNT AND PROVIDING PENALTY FOR VIOLATION THEREOF, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Day, the Senate voted to concur in the House amendments.

S. B. No. 139 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Hopkin, Thorn and Tietjen.

S. B. No. 139 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

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. 153*, by Messrs. Fowles, Stringham and Gibson, entitled:

AN ACT ENACTING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 29-1-2 AND 29-1-3, UTAH CODE ANNOTATED 1953, LIMITING THE LIABILITY OF AN INNKEEPER, HOTEL KEEPER, BOARDING OR LODGING HOUSE KEEPER AS TO PERSONAL PROPERTY PLACED IN HIS CARE, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 153 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 196*, by Mr. Kerr, entitled:

AN ACT AMENDING SECTIONS 41-11-22, 41-11-30, 41-11-31, 41-11-32, 41-11-35, 41-11-36, 41-11-37, 41-11-39, 41-11-41, ENACTING A NEW SECTION 41-11-34.10, AND REPEALING SECTION 41-11-38, UTAH CODE ANNOTATED 1953, ESTABLISHING SPECIFICATIONS AND GRADES FOR MOTOR FUELS SOLD OR OFFERED FOR SALE IN THE STATE OF UTAH, REQUIREMENTS RELATIVE TO THE ADVERTISING THEREOF, AND CONFERRING POWERS AND IMPOSING DUTIES OF THE STATE ROAD COMMISSION, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 196 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 224*, by Mr. Tippetts, entitled:

AN ACT TO AMEND SECTION 59-14-4, UTAH CODE ANNOTATED 1953, RELATING TO WHAT DOES AND DOES NOT CONSTITUTE GROSS INCOME FOR INDIVIDUAL INCOME TAX PURPOSES; AND PROVIDING THAT MONEY PAID UNDER THE "TEACHERS' RETIREMENT ACT" OR UNDER ANY OTHER PENSION FUND, PENSION PLAN OR PENSION TRUST SHALL NOT BE INCLUDED IN GROSS INCOME AND SHALL BE EXEMPT FROM SUCH TAXATION, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 224 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

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. 247*, by Messrs. Openshaw and Muir, entitled:

AN ACT AMENDING SECTION 58-14-3, UTAH CODE ANNOTATED 1953, RELATING TO DEFINITION OF NURSING SCHOOL ACCREDITATION BOARD OF REVIEW, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 247 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 10, 1953

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. 248*, by Messrs. Openshaw and Muir, entitled:

AN ACT CREATING THE NURSING SCHOOL ACCREDITATION BOARD OF REVIEW; PROVIDING THE MANNER OF ITS APPOINTMENT AND ITS COMPOSITION; AND DESIGNATING ITS POWERS AND DUTIES, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 248 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

March 10, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 3*, by Messrs. Stringham, Watson and Hafen, entitled:

A RESOLUTION OF APPRECIATION TO WILLIAM R. WALLACE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

March 10, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 4*, by Messrs. Stringham, Watson and Hafen, entitled:

A RESOLUTION OF APPRECIATION TO WALLACE B. MATHIS,

has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. R. No. 4 was signed by the President in open session the presence of the Senate and was transmitted to the Secretary of State.

March 10, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 42*, by Messrs. Mabey and Gibson, entitled:

AN ACT AMENDING SECTION 59-10-2, UTAH CODE ANNOTATED 1953, RELATING TO TAXATION AND PROVIDING THAT A TAX UPON PERSONAL PROPERTY SHALL BE A LIEN UPON THE REAL PROPERTY OF THE OWNER OF THE PERSONALITY TAXED, WHEN SUCH PERSONALITY AND THE TAX THEREON ARE LISTED WITH SUCH REAL PROPERTY UPON THE ASSESSMENTS ROLLS,

has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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.

March 10, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 200*, by Messrs. Openshaw and Cannon, entitled:

AN ACT AMENDING SECTIONS 16-2-5 AND 16-2-24, UTAH CODE ANNOTATED 1953, RELATING TO THE NUMBER OF DIRECTORS OF CORPORATIONS, THEIR QUALIFICATIONS AND TERMS OF OFFICE, AND ELECTION AND REMOVAL AND RESIGNATION, has examined and carefully compared the bill with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 200 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 11, 1953

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 116, 181, 235, S. B. No. 85, H. B. Nos. 206, 229, 88, 253, 191, 120, 121, 148, 163, 243, 230, H. J. R. 11.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

On motion of Senator Hopkin, the rules were suspended and the Senate voted unanimous consent to present a Joint Resolution.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 27 By Messrs. Hopkin, Stringham and Tietjen

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES AND THE NATIONAL GOVERNMENT TO BAR FOREIGN PRODUCTS BY FOREIGN LABOR.

S. J. R. No. 27 was read the first time and, under suspension of the rules, referred to the Reading Calendar.

On motion of Senator Hopkin, the rules were suspended and *S. J. R. No. 27* was read the second and third times and placed on its final passage.

S. J. R. No. 27 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Openshaw and Woolley.

S. J. R. No. 27 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 116 was read the second time.

On motion of Senator Mabey, the rules were suspended and *H. B. No. 116* was read the third time and placed on its final passage.

H. B. No. 116 failed to pass on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Day, Hammond, Hopkin, Kerr, Muir, Thorn, Tietjen, Woolley and Mr. President.

Those voting in the negative were: Senators Adams, Clegg (explained vote), Fowles, Gibson, Hafen, Jenkins, Mabey, Selvin (explained vote), Stringham (explained vote), Tippetts and Watson.

Absent and not voting: Senator Openshaw, excused.

H. B. No. 116 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 11, 1953

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. 262*, by the Appropriations Committee, entitled:

AN ACT AMENDING HOUSE BILL 239 OF THE 30TH LEGISLATURE OF THE STATE OF UTAH, AS PASSED BY BOTH HOUSES, RELATING TO APPROPRIATIONS TO STATE DEPARTMENTS, AGENCIES, COMMISSIONS AND INSTITUTIONS BY AMENDING SECTION 15 AND BY ENACTING A NEW SECTION TO BE KNOWN

AS SECTION 18, MAKING CERTAIN APPROPRIATIONS AND PROVIDING FOR THE SETTLEMENT OF SPECIAL CLAIMS AGAINST THE STATE OF UTAH, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 262 was read the first time.

On motion of Senator Woolley, the rules were suspended and *H. B. No. 262* was placed at the head of the Second Reading Calendar.

On motion of Senator Kerr, the Senate recessed until 1:30 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS

March 9, 1953

Honorable Mark Paxton, President
Utah State Senate

Honorable Merill K. Davis, Speaker
House of Representatives
State Capitol Building
Salt Lake City, Utah

Gentlemen:

Committees designated by Commissioner Otto A. Wiesley of the Industrial Commission from among industry and labor have, during the past two months, met for the purpose of determining whether or not agreement might be reached as to legislation affecting the Workmen's Compensation Act and the Utah Occupational Disease Disability Law of the State of Utah. This committee was appointed pursuant to a request of the House Labor Committee.

We are pleased to transmit herewith the proposed amendments to House Bill 253 by Messrs. L. Taylor and Young.

The undersigned committees, representing labor and industry, ananimously approve House Bill 253 after the incorporation of the above amendments and recommend its enactment wholeheartedly. Inasmuch as this legislation deals with highly technical subject matter, industry and labor have agreed that they are opposed to any amendments.

Our deliberations in considering all proposed amendments to the compensation laws in this session are involved and embraced within amendments to House Bill 253. The undersigned have agreed that they do not favor any other amendments or any other legislation affecting either the workmen's compensation or the occupational disease disability law.

Respectfully submitted,

J. R. WILSON, A.F. of L.
JOHN ROE, I. A. of M.
FOREST HODGE, Brotherhood
ORMOND KONKLE, C. I. O.
Labor Representatives

OSCAR A. GLAESER
LESLIE SQUIRES
LYNN S. RICHARDS
Employer Representatives

Communication filed.

COMMUNICATIONS FROM THE HOUSE

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 10th day of March, 1953, approve and transmit to the Secretary of State, *H. B. No. 130,* by Messrs. Postma and Monson, entitled:

AN ACT RELATING TO LIENS ON PERSONAL PROPERTY FOR SERVICES RENDERED BY DRY CLEANING ESTABLISHMENTS, LAUNDRIES, STORAGE ESTABLISHMENTS, AND SHOE REPAIR SHOPS, PROVIDING FOR LIENS, SALE OF UNCLAIMED PERSONAL PROPERTY, NOTICE TO OWNERS, DISPOSITION OF PROCEEDS OF SALE AND POSTING OF NOTICES. THERE IS HEREBY ENACTED A NEW SECTION TO BE KNOWN AS SECTION 38-2-3.1.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 11, 1953

Mr. President:

I am directed 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. Mabey and Gibson, entitled:

AN ACT AMENDING SECTION 59-10-2, UTAH CODE ANNOTATED 1953, RELATING TO TAXATION AND PROVIDING THAT A

TAX UPON PERSONAL PROPERTY SHALL BE A LIEN UPON THE REAL PROPERTY OF THE OWNER OF THE PERSONALITY TAXED, WHEN SUCH PERSONALITY AND THE TAX THEREON ARE LISTED WITH SUCH REAL PROPERTY UPON THE ASSESSMENTS ROLLS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 42 was transmitted to the Governor.

March 11, 1953

Mr. President:

I am directed 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. 200*, by Messrs. Openshaw and Cannon, entitled:

AN ACT AMENDING SECTIONS 16-2-5 AND 16-2-24, UTAH CODE ANNOTATED 1953, RELATING TO THE NUMBER OF DIRECTORS OF CORPORATIONS, THEIR QUALIFICATIONS AND TERMS OF OFFICE, AND ELECTION AND REMOVAL AND RESIGNATION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 200 was transmitted to the Governor.

March 11, 1953

Mr. President:

I am directed 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. 123*, by Messrs. Davis, Thomas, Froerer, Gardner, Kerr, West and Barlow, entitled:

AN ACT AMENDING SECTIONS 41-12-5, 41-12-6 AND 41-12-7, UTAH CODE ANNOTATED 1953, RELATING TO DRIVERS OF MOTOR VEHICLES, ACCIDENTS, SECURITY FOR DAMAGE, SUSPENSION OF LICENSES AND INSURANCE, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 123 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 182*, by Messrs. Hopkins, Sevy, Young, Bunderson, Patterson, Rowbery, G. Douglas Taylor, Gardner, Messinger and Brian, entitled:

AN ACT AMENDING SECTIONS 27-6-2, 27-6-3, 27-6-4, 27-6-5, 27-6-6, 27-6-7, 27-6-8, 27-6-9, 27-6-10, 27-6-11, 27-6-12, 27-6-13, 27-6-14, 27-6-15, 27-6-16, 27-6-17, 27-6-18, 27-6-19, 27-6-20, 27-6-21, 27-6-22, 27-6-23, 27-6-24, 27-6-25, 27-6-26, AND 27-6-27, UTAH CODE ANNOTATED 1953; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 27-6-27.10 UTAH CODE ANNOTATED 1953, RELATING TO THE DESIGNATION OF CERTAIN ROADS AS STATE ROADS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 182 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 124*, by Messrs. Rowberry, R. Clair Anderson, and L. L. Peterson, entitled:

AN ACT APPROPRIATING $10,000.00 TO THE STATE BOARD OF AGRICULTURE TO PROVIDE A PROGRAM OF CRICKET-GRASSHOPPER ERADICATION AND CONTROL IN COOPERATION WITH FEDERAL OR STATE AGENCIES, COUNTIES, MUNICIPALITIES, FIRMS, CORPORATIONS OR INDIVIDUALS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 261*, by Appropriations Committee, entitled:

AN ACT AMENDING SECTIONS 63-10-16 AND 63-10-18, UTAH CODE ANNOTATED 1953, RELATING TO APPROPRIATIONS TO THE RESERVE BUILDING FUND FROM THE EMERGENCY RELIEF FUND; PRIORITY OF ALLOCATIONS TO THE UTAH WATER AND POWER BOARD CONSTRUCTION REVOLVING FUND AND STATE BUILDING FUNDS; REPEALING SECTIONS 63-10-17 AND 63-10-20, UTAH CODE ANNOTATED 1953, AND RE-ENACTING A NEW SECTION TO BE KNOWN AS SECTION 63-10-17, UTAH CODE ANNOTATED 1953, RELATING TO A SCHEDULE OF APPROPRIATIONS FOR STATE BUILDING AND CONSTRUCTION PURPOSES.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 11, 1953

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. 110*, by Messrs. Openshaw and Cannon, entitled:

AN ACT TO AMEND SECTION 59-5-57, UTAH CODE ANNOTATED 1953, RELATING TO THE ASSESSMENT OF MINES, MINING CLAIMS AND OTHER VALUABLE MINERAL DEPOSITS AND MACHINERY AND IMPROVEMENTS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 110 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

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. 138*, by Mr. Hafen, entitled:

AN ACT TO AMEND SECTION 15-1-2, UTAH CODE ANNOTATED 1953, RELATING TO MAXIMUM RATES; AND ENACTING

A NEW SECTION TO BE KNOWN AS SECTION 15-1-2a, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE REGULATION OF CONTRACTS FOR THE CONDITIONAL SALE OF TANGIBLE PERSONAL PROPERTY AND PROVIDING FOR THE MAXIMUM RATES TO BE CHARGED IN CONNECTION THEREWITH AND PROVIDING PENALTIES FOR VIOLATIONS and the same is returned for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Day, the Senate voted to concur in the House amendments.

S. B. No. 138 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Day, Fowles, Hafen, Hammond, Jenkins, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Woolley.

Voting in the negative was Senator Clegg.

Absent and not voting: Senators Gibson, Hopkin, Kerr, Openshaw and Paxton.

S. B. No. 138 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

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. 194*, by Mr. Woolley, entitled:

AN ACT APPROPRIATING FROM THE STATE HIGHWAY FUND THE SUM OF $900,000.00 TO THE STATE ROAD COMMISSION FOR OPERATIONAL EXPENSE DURING THE PRESENT BIENNIUM, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 194 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed *S. B. No. 214*, by Mr. Day, entitled:

AN ACT AMENDING SECTION 78-30-8, UTAH CODE ANNOTATED 1953, RELATING TO CONSENT OF PARENTS WHOSE CHILD IS BEING ADOPTED BY OTHERS AND PROVIDING THE METHOD OF ACKNOWLEDGING SUCH CONSENT, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 214 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

Mr. President:

I am directed to request your Honorable Body to return to the House, *S. B. No. 11*, by Messrs. Day, Hopkin, Muir, Fowles, and Mabey, entitled:

AN ACT CREATING A FISH AND GAME CODE FOR THE STATE OF UTAH, TO BE ADMINISTERED BY THE FISH AND GAME DEPARTMENT OF THE STATE OF UTAH; PROVIDING FOR THE ORGANIZATION AND ADMINISTRATION OF THE STATE DEPARTMENT OF FISH AND GAME, ITS POWERS AND DUTIES; CREATING A FISH AND GAME COMMISSION, ITS MEMBERSHIP, TERM OF OFFICE, POWERS AND DUTIES; PROVIDING FOR THE LICENSING OF PERSONS WHO FISH, HUNT, TRAP, ACT AS GUIDES, SEINE, TRANSPORT GAME, FISH OR FURBEARING ANIMALS, ALIVE OR DEAD, WITHIN OR WITHOUT THE BOUNDARIES OF THE STATE OF UTAH; PROVIDING FOR THE LICENSING AND SUPERVISION OF PRIVATE GAME, FISH OR FURBEARING FARMS OR PONDS; ESTABLISHING PROHIBITIONS, PENALTIES, ARRESTS, SEARCH, SEIZURE AND OTHER JUDICIAL PROCESS; ESTABLISHING PROCEDURE FOR ACQUISITIONS, HOLD, MANAGEMENT, AND SALE OR EXCHANGE OF STATE LANDS FOR FISH AND GAME PURPOSES, PROVIDING FOR RECIPROCAL AGREEMENTS WITH OTHER STATES, GIVING ASSENT TO OTHER STATES, PERSONS AND THE FEDERAL GOVERNMENT IN MATTERS RELATING TO FISH, GAME AND FURBEARERS, ESTABLISHING A FISH AND GAME FUND, ESTABLISHING A BOARD OF BIG GAME CONTROL, ITS MEMBERSHIP, POWERS AND DUTIES; AND THE ESTABLISHMENT OF STATE GAME PRESERVES, POSTED HUNTING AREAS, CLOSED

AREAS, DAMAGES, AND PROVIDING FOR THE MANAGEMENT, CONTROL, TRANSPORTATION, STORAGE AND TAKING OF GAME, FUR-BEARING ANIMALS, BIRDS AND FISH; AND DEFINITIONS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, the Senate voted to deny the request to return *S. B. No. 11* to the House.

REPORTS OF STANDING COMMITTEES

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 47*, by Messrs. Thorn and Woolley, entitled:

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 14-1-1.1, UTAH CODE ANNOTATED 1953, AUTHORIZING THE STATE OF UTAH AND ITS POLITICAL SUBDIVISIONS TO REQUIRE THAT SECURITY BE FURNISHED AND FILED IN CONNECTION WITH BIDS FOR DOING WORK OR FURNISHING MATERIALS AND SUPPLIES; AND PROVIDING FOR THE FORFEITURE OF SUCH SECURITY UNDER CERTAIN CONDITIONS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 47 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 63*, by Messrs. Mabey, Hafen, Selvin, Fowles, Day, Kerr, Burton, Tietjen and Tippetts, entitled:

AN ACT AMENDING SECTIONS 32-2-2 AND 32-2-15, UTAH CODE ANNOTATED 1953, TO INCREASE LIQUOR PERMIT FEES AND TO INCREASE THE FEES FOR DUPLICATE PERMITS, has examined and

carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 63 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 87*, by Messrs. Mabey, Clegg, Burton, Selvin, Tippetts, Muir and Hammond, entitled:

AN ACT AUTHORIZING THE STATE ROAD COMMISSION TO CONVERT A PORTION OF THE STATE CAPITOL GROUNDS INTO A PARKING LOT FOR THE CONVENIENCE OF THE PUBLIC VISITING THE PIONEER MEMORIAL MUSEUM AND THE STATE CAPITOL BUILDING, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 87 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 140*, by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-7-5, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE FORM OF BALLOT FOR THE GENERAL ELECTION; AND REQUIRING THAT BALLOTS SHALL HAVE ONLY ONE SQUARE IN THE CASE OF THE PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 140 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 142*, by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-3-29, UTAH CODE ANNOTATED 1953, PROVIDING FOR COUNTING, RECORDING AND RETURNING OF BALLOTS TO COUNTY CLERK, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 142 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 148*, by Mr. Openshaw, entitled:

AN ACT AMENDING SECTION 13-5-12, UTAH CODE ANNOTATED 1953, RELATING TO THE UNFAIR PRACTICES ACT, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 148 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 179*, by Mr. Hopkin, entitled:

AN ACT AMENDING SECTIONS 41-11-1, 41-11-3, 41-11-4, 41-11-5, 41-11-6, 41-11-7, 41-11-11, 41-11-13, 41-11-15 AND 41-11-17, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ELIMINATION OF THE REQUIREMENT OF LICENSE AND THE COLLECTION OF MOTOR FUELS TAX FROM RETAIL DEALERS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 179 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 218*, by Mr. Hopkin, entitled:

AN ACT APPROPRIATING $44,380.00 FROM THE GENERAL FUND TO THIS IS THE PLACE MONUMENT COMMISSION FOR THE MAINTENANCE AND IMPROVEMENT OF THIS IS THE PLACE MONUMENT AND OF THE GROUNDS SURROUNDING THIS IS THE PLACE MONUMENT, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 218 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 248*, by Messrs. Openshaw and Muir, entitled:

AN ACT CREATING THE NURSING SCHOOL ACCREDITATION BOARD OF REVIEW; PROVIDING THE MANNER OF ITS APPOINTMENT AND ITS COMPOSITION; AND DESIGNATING ITS POWERS

AND DUTIES, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 248 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 11, 1953 (4:15 P.M.)

Mr. President:

Your Sifting Committee reports out the following bills:

H. J. R. Nos. 5 and 19 and H. B. Nos. 162, 169, 170 and H. C. R. No. 4 and H. B. Nos. 226, 66, 258, 193, 31, 32, 197, 248, 249, 215, 98, 33, 35, 36, 115 and 67.

Respectfully,

GRANT S. THORN,
Chairman

Report adopted and filed.

On motion of Senator Woolley, a Call of the Senate was made.

On motion of Senator Woolley, the Call of the Senate was lifted.

On motion of Senator Gibson the rules were suspended and *S. B. No. 217* was lifted from the Committee on Revision and Enrolling.

On motion of Senator Gibson, the Senate voted to now reconsider *S. B. No. 217*.

On motion of Senator Gibson, *S. B. No. 217* was amended as follows:

Page 3, line 14, strike "May 8, 1951" and insert in lieu thereof "the effective date of the act".

On reconsideration *S. B. No. 217* then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senator Openshaw, excused.

S. B. No. 217 was transmitted to the House.

SPECIAL ORDER

H. B. No. 90, being a Special Order of Business, was before the Senate for reconsideration.

Upon reconsideration, *H. B. No. 90* then passed on the following roll call:

Ayes, 13; Nos, 7; Absent, 3.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Hafen, Hammond, Kerr, Mabey, Muir, Thorn, Tietjen, Woolley and Mr. President.

Those voting in the negative were: Senators Adams, Fowles, Hopkin, Jenkins, Selvin, Tippetts and Watson.

Absent and not voting: Senators Gibson, Openshaw and Stringham.

H. B. No. 90 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 262 was read the second time.

On motion of Senator Woolley, the rules were suspended and *H. B. No. 262* was read the third time and placed on its final passage.

H. B. No. 262 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Woolley.

Absent and not voting: Senators Gibson, Hopkin, Kerr, Openshaw and Paxton.

H. B. No. 262 was returned to the House.

H. B. No. 181 was read the second time.

On motion of Senator Muir, the rules were suspended and *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, 16; Nos, 0; Absent, 7.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts and Watson.

Absent and not voting: Senators Gibson, Hopkin, Jenkins, Kerr, Openshaw, Paxton and Woolley.

H. B. No. 181 was returned to the House.

H. B. No. 235 was read the second time.

On motion of Senator Clegg, the rules were suspended and *H. B. No. 235* was read the third time and placed on its final passage.

H. B. No. 235 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir and Stringham.

Voting in the negative were: Senators Hopkin, Selvin, Thorn, Tietjen, Tippetts and Watson.

Absent and not voting: Senators Gibson, Openshaw, Paxton and Woolley.

H. B. No. 235 was returned to the House.

S. B. No. 85 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *S. B. No. 85* was read the third time and placed on its final passage.

S. B. No. 85 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts and Watson.

Absent and not voting: Senators Gibson, Openshaw, Paxton and Woolley.

S. B. No. 85 was transmitted to the House.

H. B. No. 206 was read the second time.

On motion of Senator Clegg, *H. B. No. 206* was amended as follows:

Page 5, line 30, after the word "district" strike the period and insert ", as determined to be necessary for the school year 1956-57."

Page 6, line 13, delete the word "hereafter".

Page 7, line 22, delete the last word "except", delete all of line 23, and first eight words of line 24, including the word "district." Insert in lieu thereof the following: "provided further, that of this sum, $10,000 may be utilized by the State Board of Education for carrying out of duties imposed by this Act."

On motion of Senator Hopkin, the rules were suspended and *H. B. No. 206* was read the third time and placed on its final passage.

H. B. No. 206 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Openshaw and Thorn.

H. B. No. 206 was returned to the House.

On motion of Senator Hopkin, *H. B. No. 229* was tabled.

H. B. No. 88 was read the second time.

On motion of Senator Hopkin, 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, 20; Nos, 0; Absent, 3.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Openshaw and Thorn.

H. B. No. 88 was returned to the House.

H. B. No. 253 was read the second time.

On motion of Senator Kerr, the rules were suspended and *H. B. No. 253* was read the third time and placed on its final passage.

H. B. No. 253 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Adams, Fowles, Openshaw, Thorn and Watson.

H. B. No. 253 was returned to the House.

H. B. No. 191 was read the second time.

On motion of Senator Tietjen, the rules were suspended and *H. B. No. 191* was read the third time and placed on its final passage.

H. B. No. 191 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton (explained vote), Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Openshaw and Thorn.

H. B. No. 191 was returned to the House.

H. B. No. 120 was read the second time.

On motion of Senator Clegg, 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, 13; Nos, 6; Absent, 4.

Those voting in the affirmative were: Senators Adams, Clegg, Hafen, Hammond, Hopkin, Jenkins, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Burton, Cannon, Day, Gibson, Muir and Woolley.

Absent and not voing: Senators Fowles,, Kerr, Mabey and Openshaw.

H. B. No. 120 was returned to the House.

H. B. No. 121 was read the second time.

On motion of Senator Hafen, 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, 18; Nos, 3; Absent, 2.

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Fowles, Hafen, Hammond, Hopkin, Jenkins, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Those voting in the negative were: Senators Cannon, Day and Gibson.

Absent and not voting: Senators Kerr and Openshaw.

H. B. No. 121 was returned to the House.

H. B. No. 148 was read the second time.

On motion of Senator Hopkin, 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, 20; Nos, 0; Absent, 3.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Kerr and Openshaw.

H. B. No. 148 was returned to the House.

H. B. No. 163 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 163* was read the third time and placed on its final passage.

H. B. No. 163 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Cannon, Hopkin, Openshaw and Woolley.

H. B. No. 163 was returned to the House.

H. B. No. 243 was read the second time.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider *H. B. No. 230.*

H. B. No. 230 was read the second time.

On motion of Senator Kerr, the rules were suspended and *H. B. No. 230* was read the third time and placed on its final passage.

On motion of Senator Kerr, *H. B. No. 230* was amended as follows:

Page 6, line 1, after the word "prohibited." insert the following: "The Commission shall not accept advertising materials or programs or program materials carrying identification of commercial products or commercial services or of political or sectarian groups. The Commission shall not televise any programs or materials which contain identification giving credit to manufacturers, producers, distributors, wholesalers, or retailers of commercial products or services or of political or sectarian groups for providing such program or program materials or otherwise, except that the program or program materials may identify by name only the company or group producing or providing the same."

H. B. No. 230 then passed on the following roll call:

Ayes, 17; Nos, 3; Absent, 3.

Those voting in the affirmative were: Senators Adams, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts and Watson.

Those voting in the negative were: Senators Burton, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Gibson and Openshaw.

H. B. No. 230 was returned to the House.

H. J. R. No. 11 was read the second time.

On motion of Senator Day, the rules were suspended and *H. J. R. No. 11* was read the third time and placed on its final passage.

H. J. R. No. 11 then passed on the following roll call:

Ayes, 13; Nos, 2; Absent, 8.

Those voting in the affirmative were: Senators Burton, Clegg, Hammond, Hopkin, Jenkins, Mabey, Muir, Selvin, Stringham, Tietjen, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Day (explained vote) and Fowles.

Absent and not voting: Senators Adams, Cannon, Gibson, Hafen, Kerr, Openshaw, Thorn and Woolley.

H. J. R. No. 11 was returned to the House.

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

Committee report read and adopted.

On motion of Senator Mabey, the rules were suspended and *H. J. R. No. 5* was read the third time and placed on the Third Reading Calendar.

On motion of Senator Mabey, a Call of the Senate was made.

On motion of Senator Day, the Call of the Senate was lifted.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider *H. J. R. No. 19*.

H. J. R. No. 19 was read the second time.

On motion of Senator Day, the rules were suspended and *H. J. R. No. 19* was read the third time and placed on its final passage.

H. J. R. No. 19 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting. Senators Cannon, Gibson, Hopkin and Openshaw.

H. J. R. No. 19 was returned to the House.

H. B. No. 162 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 162* was read the third time and placed on its final passage.

H. B. No. 162 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Clegg, Day, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tippetts and Watson.

Absent and not voting: Senators Adams, Cannon, Fowles, Gibson, Hopkin, Openshaw, Paxton, Tietjen and Woolley.

H. B. No. 162 was returned to the House.

H. B. No. 169 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 169* was read the third time and placed on its final passage.

H. B. No. 169 then passed on the following roll call:

Ayes, 13; Nos, 3; Absent, 7.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Hammond, Hopkin, Kerr, Mabey, Stringham, Thorn, Tietjen, Watson and Woolley.

Those voting in the negative were: Senators Jenkins, Selvin and Tippetts.

Absent and not voting: Senators Adams, Fowles, Gibson, Hafen, Muir, Openshaw and Paxton.

H. B. No. 169 was returned to the House.

H. B. No. 170 was read the second time.

On motion of Senator Hopkin, the rules were suspended and *H. B. No. 170* was read the third time and placed on its final passage.

H. B. No. 170 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Those voing in the negative were: Senators Jenkins and Selvin.

Absent and not voting: Senators Adams, Fowles, Gibson and Openshaw.

H. B. No. 170 was returned to the House.

H. C. R. No. 4 was read the second time.

Committee report read and adopted.

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

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

Ayes, 16; Nos, 3; Absent, 4.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Kerr, Muir, Stringham, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Those voting in the negative were: Senators Mabey, Selvin and Watson.

Absent and not voting: Senators Adams, Gibson, Jenkins and Openshaw.

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

H. B. No. 226 was read the second time.

On motion of Senator Clegg, 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 passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Watson, Woolley and Mr. President.

Those voting in the negative were: Senators Gibson and Tippetts (explained vote).

Absent and not voting: Senators Fowles and Openshaw.

H. B. No. 226 was returned to the House.

H. B. No. 66 was read the second time.

On motion of Senator Stringham, *H. B. No. 66* was tabled.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider *H. J. R. No. 5.*

UNFINISHED BUSINESS

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

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

Those voting in the affirmative were: Senators Adams, Cannon (explained vote), Clegg (explained vote), Day (explained vote), Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn, Tietjen, Woolley and Mr. President.

Those voting in the negative were: Senators Burton, Fowles, Gibson, Jenkins, Selvin, Tippetts and Watson (explained vote).

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

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 258 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 258* was read the third time and placed on its final passage.

H. B. No. 258 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Hafen and Muir.

H. B. No. 258 was returned to the House.

H. B. No. 193 was read the second time.

On motion of Senator Fowles, the rules were suspended and *H. B. No. 193* was read the third time and placed on its final passage.

H. B. No. 193 then passed on the following roll call:

Ayes 23, Nos, 0; Absent, 0.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

H. B. No. 193 was returned to the House.

On motion of Senator Jenkins, the rules were suspended and the Senate voted to now consider *H. B. No. 243*.

UNFINISHED BUSINESS

On motion of Senator Jenkins, *H. B. No. 243* was amended as follows:

Page 1, strike line 3 and all remaining lines, and insert in lieu thereof the following:

"Sec. 36-1-4. On or before November 1, ( ) 1953, a committee consisting of five voters from each county in the state, having more than one member in the house of representatives, shall divide the county into as many representative districts as it is entitled to representatives, as prescribed in Section 36-1-2, Utah Code Annotated 1953, and ( ) number the same. The committee designated to redistrict said county shall be ( ) chosen as follows: ( ) two members appointed by the County Democratic ( ) party executive committee; ( ) two members appointed by the county Republican ( ) party executive committee and one member ( ) elected by a majority vote of the other four members of this committee. In ( ) dividing the county into districts, the committee shall take into consideration the population and physical features of the county and shall make the districts as near equal in population as may be most practicable. When such division is completed

by the committee, a copy thereof shall be furnished to the county commission of said county, who shall then prepare and certify a map thereof, showing the various districts and shall be filed with the Secretary of State by January ( ) 1, 1954.

"The committee members appointed as provided in this Act shall be voting citizens and no elected or appointed officer or public employee of the state, city, county, school districts, or other political subdivisions shall be appointed to serve on the committee. It is the intention of this Act to provide for a citizen's committee in each county containing more than one member of the house of representatives which shall consist of citizens who are not employed in any branch of government service or elected to any governmental office.

"When the committee members have been appointed by the county Democratic and Republican party executive committees, the county clerks in the respective counties shall be notified of such appointments. Appointments shall be made within thirty days after the effective date of this Act and the county clerk shall immediately thereafter call a meeting of the appointed members of the committee for the purpose of providing for the election of the fifth member by the four appointed members. Within fifteen day after the election of the fifth member of the committee, the county clerk shall call another meeting of the committee for the purpose of electing a chairman for the discharge of committee duties.

"The committee in each county having more than one house member shall be provided with any information requested from the county clerk's office and the committee shall have access to any public records or documents necessary in determining populations, registered voters, votes cast at previous elections and other pertinent data for the respective counties.

"The committee shall use the last available official federal and/or state census to determine the population of counties, cities, or districts within counties.

"Section 2. Sec. 36-1-3, Utah Code Annotated 1953, is hereby repealed."

On motion of Senator Jenkins, the title of *H. B. No. 243* was amended as follows:

Page 1, line 9, strike the period and insert ", AND REPEALING SECTION 36-1-3, UTAH CODE ANNOTATED 1953."

On motion of Senator Jenkins, the rules were suspended and *H. B. No. 243* was read the third time and placed on its final passage.

H. B. No. 248 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Kerr and Openshaw.

H. B. No. 248 was returned to the House.

H. B. No. 31 was read the second time.

Committee report read and adopted.

On motion of Senator Thorn, the rules were suspended and *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, 21; Nos, 0; Absent, 2.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippets, Watson, Woolley and Mr. President.

Absent and not voting: Senators Hopkin and Openshaw.

On motion of Senator Day, the Senate voted to reconsider its action on *H. B. No. 31*.

On motion of Senator Day, *H. B. No. 31* was amended as follows:

Page 3, line 13, strike "(19)" and insert in lieu thereof "(20)".

Upon reconsideration *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, Burton, Cannon, Clegg, Day, Fowles ,Gibson, Hafen, Hammond, Hopkin, Jenkins, Mabey, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Kerr, Muir, Openshaw and Woolley.

H. B. No. 31 was returned to the House.

H. B. No. 32 was read the second time.

Committee report read and adopted.

On motion of Senator Thorn, the rules were suspended and *H. B. No. 32* was read the third time and placed on its final passage.

H. B. No. 32 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Stringham, Thorn, Tietjen, Tippetts and Watson.

Absent and not voting: Senators Muir, Openshaw, Selvin, Paxton and Woolley.

H. B. No. 32 was returned to the House.

On motion of Senator Tietjen, *H. B. No. 66* was lifted from the table.

On motion of Senator Tietjen, the rules were suspended and the Senate voted to now consider *H. B. No. 66*.

UNFINISHED BUSINESS

On motion of Senator Stringham, *H. B. No. 66* was amended as follows:

Page 1, line 1, strike the last "s" from "Sections"; strike "and 59-10-29"; strike the word "are" and insert in lieu thereof "is".

Line 7, atfer the deletion mark re-insert "$1.00 for each time the item is published."; strike the figures and word "50 cents".

Line 13, delete the following:

"59-10-29. On or before the 20th day of December, or if such date falls on Sunday or a legal holiday, then on the 21st day of December, of each year, the county treasurer must, under the direction of the county commissioners, publish the delinquent list, in one issue of a newspaper having general circulation in the county, which list, must contain the names of the owners, when known, and ( ) the official serial number of the property delinquent or subject to lien of taxes, classified in towns and cities by addition and subdivision thereof, with the amount of taxes due, exclusive of penalty. The county treasurer must publish with such list a notice that unless the delinquent taxes, together with the penalty, are paid before the 10th day of January, or if such date falls on Sunday or a legal holiday, then the 11th day of January, the real property upon which such taxes are a lien, excepting only such property as is held by the county under a prior preliminary tax sale, will be sold for taxes, penalty and costs on said date."

On motion of Senator Stringham, the title of *H. B. No. 66* was amended as follows:

Page 1, line 1, strike the last "S" from the word "SECTIONS"; strike "AND 59-10-29".

Line 3, after the word "TREASURERS" insert a period; strike the following: "AND PUBLICATION OF DELINQUENT LIST".

On motion of Senator Fowles, the rules were suspended and *H. B. No. 66* was read the third time and placed on its final passage.

H. B. No. 66 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts and Watson.

Those voting in the negative were: Senators Cannon and Day.

Absent and not voting: Senators Openshaw, Paxton and Woolley.

H. B. No. 66 was returned to the House.

H. B. No. 197 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 197* was read the third time and placed on its final passage.

H. B. No. 197 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Day, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Stringham, Thorn, Tietjen, Woolley and Mr. President.

Those voting in the negative were: Senators Adams, Clegg, Fowles, Jenkins, Selvin and Watson.

Absent and not voting: Senators Gibson, Openshaw and Tippetts.

H. B. No. 197 was returned to the House.

H. B. No. 248 was read the second time.

On motion of Senator Thorn, 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, 19; Nos, 1; Absent, 3.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Voting in the negative was Senator Adams.

Absent and not voting: Senators Gibson, Hopkin and Openshaw.

H. B. No. 248 was returned to the House.

H. B. No. 249 was read the second time.

On motion of Senator Thorn, the rules were suspended and *H. B. No. 249* was read the third time and placed on its final passage.

H. B. No. 249 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Gibson, Openshaw and Watson.

H. B. No. 249 was returned to the House.

H. B. No. 215 was read the second time.

On motion of Senator Kerr, the rules were suspended and *H. B. No. 215* was read the third time and placed on its final passage.

H. B. No. 215 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day,, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Gibson, Openshaw and Watson.

H. B. No. 215 was returned to the House.

H. B. No. 98 was read the second time.

On motion of Senator Muir, the rules were suspended and *H. B. No. 98* was read the third time and placed on its final passage.

H. B. No. 98 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Fowles, Gibson, Openshaw and Woolley.

H. B. No. 98 was returned to the House.

H. B. No. 33 was read the second time.

Committee report read and adopted.

On motion of Senator Muir, *H. B. No. 33* was amended as follows:

Page, 4, line 26, after the word "regulations" delete the period, insert the following: ", and provided further, that such rules and regulations shall be approved by the department of registration."

On motion of Senator Muir, the rules were suspended and *H. B. No. 33* was read the third time and placed on its final passage.

H. B. No. 33 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Gibson and Openshaw.

H. B. No. 33 was returned to the House.

H. B. No. 35 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and *H. B. No. 35* was read the third time and placed on its final passage.

H. B. No. 35 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Gibson and Openshaw.

H. B. No. 35 was returned to the House.

H. B. No. 36 was read the second time.

Committee report read and adopted.

On motion of Senator Mabey, the rules were suspended and *H. B. No. 36* was read the third time and placed on its final passage.

H. B. No. 36 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Gibson, Hopkin and Openshaw.

H. B. No. 86 was returned to the House.

H. B. No. 115 was read the second time.

On motion of Senator Day, the rules were suspended and *H. B. No. 115* was read the third time and placed on its final passage.

H. B. No. 115 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Mabey, Selvin, Stingham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Fowles, Gibson, Kerr, Muir and Openshaw.

H. B. No. 115 was returned to the House.

H. B. No. 67 was read the second time.

Committee report read and adopted.

On motion of Senator Mabey, the rules were suspended and *H. B. No. 67* was read the third time and placed on its final passage.

H. B. No. 67 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen (explained vote), Hammond, Jenkins, Kerr (explained vote), Mabey, Selvin, Stringham, Thorn (explained vote), Tietjen (explained vote), Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Gibson, Hopkin, Muir and Openshaw.

H. B. No. 67 was returned to the House.

On motion of Senator Kerr, the rules were suspended and *S. B. No. 11* was lifted from the Revision and Enrolling Committee.

On motion of Senator Kerr, the Senate voted to reconsider its former action and return *S. B. No. 11* to the House for its reconsideration.

President Paxton recognized a group of students from the Monticello High School, Monticello, Utah.

On motion of Senator Mabey, the Senate adjourned until Thursday, March 12, 1953 at 9:30 A.M.

SIXTIETH DAY

MORNING SESSION

March 12, 1953

The Senate was called to order at 9:30 A.M. President Paxton in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

March 12, 1953

Mr. President:

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

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 11, 1953

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, UTAH STATE AGRICULTURAL COLLEGE:

J. V. McLea, Roosevelt

For unexpired term ending July 1, 1955.

Reed Bullen, Logan

R. J. Potter, Garland

Both for four-year terms beginning July 1, 1953, and ending July 1, 1957.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication referred to Special Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, upon reconsideration, as amended by the Senate and House, *S. B. No. 11,* by Messrs. Day, Hopkin, Muir, Fowles, and Mabey, entitled:

AN ACT CREATING A FISH AND GAME CODE FOR THE STATE OF UTAH, TO BE ADMINISTERED BY THE FISH AND GAME DEPARTMENT OF THE STATE OF UTAH; PROVIDING FOR THE ORGANIZATION AND ADMINISTRATION OF THE STATE DEPARTMENT OF FISH AND GAME, ITS POWERS AND DUTIES; CREATING A FISH AND GAME COMMISSION, ITS MEMBERSHIP, TERM OF OFFICE, POWERS AND DUTIES; PROVIDING FOR THE LICENSING OF PERSONS WHO FISH, HUNT, TRAP, ACT AS GUIDES, SEINE, TRANSPORT GAME, FISH OR FURBEARING ANIMALS, ALIVE OR DEAD, WITHIN OR WITHOUT THE BOUNDARIES OF THE STATE OF UTAH; PROVIDING FOR THE LICENSING AND SUPERVISION OF PRIVATE GAME, FISH OR FURBEARING FARMS OR PONDS, ESTABLISHING PROHIBITIONS, PENALTIES, ARRESTS, SEARCH, SEIZURE AND OTHER JUDICIAL PROCESS; ESTABLISHING PROCEDURE FOR ACQUISITIONS, HOLD, MANAGEMENT, AND SALE OR EXCHANGE OF STATE LANDS FOR FISH AND GAME PURPOSES, PROVIDING FOR RECIPROCAL AGREEMENTS WITH OTHER STATES, GIVING ASSENT TO OTHER STATES, PERSONS AND THE FEDERAL GOVERNMENT IN MATTERS RELATING TO FISH, GAME AND FURBEARERS, ESTABLISHING A FISH AND GAME FUND, ESTABLISHING A BOARD OF BIG GAME CONTROL, ITS MEMBERSHIP, POWERS AND DUTIES; AND THE ESTABLISHMENT OF STATE GAME PRESERVES, POSTED HUNTING AREAS, CLOSED AREAS, DAMAGES, AND PROVIDING FOR THE MANAGEMENT, CONTROL, TRANSPORTATION, STORAGE AND TAKING OF GAME, FURBEARING ANIMALS, BIRDS AND FISH; AND DEFINITIONS,

AND REPEALING TITLE 23, UTAH CODE ANNOTATED 1953, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Day, the Senate voted not to concur in the House amendments to *S. B. No. 11* and requests the House to recede.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate, *S. B. No. 12*, by Messrs. Fowles, Tietjen, Thorn and Stringham, entitled:

AN ACT RELATING TO THE CONDUCT OF THE BUSINESS OF BANKING, THE ESTABLISHMENT OF UNIT AND BRANCH BANKS AND AMENDING SECTION 7-3-6, UTAH CODE ANNOTATED 1953, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 12 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and the House, *S. B. No. 19*, by Messrs. Day, Fowles, Mabey and Kerr, entitled:

AN ACT ESTABLISHING THE UTAH TOURIST AND PUBLICITY COUNCIL PROVIDING FOR THE ADMINISTRATION THEREOF, THE APPOINTMENT OF A NON-SALARIED EXECUTIVE COUNCIL, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS THEREOF, APPOINTMENT OF A DIRECTOR, ESTABLISHING THE SALARY OF SUCH DIRECTOR, MAKING AN APPROPRIATION FOR THE PURPOSES OF THIS ACT, REPEALING CHAPTER 5, TITLE 35, UTAH CODE ANNOTATED 1953, AND REPEALING CHAPTER 3, TITLE 63, UTAH CODE ANNOTATED 1953, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Day, the Senate voted to concur in the House amendments.

S. B. No. 19 then passed on the following roll call:

Ayes, 12; Nos, 7; Absent, 4.

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Hafen, Hammond, Jenkins, Mabey, Selvin, Stringham, Tippetts and Watson.

Those voting in the negative were: Senators Cannon, Gibson, Hopkin, Kerr, Muir, Woolley and Mr. President.

Absent and not voting: Senators Fowles, Openshaw, Thorn and Tietjen.

S. B. No. 19 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, *S. B. No. 71,* by Messrs. Stringham, Fowles and Watson, entitled:

AN ACT AMENDING SECTIONS 73-4-20, 73-5-1, 73-5-5, UTAH CODE ANNOTATED 1953, RELATING TO WATER AND WATER RIGHTS AND THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO THE APPROPRIATION, ADMINISTRATION AND DISTRIBUTION THEREOF; PROVIDING THAT THE STATE ENGINEER SHALL FROM FUNDS APPROPRIATED TO HIS OFFICE PAY ALL COST OF DETERMINATIONS; AND REQUIRING HIS APPROVAL OF ALL DAMS IMPOUNDING OVER 20 ACRE-FEET OF WATER, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Fowles, the Senate voted to concur in the House amendments.

S. B. No. 71 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Tippetts, Watson and Mr. President.

Voting in the negative was Senator Adams.

Absent and not voting: Senators Hopkin, Openshaw, Thorn, Tietjen and Woolley.

S. B. No. 71 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

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. 85*, by Messrs. Openshaw, Woolley, and Fowles, entitled:

AN ACT AMENDING SECTION 32-1-29, UTAH CODE ANNOTATED 1953, RELATING TO THE MAXIMUM OPERATING CAPITAL OF THE UTAH LIQUOR CONTROL COMMISSION, AND PROVIDING THAT IN THE DETERMINATION OF WHETHER ANY ORDER OR PURCHASE IS IN EXCESS OF THE MAXIMUM PERMITTED TO BE INVESTED IN ALCOHOLIC BEVERAGES, OUTSTANDING, BUT UNFILLED, ORDERS SHALL NOT BE CONSIDERED, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 85 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 144*, by Mr. Hafen, entitled:

AN ACT AMENDING SECTIONS 17-6-1, 17-6-2 AND 17-6-3, UTAH CODE ANNOTATED 1953, RELATING TO THE CREATION OF IMPROVEMENT DISTRICTS, AUTHORITY TO ACQUIRE AND OPERATE CERTAIN IMPROVEMENTS, ISSUE BONDS AND BOUNDARIES: AND ENACTING FOURTEEN NEW SECTIONS TO BE KNOWN AS SECTIONS 17-6-3.1, 17-6-3.2, 17-6-3.3, 17-6-3.4, 17-6-3.5, 17-6-3.6, 17-6-3.7, 17-6-3.8, 17-6-3.9, 17-6-3.10, 17-6-3.11, 17-6-3.12, 17-6-3.13, AND 17-6-3.14, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICTS: MANNER OF ISSUING AND PAYING FOR BONDS; POWERS AND DUTIES OF BOARD OF TRUSTEES AND SUCH DISTRICTS; MANNER OF CHOOSING AND ELECTING BOARD OF TRUSTEE MEMBERS; TERMS OF OFFICE; CREATING POLITICAL SUB-DIVISIONS WITH THE RIGHT TO SUE AND BE SUED AND ENTER CONTRACTS; PERMITTING OTHER POLITICAL SUBDIVISIONS TO ENTER INTO CONTRACTS

WITH SUCH DISTRICT; COMPENSATION OF BOARD MEMBERS; DELINQUENT CHARGES TO BE A LIEN ON REAL PROPERTY; MANNER OF LEVYING TAXES AND COLLECTING FEES; SELL WATER; GRANTING POWERS OF EMINENT DOMAIN; MAKING BONDS PAYABLE FROM TAXES LEGAL INVESTMENTS; PUBLICATION; VALIDATING CERTAIN PROCEEDINGS HERETOFORE HAD FOR THE CREATION OF IMPROVEMENT DISTRICTS AND THE AUTHORIZATION OF BONDS THEREOF UNDER THE LAW HEREIN AMENDED; VALIDATING SUCH DISTRICTS AND PROCEEDINGS AND THE CONTRACTS AND BONDS OF SUCH DISTRICTS; AUTHORIZING THE MAKING OF CHANGES IN SUCH PROCEEDINGS; AUTHORIZING ALL DISTRICTS CREATED UNDER CHAPTER 6 AND 7, TITLE 17, UTAH CODE ANNOTATED, 1953, TO COMPLETE THE ISSUANCE OF BONDS UNDER AUTHORITY OF THIS ACT, OR UNDER AUTHORITY OF THE ACT UNDER WHICH SAID DISTRICT WAS CREATED, WITHOUT REGARD TO THE SOURCE OF PAYMENT OF SUCH BONDS, AND TO MAKE ALL CHANGES IN EXISTING PROCEEDINGS NECESSARY TO THAT END, INCLUDING INCREASES IN THE AMOUNTS OF BONDS SO AUTHORIZED; AN EMERGENCY CLAUSE; AND REPEALING SECTIONS 17-6-4, 17-6-5, 17-6-6, 17-6-7, 17-6-8, 17-6-9, 17-6-10, 17-6-11, 17-6-12, 17-6-13, 17-6-14 AND 17-6-15, UTAH CODE ANNOTATED 1953, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 144 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

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. 154*, by Messrs. Gibson, Hopkin and Thorn, entitled:

AN ACT CREATING A PUBLIC HEALTH CODE FOR THE STATE OF UTAH TO BE ADMINISTERED BY THE HEALTH DEPARTMENT; PROVIDING FOR THE ORGANIZATION AND ADMINISTRATION OF THE STATE DEPARTMENT OF HEALTH, ITS MEMBERSHIP, TERM OF OFFICE, POWERS AND DUTIES AND SALARY; CREATING A BOARD OF HEALTH, ITS MEMBERSHIP, TERM OF OFFICE, POWERS, DUTY AND SALARY; ESTABLISHING AN OFFICE OF DIRECTOR OF PUBLIC HEALTH, APPOINTMENT, QUALIFICATIONS, SALARY, POWERS, DUTIES, AND MANNER OF REMOVING FROM OFFICE; PROVIDING FOR THE REGISTRATION OF VITAL STATISTICS AND REQUIRING CERTAIN PERSONS UNDER CERTAIN CONDITIONS TO FILE REPORTS WITH SAID REGISTRAR; ESTABLISHING PROCE-

DUTIES AND REQUIREMENTS FOR THE ORGANIZATION OF LOCAL HEALTH DEPARTMENTS; PROVIDING FOR THE REGULATION, LICENSING AND CONTROL OF HOSPITALS, NURSING AND CONVALESCENT HOMES, HOMES FOR AGED AND NEEDY, INFIRMARIES, ORPHANAGES, PRIVATE SANITARIUMS AND MATERNITY HOMES; PROVIDING FOR CONTROLS AND RECORDS ON COMMUNICABLE DISEASES; TO ESTABLISH AND ENFORCE STANDARDS FOR DRINKING WATER, SEWAGE SYSTEMS, INDUSTRIAL WASTES, POLLUTION OF WATER, HOTELS, SERVICE STATIONS, RESTAURANTS, SCHOOLS, FACTORIES, BARBER AND BEAUTY SHOPS, PHYSICIANS' OFFICES, DENTISTS' OFFICES, SWIMMING POOLS, PUBLIC GATHERINGS, AUTOPSIES AND NUMEROUS OTHER ACTIVITIES, OCCUPATIONS, INSTITUTIONS AND PLACES; PROVIDING THAT VIOLATIONS OF CERTAIN PROVISIONS OF THIS ACT SHALL BE A MISDEMEANOR; PROVIDING FOR ATTORNEY-GENERAL TO BE LEGAL ADVISOR OF DEPARTMENT AND DISTRICT ATTORNEYS TO PROSECUTE FOR DEPARTMENT; PROVIDING FOR HEARINGS, JUDICIAL REVIEW; PENALTIES, AMENDING SECTIONS 26-11-5 AND 26-6-36 AND REPEALING CHAPTERS 1, 2, 3 AND 4 OF TITLE 26, SECTIONS 26-5-3, 26-5-10, 26-5-11, 26-5-12, 26-5-13, 26-5-14, 26-5-15, 26-5-16, 26-5-17, 26-5-18, 26-5-19, 26-5-20, 26-5-21, 26-5-22, 26-5-23, 26-5-24, 26-5-25, 26-5-26, 26-5-27, 26-5-28, 26-5-29, 26-5-30, 26-5-31, 26-5-32, 26-6-3, 26-6-4, 26-6-5, 26-6-6, 26-6-7, 26-6-8, 26-6-9, 26-6-10, 26-6-11, 26-6-12, 26-6-13, 26-6-14, 26-6-15, 26-6-21, 26-6-22, 26-6-23, 26-6-24, 26-6-25, 26-6-26, 26-6-27, 26-6-28, 26-6-29, 26-6-30, 26-6-31, 26-6-32, 26-6-33, 26-6-35, 26-6-37, 26-6-38, 26-7-48, 26-7-49, 26-6-50, CHAPTERS 8, 10, 12 AND 13 OF TITLE 26, UTAH CODE ANNOTATED 1953, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 154 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

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. 207*, by Messrs. Fowles and Openshaw, entitled:

AN ACT AMENDING SECTIONS 49-5-1, 49-5-2, AND 49-5-3, UTAH CODE ANNOTATED 1953, RELATING TO THE ESTABLISHMENT OF A POLICE PENSION FUND; SOURCE OF MONIES FOR THE FUND; THE GRANTING OF SERVICE AND DISABILITY PENSIONS TO EMPLOYEES OF POLICE DEPARTMENTS OF CITIES OF THE FIRST AND SECOND CLASS; THE AMOUNTS AND PAYMENTS THEREOF; PROVISION FOR ACTUARIAL PLAN AND STUDY; PRO-

VISION FOR PAYMENT OF DEATH BENEFITS TO THE DEPENDENTS AND WIDOW OF ACTIVE OR RETIRED EMPLOYEES; ADMINISTRATION, AND MANDATORY RETIREMENT, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Fowles, the Senate voted to concur in the House amendments.

S. B. No. 207 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Woolley and Mr. President.

Absent and not voting: Senators Adams, Gibson, Openshaw, Stringham, Thorn, Tietjen, Tippetts and Watson.

S. B. No. 207 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

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. 219* by Mr. Fowles, entitled:

AN ACT AMENDING SECTIONS 73-3-16 AND 73-3-17, UTAH CODE ANNOTATED 1953, RELATING TO PROOF BY APPROPRIATION OR PERMANENT CHANGE OF USE OF WATER AND TO THE ISSUANCE BY THE STATE ENGINEER OF CERTIFICATES OF APPROPRIATION AND PERMANENT CHANGE, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 219 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected under suspension of the rules, *S. B. No. 231*, by Mr. Mabey, entitled:

AN ACT AMENDING SECTION 26-14-3, UTAH CODE ANNOTATED 1953, RELATING TO MOSQUITO ABATEMENT DISTRICTS AND PROVIDING FOR THE SIGNERS, CONTENTS AND PUBLICATION OF PETITIONS TO CREATE THE SAME, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 231 was filed.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, *S. B. No. 235*, by Mr. Woolley, entitled:

AN ACT AMENDING SECTIONS 52-3-1 AND 52-3-3, UTAH CODE ANNOTATED 1953, RELATING TO THE PROHIBITION AGAINST THE APPOINTMENT BY PUBLIC OFFICERS AND EMPLOYEES OF SPECIFIED NEAR RELATIVES TO POSITIONS WHICH ARE COMPENSATED OUT OF PUBLIC FUNDS, AND PROVIDING THAT SUCH PROHIBITION IS APPLICABLE TO ALL PERSONS HOLDING POSITIONS COMPENSATED OUT OF PUBLIC FUNDS AND TO MEMBERS OF BOARDS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Woolley, the Senate voted to concur in the House amendments.

S. B. No. 235 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Kerr, Muir, Selvin, Stringham, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Gibson, Hopkin, Jenkins, Mabey, Openshaw, Thorn and Tietjen.

S. B. No. 235 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, *S. B. No. 237*, by Messrs. Woolley and Gibson, entitled:

AN ACT AMENDING SECTIONS 54-6-12 AND 54-6-17, UTAH CODE ANNOTATED 1953, REGARDING SAFETY AND INSPECTION OF MOTOR VEHICLES, REPORTING OF ACCIDENTS, PROVIDING FOR PUBLIC LIABILITY AND PROPERTY DAMAGE INSURANCE, AND ELIMINATION OF CARGO INSURANCE FOR CONTRACT MOTOR CARRIERS FOR HIRE, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Woolley, the Senate voted to concur in the House amendments.

S. B. No. 237 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Openshaw, Thorn and Tietjen.

S. B. No. 237 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

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. 263*, by Appropriations Committee, entitled:

AN ACT AMENDING HOUSE BILL NO. 239 OF THE 30TH 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 19 THEREOF, TRANSFERRING AND APPROPRIATING $47,500 ONLY, OUT OF THE FUNDS APPROPRIATED TO THE STATE ENGINEER, TO THE UTAH WATER AND POWER BOARD FOR PURPOSES OF FUND COMMITMENTS FOR THE TRI-

STATE SURVEY (BEAR RIVER COMPACT) AND THE COLORADO RIVER COMPACT COMMISSION, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 263 was read the first time.

On motion of Senator Woolley, the rules were suspended and *H. B. No. 263* was read the second and third times and placed on its final passage.

H. B. No. 263 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey ,Muir, Selvin, Stringham, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Openshaw, Thorn and Tietjen.

H. B. No. 263 was returned to the House.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 11th day of March, 1953, approve and transmit to the Secretary of State, *H. B. No. 42*, by Messrs. Sheffield and Grover, entitled:

AN ACT AMENDING SECTION 10-9-19, SECTION 10-9-26 AND SECTION 10-9-28, UTAH CODE ANNOTATED 1953, RELATING TO MUNICIPAL PLANNING; PROVIDING FOR THE APPOINTMENT OF PLANNING COMMISSIONS, PROVIDING FOR A PLANNING COMMISSION COMPENSATION, EXPENSES, ASSISTANCE AND CONSULTANCE, PROVIDING FOR VIOLATION, PENALTY AND INJUNCTION AND PROVIDING DEFINITIONS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 11th day of March, 1953, approve and transmit to the Secretary of State, *H. B. No. 43*, by Messrs. Sheffield and Grover, entitled:

AN ACT AMENDING SECTIONS 17-27-2, 17-27-3, 17-27-4, 17-27-6, 17-27-7, 17-27-8, 17-27-11 , 17-27-17, 17-27-19, 17-27-21, 17-27-26, 17-27-27, 57-5-3 AND 57-5-5, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT AND TERMS OF OFFICE OF THE COUNTY PLANNING COMMISSION; PROVIDING FOR THE APPOINTMENT OF A CHAIRMAN, THE ADOPTION OF RULES, THE LIMITATIONS UPON EXPENSES AND THE PROCURING OF TECHNICAL ADVICE; DESCRIBING THE FUNCTION OF THE COUNTY PLANNING COMMISSION AND PERMITTING TWO OR MORE COUNTIES TO COOPERATE IN PLANNING; PROVIDING FOR THE ADOPTION OF THE MASTER PLAN; PROVIDING FOR THE ADOPTION OF AN OFFICIAL MAP; SETTING FORTH THE LEGAL FUNCTION OF THE OFFICIAL MAP; PROVIDING FOR REGULATION OF LAND USE; AUTHORIZING THE APPOINTMENT OF AND OUTLINING THE DUTIES OF DISTRICT PLANNING COMMISSIONS; PERMITTING THE COUNTY COMMISSION TO EXTEND THE EXPIRATION DATE OF TEMPORARY ZONING REGULATIONS; PROVIDING FOR APPROVAL OF SUBDIVISION PLATS; PROVIDING FOR NONRETROACTIVE PROVISIONS OF ZONING; SUPPLYING DEFINITIONS; AND ENACTING A NEW SECTION TO BE KNOWN AS 17-27-7.10, UTAH CODE ANNOTATED 1953, RELATING TO THE ISSUANCE OF BUILDING PERMITS IN MAPPED STREETS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 11th day of March, 1953, approve and transmit to the Secretary of State, *H. B. No. 125,* by Messrs. H. V. Davis, Thomas, Sheffield, Jacobsen, G. D. Taylor and Barlow, entitled:

AN ACT ENACTING NEW SECTIONS TO BE KNOWN AS 63-9-10, 63-9-11, AND 63-9-12, UTAH CODE ANNOTATED 1953, AUTHORIZING THE STATE BOARD OF EXAMINERS TO MAKE RULES AND REGULATIONS GOVERNING THE PARKING OF VEHICLES ON THE STATE GROUNDS SURROUNDING THE STATE CAPITOL BUILDING AND CAPITOL GROUNDS AND PRESCRIBING PENALTY FOR THE VIOLATION THEREOF.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 11th day of March, 1953, approve and transmit to the Secretary of State, *H. B. No. 223*, by Messrs. W. G. Larson, Rowberry, Gardner, Bunderson, Crofts, G. D. Taylor, and Hopkins, entitled:

AN ACT AMENDING SECTION 41-1-88, UTAH CODE ANNOTATED 1953, TO PERMIT RECIPROCAL AGREEMENTS WITH OTHER STATES FOR THE USE OF THE HIGHWAYS OF THIS AND SUCH OTHER STATES.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

REPORTS OF STANDING COMMITTEES

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 17*, by Messrs. Clegg, Burton, Thorn and Selvin, entitled:

A BILL TO PROVIDE FOR THE INSTALLATION OF HEAD AND REAR LIGHTS, A WINDSHIELD AND WIPER, ON TRACK MOTOR CARS OPERATED BY A RAILROAD, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 17 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 40*, by Messrs. Cannon, Gibson, Openshaw and Burton, entitled:

AN ACT RELATING TO THE EXERCISE BY BOARDS OF EDUCATION OF THEIR POWER OF EMINENT DOMAIN IN THE ACQUISITION, OUTSIDE OF SCHOOL DISTRICT BOUNDARIES, OF SCHOOLHOUSE SITES, EASEMENTS, RIGHTS OF WAY AND OTHER APPURTENANCES THEREFOR, AND THE PURCHASE OF SUCH

SITES, AND AMENDING SUBSECTION (3) OF SECTION 78-34-1 OF THE UTAH CODE ANNOTATED 1953, AND ENACTING A NEW SUBSECTION TO BE KNOWN AS (14) PROVIDING THAT THE RIGHT OF EMINENT DOMAIN MAY BE EXERCISED BY EDUCATIONAL INSTITUTIONS OF COLLEGIATE GRADE WITHIN THE STATE OF UTAH WHEN THE INSTITUTION IS NOT CONDUCTED FOR PROFIT, has examined and carefully compared the bill as passed wih the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 40 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 62*, by Messrs. Mabey, Hafen, Selvin, Fowles, Day, Kerr, Burton, Tietjen and Tippetts, entitled:

AN ACT CREATING THE UTAH BOARD ON ALCOHOLISM, DEFINING ITS POWERS AND DUTIES, CREATING A FUND APPROPRIATING $150,000.00 FROM THE LIQUOR CONTROL FUND TO THE UTAH BOARD ON ALCOHOLISM FUND, AND REPEALING SECTIONS 55-7-4, 55-7-5, 55-7-6, 55-7-7, 55-7-8, 55-7-9, AND 55-7-10, UTAH CODE ANNOTATED 1953, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 110*, by Messrs. Openshaw and Cannon, entitled:

AN ACT TO AMEND SECTION 59-5-57, UTAH CODE ANNOTATED 1953, RELATING TO THE ASSESSMENT OF MINES, MINING

CLAIMS AND OTHER VALUABLE MINERAL DEPOSITS AND MACHINERY AND IMPROVEMENTS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 110 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 125*, by Mr. Mabey, entitled:

AN ACT APPROVING, ADOPTING AND LEGALIZING THE STATUTE BOOK CONSISTING OF TEN VOLUMES, UTAH CODE ANNOTATED 1953, FOR THE PURPOSE OF AMENDING OR REPEALING SAID TEXT IN WHOLE OR IN PART, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 125 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 141*, by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-2-20, UTAH CODE ANNOTATED 1953, RELATING TO TRANSFERRING FROM ONE VOTING DISTRICT TO ANOTHER, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 141 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 192*, by Mr. Woolley, entitled:

AN ACT AMENDING SECTION 76-20-11, UTAH CODE ANNOTATED 1953, RELATING TO THE ISSUANCE OF CHECKS, DRAFTS OR ORDERS WITHOUT SUFFICIENT FUNDS OR CREDIT, AND RELATING TO PRESUMPTIVE EVIDENCE OF CRIMINAL INTENT, PRESENTATION AND NON-PAYMENT, DEFINING "CREDIT" AS USED IN THIS SECTION, AND PROVIDING THAT VIOLATION OF THIS SECTION SHALL BE MISDEMEANOR, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 192 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 224*, by Mr. Tippetts, entitled:

AN ACT TO AMEND SECTION 59-14-4, UTAH CODE ANNOTATED 1953, RELATING TO WHAT DOES AND DOES NOT CONSTITUTE GROSS INCOME FOR INDIVIDUAL INCOME TAX PURPOSES; AND PROVIDING THAT MONEY PAID UNDER THE "TEACHERS' RETIREMENT ACT" OR UNDER ANY OTHER PENSION FUND, PENSION PLAN OR PENSION TRUST SHALL NOT BE INCLUDED IN GROSS INCOME AND SHALL BE EXEMPT FROM SUCH TAXATION, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 224 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 234*, by Messrs. Day, Hammond, Clegg and Thorn, entitled:

AN ACT DECLARING THE PUBLIC POLICY OF UTAH REGARDING BOY SCOUTS, GIRL SCOUTS, CAMPFIRE GIRLS, AND SIMILAR ORGANIZATIONS, AND PROVIDING FOR THE CONTRACT OR LEASE OF SCHOOL BUSES BY SCHOOL DISTRICTS TO SUCH ORGANIZATIONS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 234 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 247*, by Messrs. Openshaw and Muir, entitled:

AN ACT AMENDING SECTION 58-14-3, UTAH CODE ANNOTATED 1953, RELATING TO DEFINITION OF NURSING SCHOOL ACCREDITATION BOARD OF REVIEW, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 247 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 17*, by Messrs. Stringham and Hopkin, entitled:

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH MEMORIALIZING THE STATE ROAD COMMISSION OF THE STATE OF UTAH WITH REFERENCE TO CONSTRUCTION AND MAINTENANCE OF U. S. HIGHWAY 40 EAST OF KIMBALL JUNCTION, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 17 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 Cannon, *S. B. No. 49* was lifted from the table.

UNFINISHED BUSINESS

On motion of Senator Cannon, the Senate voted to now reconsider *S. B. No. 49*.

On motion of Senator Cannon, a call of the Senate was made.

On motion of Senator Cannon, the call of the Senate was lifted.

On re-consideration of *S. B. No. 49*, the Senate voted to over-ride the Governor's veto on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Thorn, Tippetts, Watson, Woolley and Mr. President.

Those voting in the negative were: Senators Muir and Stringham.

Absent and not voting: Senator Tietjen.

S. B. No. 49 was transmitted to the House.

On motion of Senator Hopkin, the Senate resolved itself into a Committee of the Whole.

Hon. William R. Wallace, the guest of honor, was addressed by Senator Hopkin, who presented to Mr. Wallace a specially engrossed copy of Senate Resolution No. 3 and a framed color photograph of the Deer Creek Dam Reservoir with gold plaque inscribed: William R. Wallace, Dean of Reclamation, In Appreciation and Affection, Utah State Senate 1953.

Mr. William R. Wallace addressed the Senate.

On motion of Senator Thorn, the Committee of the Whole was dissolved.

COMMUNICATIONS FROM THE HOUSE

March 11, 1953

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. 26*, by Heber M. Sevy (Irrigation Committee), entitled:

RESOLUTION ACKNOWLEDGING APPRECIATION FOR THE SERVICES RENDERED THE STATE BY WILLIAM R. WALLACE, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 26 was read the first time.

On motion of Senator Day, the rules were suspended and *H. J. R. No. 26* was read the second and third times and placed on its final passage.

H. J. R. No. 26 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senator Cannon.

H. J. R. No. 26 was returned to the House.

On motion of Senator Mabey, H. B. Nos. 10, 1, 76, 229 and S. B. Nos. 28, 2, 3, 4, 5, 6, 7, 8, 80, 116, 117, 203, 72 and S. J. R. No. 15 were lifted from the table.

On motion of Senator Mabey, the enacting clause of H. B. Nos. 10, 1, 76, 229 and S. B. Nos. 28, 2, 3, 4, 5, 6, 7, 8, 80, 116, 117, 203, 72 and S. J. R. Nos. 15 were struck.

On motion of Senator Day, the rules were suspended and *S. B. No. 19* was lifted from the Committee on Revision and Enrolling.

On motion of Senator Day, the Senate voted to now reconsider its action of concurring in House amendments to *S. B. No. 19* and request the House to recede.

On motion of Senator Mabey, the Senate recessed until 1: 30 P.M.

AFTERNOON SESSION

The Senate re-assembled. President Paxton in the chair.

COMMUNICATIONS FROM THE GOVERNOR

March 12, 1953

Dear Mr. President and Members of the Senate:

This day I am transmitting to the Secretary of State *S. B. No. 42*, which I signed March 11, by Messrs. Mabey and Gibson, entitled:

AN ACT AMENDING SECTION 59-10-2, UTAH CODE ANNOTATED 1953, RELATING TO TAXATION AND PROVIDING THAT A TAX UPON PERSONAL PROPERTY SHALL BE A LIEN UPON THE REAL PROPERTY OF THE OWNER OF THE PERSONALITY TAXED, WHEN SUCH PERSONALITY AND THE TAX THEREON ARE LISTED WITH SUCH REAL PROPERTY UPON THE ASSESSMENTS ROLLS.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

This day I am transmitting to the Secretary of State *S. B. No. 200*, which I approved March 11, by Messrs. Openshaw and Cannon, entitled:

AN ACT AMENDING SECTIONS 16-2-5 AND 16-2-24, UTAH CODE ANNOTATED 1953, RELATING TO THE NUMBER OF DIRECTORS OF CORPORATIONS, THEIR QUALIFICATIONS AND TERMS OF OFFICE, AND ELECTION AND REMOVAL AND RESIGNATION.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 31*, by Messrs. Jacobsen, G. Douglas Taylor, Thomas, Froerer, Conover and Sheffield, entitled:

AN ACT AMENDING SECTION 58-1-5, UTAH CODE ANNOTATED 1953, ADDING PARAGRAPH (19) THERETO AUTHORIZING A REPRESENTATIVE COMMITTEE FOR CONTRACTORS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 12, 1953

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. W. G. Larson, Jacobsen, Rowberry, Brotherson, Young, E. C. Larsen, Cope, and Dalebout, entitled:

AN ACT AMENDING SECTIONS 58-1-5, 58-1-7, 58-1-13, AND 58-1-21, UTAH CODE ANNOTATED 1953, 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.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 66*, by Mr. Ralph A. Sheffield, entitled:

AN ACT AMENDING SECTION 21-2-5, UTAH CODE ANNOTATED 1953, RELATING TO THE FEES OF COUNTY TREASURERS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 206,* by Messrs. L. B. Johnson, Brian, Fullmer, Esplin, R. C. Anderson, J. H. Johnson, Dunn, C. E. Peterson, E. C. Larsen, and Sanders, entitled:

AN ACT RELATING TO AND PROVIDING FOR A SCHOOL BUILDING SURVEY COMMISSION, DEFINING ITS DUTIES, PROVIDING FOR THE DETERMINATION OF SCHOOL BUILDING NEEDS IN SCHOOL DISTRICTS OF THE STATE, PROVIDING FOR STANDARDS OF ELIGIBILITY TO OBTAIN STATE FUNDS TO MEET EMERGENCY SUPPLEMENTAL NET BUILDING NEEDS; DIRECTING THE STATE BOARD OF EDUCATION TO PRESCRIBE MINIMUM PLANT STANDARDS; APPRORIATING THE SUM OF TWO MILLION ONE HUNDRED FIFTY SEVEN THOUSAND DOLLARS ($2,157,000) FOR EMERGENCY SUPPLEMENTAL STATE AID IN ADDITION TO THE APPROPRIATION PREVIOUSLY MADE; ESTABLISHING CERTAIN PRIORITIES AND PROVIDING FOR THE DISTRIBUTON OF STATE AID AND THE CONDITIONS PRECEDENT THERETO.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 230,* by Messrs. Young, Brotherson, Dunn, Gardner, R. Clair Anderson, Grover, C. W. Larsen, E. C. Larsen and Mrs. Gerald Cazier, entitled:

AN ACT CREATING THE UTAH EDUCATIONAL TELEVISION COMMISSION; PRESCRIBING THE POWERS AND DUTIES THEREOF AND THE POWERS AND DUTIES OF ITS MEMBERS, INCLUDING THE RIGHT TO ACQUIRE, OPERATE, AND MAINTAIN EDUCATIONAL TELEVISION STATIONS, AND RECEIVE AND DISBURSE APPROPRIATIONS, GIFTS, AND DONATIONS; AND APPROPRIATING

FROM THE EMERGENCY RELIEF FUND NOT OTHERWISE APPROPRIATED THE SUM OF $250,000.00 TO CARRY OUT THE PURPOSES OF THIS ACT.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 243*, by Messrs. Froerer, C. E. Peterson, Hopkins, and Jones, entitled:

AN ACT AMENDING SECTION 36-1-4, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE REDISTRICTING OF COUNTIES HAVING MORE THAN ONE REPRESENTATIVE IN THE HOUSE OF REPRESENTATIVES OF THE STATE LEGISLATURE INTO REPRESENTATIVE DISTRICTS AND FOR NUMBERING 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 REPEALING SECTION 36-1-3, UTAH CODE ANNOTATED 1953.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 12, 1953

Mr. President:

I am directed 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. 47*, by Messrs. Thorn and Woolley, entitled:

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 4-1-1.1, UTAH CODE ANNOTATED 1953, AUTHORIZING THE STATE OF UTAH AND ITS POLITICAL SUBDIVISIONS TO REQUIRE THAT SECURITY BE FURNISHED AND FILED IN CONNECTION WITH BIDS FOR DOING WORK OR FURNISHING MATERIALS AND SUPPLIES; AND PROVIDING FOR THE FORFEITURE OF SUCH SECURITY UNDER CERTAIN CONDITIONS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 47 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 63*, by Messrs. Mabey, Hafen, Selvin, Fowles, Day, Kerr, Burton, Tietjen and Tippetts, entitled:

AN ACT AMENDING SECTIONS 32-2-2 AND 32-2-15, UTAH CODE ANNOTATED 1953, TO INCREASE LIQUOR PERMIT FEES AND TO INCREASE THE FEES FOR DUPLCATE PERMITS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 63 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 87*, by Messrs. Mabey, Clegg, Burton, Selvin, Tippetts, Muir and Hammond, entitled:

AN ACT AUTHORIZING THE STATE ROAD COMMISSION TO CONVERT A PORTION OF THE STATE CAPITOL GROUNDS INTO A PARKING LOT FOR THE CONVENIENCE OF THE PUBLIC VISITING THE PIONEER MEMORIAL MUSEUM AND THE STATE CAPITOL BUILDING, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 87 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 140*, by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-7-5, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE FORM OF BALLOT FOR THE GENERAL ELECTION; AND REQUIRING THAT BALLOTS SHALL

HAVE ONLY ONE SQUARE IN THE CASE OF THE PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 140 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 142*, by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-3-29, UTAH CODE ANNOTATED 1953, PROVIDING FOR COUNTING RECORDING AND RETURNING OF BALLOTS TO COUNTY CLERK, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 142 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 143*, by Mr. Openshaw, entitled:

AN ACT AMENDING SECTION 13-5-12, UTAH CODE ANNOTATED 1953, RELATING TO THE UNFAIR PRACTICES ACT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 143 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 179*, by Mr. Hopkin, entitled:

AN ACT AMENDING SECTIONS 41-11-1, 41-11-3, 41-11-4, 41-11-5, 41-11-6, 41-11-7, 41-11-11, 41-11-13, 41-11-15 AND 41-11-17, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ELIMINATION OF THE REQUIREMENT OF LICENSE AND THE COLLECTION OF MOTOR FUELS TAX FROM RETAIL DEALERS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 179 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 218*, by Mr. Hopkin, entitled:

AN ACT APPROPRIATING $44,380.00 FROM THE GENERAL FUND TO THIS IS THE PLACE MONUMENT COMMISSION FOR THE MAINTENANCE AND IMPROVEMENT OF THIS IS THE PLACE MONUMENT AND OF THE GROUNDS SURROUNDING THIS IS THE PLACE MONUMENT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 218 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 248*, by Messrs. Openshaw and Muir, entitled:

AN ACT CREATING THE NURSING SCHOOL ACCREDITATION BOARD OF REVIEW; PROVIDING THE MANNER OF ITS APPOINTMENT AND ITS COMPOSITION; AND DESIGNATING ITS POWERS AND DUTIES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 248 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and House, *S. J. R. No. 26,* by Mr. Hopkin, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 30TH LEGISLATURE OF THE STATE OF UTAH, MAKING ASSIGNMENTS OF STUDY FOR THE UTAH LEGISLATIVE COUNCIL AND REQUESTING A REPORT TO THE 31ST LEGISLATURE, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate voted to concur in the House amendments.

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Hopkin, Jenkins, Thorn and Tietjen.

S. J. R. No. 26 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 11, 1953

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. 27,* by Messrs. Hopkin, Stringham and Tietjen, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES AND THE NATIONAL GOVERNMENT TO BAR FOREIGN PRODUCTS BY FOREIGN LABOR, and the same is returned for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. J. R. No. 27 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, on reconsideration, *S. B. No. 217*, by Mr. Mabey, entitled:

AN ACT AMENDING SECTIONS 78-12-5, 78-12-7, AND 78-12-12, UTAH CODE ANNOTATED 1953; AND ENACTING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 78-12-5.1, AND 78-12-5.2, UTAH CODE ANNOTATED 1953, RELATING TO THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR RECOVERY OF REAL PROPERTY OR THE POSSESSION THEREOF; AND RELATING TO THE PERIOD FOR THE RECOVERY OF PROPERTY SOLD FOR TAXES; AND ESTABLISHING PRIMA FACIE EVIDENCE OF POSSESSION; AND PROVIDING FOR THE PAYMENT OF TAXES NECESSARY TO ESTABLISH ADVERSE POSSESSION; AND A STATEMENT OF LEGISLATIVE INTENT.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 217 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 12, 1953

Mr. President:

I am directed 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. White, Dunn, Postma, Kerr, C. E. Peterson and Lundell, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO PASS AN ACT REQUIRING IMPORTED TROUT SOLD IN THE UNITED STATES BE LABELED AS TO ORIGIN AND DATE OF PROCESSING AND IMPOSING FINE FOR FAILURE TO COMPLY OR FOR WRONGFUL REMOVAL OF SAID LABELS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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.

March 12, 1953

Mr. President:

I am directed 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. 7*, by G. D. Taylor, Hopkins, Durham, Jacobsen, Froerer, Kerr, C. E. Peterson, Dalebout, White, Grover, W. E. Anderson, Gunther, W. G. Larson, H. V. Davis, L. Taylor, West, Sheffield, Young, Palmer, Jones, Messinger, Spence, L. L. Peterson, and Mrs. Cazier, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO APPROVE LEGISLATION DESIGNED TO PROVIDE A STABILIZED MARKET FOR THE PRODUCTS OF WESTERN MINES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

March 11, 1953

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. 25*, by G. Douglas Taylor, entitled:

A RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH DIRECTED TO ALL STATE OFFICERS, STATE BOARDS AND COMMISSIONS, AND THE OFFICERS OF ALL STATE INSTITUTIONS WHO OR WHICH ARE REQUIRED BY LAW TO REPORT TO THE LEGISLATURE, TO CONFORM TO THE PROVISIONS AND REQUIREMENTS OF CHAPTER 10, TITLE 67, UTAH CODE ANNOTATED 1953, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 25 was read the first time.

On motion of Senator Day, the rules were suspended and *H. J. R. No. 25* was read the second and third times and placed on its final passage.

H. J. R. No. 25 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Adams, Fowles, Gibson, Hopkin, Thorn and Tietjen.

H. J. R. No. 25 was returned to the House.

March 12, 1953

Mr. President:

I am directed 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. Durham and Sheffield, entitled:

AN ACT AMENDING SECTION 67-7-13, UTAH CODE ANNOTATED, 1953, PROVIDING FOR THE APPOINTMENT OF DEPUTY DISTRICT ATTORNEYS AND DESCRIBING THEIR QUALIFICATIONS AND SALARIES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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.

March 12, 1953

Mr. President:

I am directed 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. 62,* by Messrs. Durham and Sheffield, entitled:

AN ACT AMENDING SECTION 67-7-6, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE EMPLOYMENT BY DISTRICT ATTORNEYS OF A CLERK AND FOR THE CLERK'S SALARY, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 62 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 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 95*, by Mr. Conover, Mrs. Cazier, Messrs. Crofts, C. W. Larsen, and Young, entitled:

AN ACT AMENDING SECTION 45-1-2, UTAH CODE ANNOTATED 1953, RELATING TO THE LEGAL PUBLICATION RATE FOR PUBLISHING MATTER REQUIRED BY LAW TO BE PUBLISHED, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 95 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 96*, by Mr. Conover, Mrs. Cazier, Messrs. Crofts, C. Wilford Larsen, and Young, entitled:

AN ACT AMENDING SECTION 20-11-18 UTAH CODE ANNOTATED 1953, RELATING TO THE PUBLICITY TO BE GIVEN PROPOSED ACTS OR LAWS SUBMITTED BY INITIATIVE OR REFERENDUM, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 96 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 12, 1953

Mr. President:

I am directed 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. Rowberry, R. Clair Anderson, and L. L. Peterson, entitled:

AN ACT APPROPRIATING $10,000.00 TO THE STATE BOARD OF AGRICULTURE TO PROVIDE A PROGRAM OF CRICKET-GRASSHOPPER ERADICATION AND CONTROL IN COOPERATION WITH FEDERAL OR STATE AGENCIES, COUNTIES, MUNICIPALITIES, FIRMS, CORPORATIONS OR INDIVIDUALS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 12, 1953

Mr. President:

I am directed 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. Bunderson, Barlow, Sanders, and Young, entitled:

AN ACT AMENDNG SECTION 62-1-4, 62-1-5 AND 62-1-7, UTAH CODE ANNOTATED 1953, RELATING TO SOIL CONSERVATION DISTRICTS; MAKING THE PRESIDENT OF THE STATE ASSOCIATION OF SOIL CONSERVATION DISTRICTS MEMBER OF STATE SOIL CONSERVATION COMMITTEE, POWER TO CREATE CHANGE OF BOUNDARIES AND FILLING VACANCIES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 12, 1953

Mr. President:

I am directed 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. 261*, by Appropriations Committee, entitled:

AN ACT AMENDING SECTIONS 63-10-16 AND 63-10-18, UTAH CODE ANNOTATED 1953, RELATING TO APPROPRIATIONS TO THE RESERVE BUILDING FUND FROM THE EMERGENCY RELIEF FUND; PRIORITY OF ALLOCATIONS TO THE UTAH WATER AND POWER BOARD CONSTRUCTION REVOLVING FUND AND STATE

BUILDING FUNDS; REPEALING SECTIONS 63-10-17 AND 63-10-20, UTAH CODE ANNOTATED 1953, AND RE-ENACTING A NEW SECTION TO BE KNOWN AS SECTION 63-10-17, UTAH CODE ANNOTATED 1953, RELATING TO A SCHEDULE OF APPROPRIATIONS FOR STATE BUILDING AND CONSTRUCTION PURPOSES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 261 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 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 12*, by Messrs. Fowles, Tietjen, Thorn and Stringham, entitled:

AN ACT RELATING TO THE CONDUCT OF THE BUSINESS OF BANKING, THE ESTABLISHMENT OF UNIT AND BRANCH BANKS AND AMENDING SECTION 7-3-6, UTAH CODE ANNOTATED 1953, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 89*, by Messrs. Muir and Hafen, entitled:

AN ACT AMENDING SECTION 58-1-5, UTAH CODE ANNOTATED 1953, RELATING TO REPRESENTATIVE COMMITTEE FOR NURSES; AND OF WHO SHALL COMPRISE THE COMMITTEE, has

examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I TIPPETTS,
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.

March 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 90*, by Messrs. Muir and Hafen, entitled:

AN ACT AMENDING SECTION 58-14-5, UTAH CODE ANNOTATED 1953, RELATING TO REPRESENTATIVE COMMITTEE FOR NURSES; AND PROVIDING FOR THE PROCEDURE FOR DESIGNATING THE REPRESENTATIVE COMMITTEE FOR NURSES AND THEIR TERM OF OFFICE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 128*, by Messrs. Fowles, Stringham, Gibson, Hammond and Hopkin, entitled:

AN ACT AMENDING SECTIONS 38-2-2 AND 38-2-4, UTAH CODE ANNOTATED 1953, CREATING A HOTEL AND BOARDING HOUSE KEEPER'S LIEN; AND PROVIDING FOR THE METHOD OF FORECLOSURE BY ADVERTISEMENT OF CERTAIN KINDS OF LIENS AND REQUIRING THAT THE SURPLUS BE PAID TO THE COUNTY TREASURER AND ALLOWING THE DEBTOR ONE YEAR TO CLAIM

THE SAME, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 128 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 129*, by Messrs. Fowles, Stringham, Hopkin and Gibson, entitled:

AN ACT AMENDING SECTION 76-31-1, UTAH CODE ANNOTATED 1953, RELATING TO DEFRAUDING HOTELS, INNS, BOARDING AND LODGING HOUSES; AND MAKING IT A MISDEMEANOR TO OBTAIN FOOD, ENTERTAINMENT, LODGING, CREDIT OR OTHER ACCOMMODATION AT SUCH PLACES WITH INTENT TO DEFRAUD; MAKING CERTAIN NAMED ACTS PRIMA FACIE EVIDENCE OF SUCH FRAUDULENT INTENT; AND PROVIDING FOR AN EXCEPTION WHERE IN WRITING THERE IS A TEN DAY CREDIT EXTENSION, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 129 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 139*, by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTIONS 20-7-10 AND 20-7-13, UTAH CODE ANNOTATED 1953, RELATING TO METHOD OF APPOINTMENT OF JUDGES OF ELECTION, THE NUMBER, QUALIFICATION, TERM AND COMPENSATION THEREOF; PROVIDING FOR COUNTING THE BALLOTS, PROHIBITING COMMUNICATION AS TO PROGRESS OF COUNT AND PROVIDING PENALTY FOR VIOLA-

TION THEREOF, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 139 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 194*, by Mr. Woolley, entitled:

AN ACT APPROPRIATING FROM THE STATE HIGHWAY FUND THE SUM OF $900,000.00 TO THE STATE ROAD COMMISSION FOR OPERATIONAL EXPENSES DURING THE PRESENT BIENNIUM, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 139 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 214*, by Mr. Day, entitled:

AN ACT AMENDING SECTION 78-30-8, UTAH CODE ANNOTATED 1953, RELATING TO CONSENT OF PARENTS WHOSE CHILD IS BEING ADOPTED BY OTHERS AND PROVIDING THE METHOD OF ACKNOWLEDGING SUCH CONSENT, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 214 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 Gibson, the rules were suspended and the Senate voted unanimous consent to introduce a bill.

INTRODUCTION OF BILLS

S. B. No. 250 By Mr. Gibson

AN ACT PROVIDING FOR A FURTHER APPROPRIATION TO THE ATTORNEY GENERAL FOR THE PAYMENT OF A MISCELLANEOUS CLAIM.

S. B. No. 250 was read the first time and, under suspension of the rules, referred to the Reading Calendar.

On motion of Senator Kerr, the rules were ssupended and the Senate voted to now consider *S. B. No. 250.*

On motion of Senator Kerr, the rules were suspended and *S. B. No. 250* was read the second and third times and placed on its final passage.

S. B. No. 250 then passed on the following roll call:

Ayes, 16; Nos, 2; Absent, 5.

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Watson and Mr. President.

Those voting in the negative were: Senators Day (explained vote) and Woolley.

Absent and not voting: Senators Adams, Hopkin, Thorn, Tietjen and Tippetts.

S. B. No. 250 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to *S. B. No. 11*, by Messrs. Day, Hopkin, Muir, Fowles and Mabey, entitled:

AN ACT CREATING A FISH AND GAME CODE FOR THE STATE OF UTAH TO BE ADMINISTERED BY THE FISH AND GAME DEPARTMENT OF THE STATE OF UTAH; PROVIDING FOR THE OR-

GANIZATION AND ADMINISTRATION OF THE STATE DEPARTMENT OF FISH AND GAME, ITS POWERS AND DUTIES; CREATING A FISH AND GAME COMMISSION, ITS MEMBERSHIP, TERM OF OFFICE, POWERS AND DUTIES; PROVIDING FOR THE LICENSING OF PERSONS WHO FISH, HUNT, TRAP, ACT AS GUIDES, SEINE, TRANSPORT GAME, FISH OR FURBEARING ANIMALS, ALIVE OR DEAD, WITHIN OR WITHOUT THE BOUNDARIES OF THE STATE OF UTAH; PROVIDING FOR THE LICENSING AND SUPERVISION OF PRIVATE GAME, FISH OR FURBEARING FARMS OR PONDS; ESTABLISHING PROHIBITIONS, PENALTIES, ARRESTS, SEARCH, SEIZURE AND OTHER JUDICIAL PROCESS; ESTABLISHING PROCEDURE FOR ACQUISITIONS, HOLD, MANAGEMENT, AND SALE OR EXCHANGE OF STATE LANDS FOR FISH AND GAME PURPOSES, PROVIDING FOR RECIPROCAL AGREEMENTS WITH OTHER STATES, GIVING ASSENT TO OTHER STATES, PERSONS AND THE FEDERAL GOVERNMENT IN MATTERS RELATING TO FISH, GAME AND FURBEARERS, ESTABLISHING A FISH AND GAME FUND, ESTABLISHING A BOARD OF BIG GAME CONTROL, ITS MEMBERSHIP, POWERS AND DUTIES; AND THE ESTABLISHMENT OF STATE GAME PRESERVES, POSTED HUNTING AREAS, CLOSED AREAS, DAMAGES, AND PROVIDING FOR THE MANAGEMENT, CONTROL, TRANSPORTATION, STORAGE AND TAKING OF GAME, FURBEARING ANIMALS, BIRDS AND FISH; AND DEFINITIONS, AND REPEALING TITLE 23, UTAH CODE ANNOTATED 1953, and has appointed a conference committee consisting of Representatives L. L. Taylor, Brotherson, W. E. Anderson, Palmer, and Lundell, to act with a like committee from the Senate on this bill.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, President Paxton appointed a Conference Committee consisting of Senators Mabey, Kerr, Gibson, Hopkin and Day to act with a like committee from the House to confer concerning *S. B. No. 11.*

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day receded from its amendments to, and passed, *S. B. No. 19*, by Messrs. Day, Fowles, Mabey and Kerr, entitled:

AN ACT ESTABLISHING THE UTAH TOURIST AND PUBLICITY COUNCIL PROVIDING FOR THE ADMINISTRATION THEREOF, THE APPOINTMENT OF A NON-SALARIED EXECUTIVE COUNCIL, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS THEREOF, APPOINTMENT OF A DIRECTOR, ESTABLISHING THE SALARY OF SUCH DIRECTOR, MAKING AN APPROPRIATION FOR THE PURPOSES OF THIS ACT, REPEALING CHAPTER 5, TITLE 35, UTAH

CODE ANNOTATED 1953, AND REPEALING CHAPTER 3, TITLE 63, UTAH CODE ANNOTATED 1953, and the same is forwarded herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 19 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 12, 1953

Mr. President:

I am directed 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. 17*, by Messrs. Stringham and Hopkin, entitled:

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH MEMORIALIZING THE STATE ROAD COMMISSION OF THE STATE OF UTAH WITH REFERENCE TO CONSTRUCTION AND MAINTENANCE OF U. S. HIGHWAY 40 EAST OF KIMBALL JUNCTION, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. J. R. No. 17 was transmitted to the Secretary of State.

March 12, 1953

Mr. President:

I am directed 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. 17*, by Messrs. Clegg, Burton, Thorn, and Selvin, entitled:

A BILL TO PROVIDE FOR THE INSTALLATION OF HEAD AND REAR LIGHTS, A WINDSHIELD AND WIPER, ON TRACK MOTOR CARS OPERATED BY A RAILROAD, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 17 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 40,* by Messrs. Cannon, Gibson, Openshaw and Burton, entitled:

AN ACT RELATING TO THE EXERCISE BY BOARDS OF EDUCATION OF THEIR POWER OF EMINENT DOMAIN IN THE ACQUISITION, OUTSIDE OF SCHOOL DISTRICT BOUNDARIES, OF SCHOOLHOUSE SITES, EASEMENTS, RIGHTS OF WAY AND OTHER APPURTENANCES THEREFOR, AND THE PURCHASE OF SUCH SITES, AND AMENDING SUBSECTION (3) OF SECTION 78-34-1 OF THE UTAH CODE ANNOTATED 1953, AND ENACTING A NEW SUBSECTION TO BE KNOWN AS (14) PROVIDING THAT THE RIGHT OF EMINENT DOMAIN MAY BE EXERCISED BY EDUCATIONAL INSTITUTIONS OF COLLEGIATE GRADE WITHIN THE STATE OF UTAH WHEN THE INSTITUTION IS NOT CONDUCTED FOR PROFIT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 40 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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 Messrs. Mabey, Hafen, Selvin, Fowles, Day, Kerr, Burton, Tietjen and Tippetts, entitled:

AN ACT CREATING THE UTAH BOARD ON ALCOHOLISM, DEFINING ITS POWERS AND DUTIES, CREATING A FUND APPROPRIATING $150,000.00 FROM THE LIQUOR CONTROL FUND TO THE UTAH BOARD ON ALCOHOLISM FUND, AND REPEALING SECTIONS 55-7-4, 55-7-5, 55-7-6, 55-7-7, 55-7-8, 55-7-9, AND 55-7-10, UTAH CODE ANNOTATED 1953, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 62 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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 Messrs. Muir and Hafen, entitled:

AN ACT AMENDING SECTION 58-1-5, UTAH CODE ANNOTATED 1953, RELATING TO REPRESENTATIVE COMMITTEE FOR NURSES; AND OF WHO SHALL COMPRISE THE COMMITTEE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 89 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. Muir and Hafen, entitled:

AN ACT AMENDING SECTION 58-14-5, UTAH CODE ANNOTATED 1953, RELATING TO REPRESENTATIVE COMMITTEE FOR NURSES; AND PROVIDING FOR THE PROCEDURE FOR DESIGNATING THE REPRESENTATIVE COMMITTEE FOR NURSES AND THEIR TERM OF OFFICE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 90 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 110*, by Messrs. Openshaw and Cannon, entitled:

AN ACT TO AMEND SECTION 59-5-57, UTAH CODE ANNOTATED 1953, RELATING TO THE ASSESSMENT OF MINES, MINING CLAIMS AND OTHER VALUABLE MINERAL DEPOSITS AND MA-

CHINERY AND IMPROVEMENTS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 110 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 125*, by Mr. Mabey, entitled:

AN ACT APPROVING, ADOPTING, AND LEGALIZING THE STATUTE BOOK CONSISTING OF TEN VOLUMES, UTAH CODE ANNOTATED 1953, FOR THE PURPOSE OF AMENDING OR REPEALING SAID TEXT IN WHOLE OR IN PART, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 125 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 128*, by Messrs. Fowles, Stringham, Gibson, Hammond, and Hopkin, entitled:

AN ACT AMENDING SECTIONS 38-2-2 AND 38-2-4, UTAH CODE ANNOTATED 1953, CREATING A HOTEL AND BOARDING HOUSE KEEPER'S LIEN; AND PROVIDING FOR THE METHOD OF FORECLOSURE BY ADVERTISEMENT OF CERTAIN KINDS OF LIENS AND REQUIRING THAT THE SURPLUS BE PAID TO THE COUNTY TREASURER AND ALLOWING THE DEBTOR ONE YEAR TO CLAIM THE SAME, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 128 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 129,* by Messrs. Fowles, Stringham, Hopkin, and Gibson, entitled:

AN ACT AMENDING SECTION 76-31-1, UTAH CODE ANNOTATED 1953, RELATING TO DEFRAUDING HOTELS, INNS, BOARDING AND LODGING HOUSES; AND MAKING IT A MISDEMEANOR TO OBTAIN FOOD, ENTERTAINMENT, LODGING, CREDIT OR OTHER ACCOMMODATION AT SUCH PLACES WITH INTENT TO DEFRAUD; MAKING CERTAIN NAMED ACTS PRIMA FACIE EVIDENCE OF SUCH FRAUDULENT INTENT; AND PROVIDING FOR AN EXCEPTION WHERE IN WRITING THERE IS A TEN DAY CREDIT EXTENSION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 129 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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 Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTIONS 20-7-10 AND 20-7-13, UTAH CODE ANNOTATED 1953, RELATING TO METHOD OF APPOINTMENT OF JUDGES OF ELECTION, THE NUMBER, QUALIFICATIONS, TERM AND COMPENSATION THEREOF; PROVIDING FOR COUNTING THE BALLOTS, PROHIBITING COMMUNICATION AS TO PROGRESS OF COUNT AND PROVIDING PENALTY FOR VIOLATION THEREOF, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 139 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 141,* by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-2-20, UTAH CODE ANNOTATED 1953, RELATING TO TRANSFERRING FROM ONE VOTING DISTRICT TO ANOTHER, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 141 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 192*, by Mr. Woolley, entitled:

AN ACT AMENDING SECTION 76-20-11, UTAH CODE ANNOTATED 1953, RELATING TO THE ISSUANCE OF CHECKS, DRAFTS OR ORDERS WITHOUT SUFFICIENT FUNDS OR CREDIT, AND RELATING TO PRESUMPTIVE EVIDENCE OF CRIMINAL INTENT, PRESENTATION AND NON-PAYMENT, DEFINING "CREDIT" AS USED IN THIS SECTION, AND PROVIDING THAT VIOLATION OF THIS SECTION SHALL BE MISDEMEANOR, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 192 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 194*, by Mr. Woolley, entitled:

AN ACT APPROPRIATING FROM THE STATE HIGHWAY FUND THE SUM OF $900,000.00 TO THE STATE ROAD COMMISSION FOR OPERATIONAL EXPENSE DURING THE PRESENT BIENNIUM, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 194 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 214*, by Mr. Day, entitled:

AN ACT AMENDING SECTION 78-30-8, UTAH CODE ANNOTATED 1953, RELATING TO CONSENT OF PARENTS WHOSE CHILD IS BEING ADOPTED BY OTHERS AND PROVIDING THE METHOD OF ACKNOWLEDGING SUCH CONSENT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 214 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 224*, by Mr. Tippetts, entitled:

AN ACT TO AMEND SECTION 59-14-4, UTAH CODE ANNOTATED 1953, RELATING TO WHAT DOES AND DOES NOT CONSTITUTE GROSS INCOME FOR INDIVIDUAL INCOME TAX PURPOSES; AND PROVIDING THAT MONEY PAID UNDER THE "TEACHERS' RETIREMENT ACT" OR UNDER ANY OTHER PENSION FUND, PENSION PLAN OR PENSION TRUST SHALL NOT BE INCLUDED IN GROSS INCOME AND SHALL BE EXEMPT FROM SUCH TAXATION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 224 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 234*, by Messrs. Day, Hammond, Clegg, and Thorn, entitled:

AN ACT DECLARING THE PUBLIC POLICY OF UTAH REGARDING BOY SCOUTS, GIRL SCOUTS, CAMPFIRE GIRLS, AND SIMILAR ORGANIZATIONS, AND PROVIDING FOR THE CONTRACT OR

LEASE OF SCHOOL BUSES BY SCHOOL DISTRICTS TO SUCH ORGANIZATIONS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 234 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 247,* by Messrs. Openshaw and Muir, entitled:

AN ACT AMENDING SECTION 58-14-3, UTAH CODE ANNOTATED 1953, RELATING TO DEFINITION OF NURSING SCHOOL ACCREDITATION BOARD OF REVIEW, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 247 was transmitted to the Governor.

March 12, 1953

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. 250,* by Mr. Gibson, entitled:

AN ACT PROVIDING FOR A FURTHER APPROPRIATION TO THE ATTORNEY GENERAL FOR THE PAYMENT OF A MISCELLANEOUS CLAIM, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 250 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the House this day did sustain the Governor's veto on *S. B. No. 49*, by Messrs. Day, Clegg, Cannon, Selvin and Hafen, entitled:

AN ACT AMENDING SECTION 78-56-3, UTAH CODE ANNOTATED 1953, RELATING TO COMPENSATION OF COURT REPORTERS, by a vote of 24 yeas, 30 nays, with six members absent, and said bill is returned herewith.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 49 was filed.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 12th day of March, 1953, approve and transmit to the Secretary of State, *H. B. No. 118*, by Messrs. Jones, Kerr, and Mrs. Jack, entitled:

AN ACT TO GRANT MUNICIPALITIES OF THE STATE OF UTAH THE RIGHT TO LEVY NOT TO EXCEED FOUR MILLS ON THE DOLLAR ON ALL PROPERTY WITHIN THE MUNICIPALITY FOR THE PURPOSE OF BUILDING FACILITIES FOR TREATING CULINARY WATER OF THE MUNCIPALITY AND FACILITIES FOR THE DISPOSITION, TREATMENT AND CARE OF THE SEWAGE OF THE MUNICIPALITY OR THE CREATION OF A RESERVE FUND THEREFOR, OR TO PAY PRINCIPAL AND INTEREST ON ANY BONDS ISSUED FOR THE CONSTRUCTION OF SUCH FACILITIES.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 88*, by Mr. W. G. Larson, entitled:

AN ACT AMENDING SECTION 67-11-3, UTAH CODE ANNOTATED 1953, RELATING TO THE PROVISIONS OF OLD AGE AND SURVIVORS BENEFITS OF THE SOCIAL SECURITY ACT FOR PUBLIC EMPLOYEES OF THE STATE AND ITS POLITICAL SUBDIVISIONS AND EXTENDING THE TIME WITHIN WHICH SUCH COVERAGE MAY BE RETROACTIVELY GRANTED TO SAID EMPLOYEES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 12, 1953

Mr. President:

I am directed 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. Jones, Barlow, Durham, Brotherson, R. Clair Anderson, Thomas, Davis, Young, Gardner, W. E. Anderson, Sheffield, Jacobsen, Froerer, C. E. Peterson, Hopkins, Sanders, and Dalebout, entitled:

AN ACT AMENDING SECTION 55-2-15, UTAH CODE ANNOTATED, 1953, RELATING TO THE DISCLOSURE OF INFORMATION ABOUT PUBLIC ASSISTANCE RECIPIENTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 12, 1953

Mr. President:

I am directed 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. Sanders, Fullmer, Redd, Frandsen, Mrs. Cazier, Messrs. Henderson, Crofts, J. H. Johnson, Gardner, and Esplin, entitled:

AN ACT DIRECTING THE UNIVERSITY OF UTAH TO EVALUATE WEATHER MODIFICATION EXPERIMENTS, AND APPROPRIATING $25,000.00 FOR CARRYING OUT THE PURPOSES OF THIS ACT, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 12, 1953

Mr. President:

I am directed 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. Sanders, Fullmer, Frandsen, Redd, Mrs. Cazier, Messrs. Henderson, Crofts, John H. Johnson, Gardner, and Esplin, entitled:

AN ACT REQUIRING NOTIFICATION AND REPORTS TO THE DEPARTMENT OF METEOROLOGY, STATE SCHOOL OF MINES AND MINERAL INDUSTRIES, UNIVERSITY OF UTAH, BY ALL PERSONS INTENDING TO AND ACTUALLY ATTEMPTING MODIFICATIONS OF THE WEATHER, MAKING IT A MISDEMEANOR TO VIOLATE SAID REQUIREMENTS, FIXING A PENALTY THEREFOR, AND PROVIDING FOR THE ENFORCEMENT OF SAID ACT, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 12, 1953

Mr. President:

I am directed 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*, by Mr. Lester Taylor, entitled:

AN ACT AMENDING SECTION 59-9-6, UTAH CODE ANNOTATED 1953, RELATING TO LEVY FOR COUNTY PURPOSES AND PROVIDING FOR AN INCREASE IN COUNTIES OF THE FOURTH

CLASS, and the same is transmited herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 12, 1953

Mr. President:

I am directed 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. 162*, by Mrs. Jack, entitled:

AN ACT AMENDING SECTION 20-6-1, 20-6-3, 20-6-4 AND 20-6-6, UTAH CODE ANNOTATED 1953, RELATING TO QUALIFICATION FOR VOTING AND PROVIDING THAT PERSONS CONFINED MAY VOTE AND FOR PHYSICIANS CERTIFICATES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 162 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 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 163*, by Mrs. Gerald Cazier, entitled:

AN ACT AMENDING SECTIONS 58-15-1, 58-15-2, 58-15-4 AND 58-15-5, UTAH CODE ANNOTATED 1953, THE REGISTRATION OF PERSONS ENGAGED IN CERTAIN OCCUPATIONS, TRADES AND PROFESSIONS, RELATING TO THE CARE OF OTHERS, AND REPEALING SECTIONS 58-15-6, 58-15 7, 58-15-8 AND 58-15-9, UTAH CODE ANNOTATED 1953, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 168 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 169*, by Messrs. Froerer, Dalebout and Barlow, entitled:

AN ACT AMENDING SECTION 31-31-12, UTAH CODE ANNOTATED 1953, RELATING TO EXAMINATIONS FOR AGENTS AND SOLICITORS OF MUTUAL BENEFIT ASSOCIATIONS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 169 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 12, 1953

Mr. President:

I am directed 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. 170*, by Messrs. Froerer, Dalebout, and Barlow, entitled:

AN ACT AMENDING SECTION 31-32-17, UTAH CODE ANNOTATED 1953, RELATING TO EXAMINATIONS FOR AGENTS AND SOLICITORS OF COOPERATIVE ASSOCIATIONS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 170 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 12, 1953

Mr. President:

I am directed 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. Hopkins, G. D. Taylor, Messinger, Gardner, Sevy, W. G. Larson, Crofts, Rowberry, Brian, Sanders, Patterson, Young, Bunderson, and Lundell, entitled:

AN ACT AMENDING 27-2-1, UTAH CODE ANNOTATED 1953, RELATING TO THE MEMBERS OF THE STATE ROAD COMMISSION AND INCREASING AUTHORITY TO SETTLE CLAIMS ARISING OUT OF NEGLIGENCE OF THE COMMISSION OR ITS EMPLOYEES TO $500.00, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 12, 1953

Mr. President:

I am directed 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. 191,* by Messrs. Fullmer, White, Kerr, G. D. Taylor, and Elswood, entitled:

AN ACT AMENDING SECTION 70-2-4, UTAH CODE ANNOTATED 1953, RELATING TO THE UNLAWFUL USE OF MARKED CONTAINERS PROVIDING THAT BURLAP OR COTTON SACKS OR BAGS UPON WHICH ANY REGISTERED MARK OR BRAND IS IMPRINTED SHALL BE REVERSED OR MARKINGS OBLITERATED BEFORE RE-USE, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 191 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 12, 1953

Mr. President:

I am directed 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. 193,* by Messrs. Butters, Esplin, Fullmer, Froerer, Kerr, Sevy, Lester Taylor, Gunther, C. W. Larsen, Conover, J. H. Johnson, West, Hopkins, and C. E. Peterson, entitled:

AN ACT AMENDING SECTION 78-6-1, UTAH CODE ANNOTATED 1953, RELATING TO SMALL CLAIMS COURTS AND INCREASING JURISDICTIONAL AMOUNT FROM $50.00 TO $100.00, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 193 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 12, 1953

Mr. President:

I am directed 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. 226*, by Mr. Kleon Kerr, entitled:

AN ACT APPROPRIATING $50,000.00 FROM THE GENERAL FUND TO THE STATE BOARD OF EXAMINERS FOR THE ERECTION ON THE UTAH STATE CAPITOL GROUNDS OF A PONY EXPRESS MEMORIAL OF THE DESIGN USED IN THE 1947 UTAH CENTENNIAL CELEBRATION, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 226 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 12, 1953

Mr. President:

I am directed 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. 235*, by Messrs. Jones and Rowberry, entitled:

AN ACT APPROPRIATING $30,000 TO BE USED FOR THE DISTRIBUTING OF INFORMATION ON THE CAPITOL BUILDING AND GROUNDS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 235 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 12, 1953

Mr. President:

I am directed 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. 258*, by Mr. Wayne C. Durham, entitled:

AN ACT TO PROVIDE FOR THE DISSOLUTION OF SPECIAL IMPROVEMENT DISTRICTS CREATED UNDER THE AUTHORITY OF CHAPTERS 6 OR 7, TITLE 17, UTAH CODE ANNOTATED 1953, FOR THE GIVING OF NOTICE THEREOF, THE HOLDING OF A DISTRICT COURT HEARING, AND REQUIRING THE PAYMENT OF CLAIMS OF DISTRICTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 258 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 12, 1953

Mr. President:

I am directed 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. 262*, by Appropriations Committee, entitled:

AN ACT AMENDING HOUSE BILL 239 OF THE 30TH LEGISLATURE OF THE STATE OF UTAH, AS PASSED BY BOTH HOUSES, RELATING TO APPROPRIATIONS TO STATE DEPARTMENTS, AGENCIES, COMMISSIONS AND INSTITUTIONS BY AMENDING SECTION 15 AND BY ENACTING A NEW SECTION TO BE KNOWN AS SECTION 18, MAKING CERTAIN APPROPRIATIONS AND PROVIDING FOR THE SETTLEMENT OF SPECIAL CLAIMS AGAINST THE STATE OF UTAH, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 262 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 12, 1953

Mr. President and Mr. Speaker:

Your Conference Committee, to which was referred *S. B. No. 11*, by Messrs. Day, Hopkin, Muir, Fowles and Mabey, begs leave to report as follows:

Page 30, line 20, strike the figure $7.00 and insert in lieu thereof the figure $6.00.

Page 30, line 22, strike the figure $4.00 and insert in lieu thereof the figure $3.50.

Page 31, line 8, strike the figure $4.00 and insert in lieu thereof the figure $3.50.

Page 31, line 17, strike the figure $4.00 and insert in lieu thereof the figure $3.50.

Respectfully,

RENDELL N. MABEY,
Chairman, Senate Committee

LESTER TAYLOR,
Chairman, House Committee

Committee report read and adopted.

On motion of Senator Mabey, *S. B. No. 11* was amended as follows:

Page 30, line 20, strike the figure $7.00 and insert in lieu thereof the figure $6.00.

Page 30, line 22, strike the figure $4.00 and insert in lieu thereof the figure $3.50.

Page 31, line 8, strike the figure $4.00 and insert in lieu thereof the figure $3.50.

Page 31, line 17, strike the figure $4.00 and insert in lieu thereof the figure $3.50.

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

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day (explained vote), Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

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

COMMUNICATIONS FROM THE HOUSE

March 12, 1953

Mr. President:

I am directed 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. 4*, by Messrs. Jones, Hopkins, C. E. Peterson, and Young, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES TO TAKE ACTION SO AS TO RETURN TO EACH STATE ITS PRO RATA SHARE OF ALL REVENUES COLLECTED BY THE FEDERAL GOVERNMENT IN GASOLINE TAXATION, AND TO GIVE TO THE STATES THE RIGHT TO SUBSTITUTE STATE TAXATION OF GASOLINE FOR FEDERAL TAXATION WHEN A STATE MAY SEE FIT TO DO SO, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. C. R. No. 4 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 11*, by Messrs. Brian, Thomas, Barlow, Fullmer, Esplin, Spence, Howe, Messinger, Cope, C. E. Peterson, Jones, Bunderson, Gardner, Young, and Froerer entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH RELATING TO DRAFT DEFERMENTS AND MEMORIALIZING THE PRESIDENT AND THE CONGRESS TO TAKE SUCH ACTION AS IS NECESSARY TO AVOID THE DRAFTING OF YOUNG MEN OF 18 AND 19 YEARS OF AGE AND TO LIMIT DEFERMENTS OF OLDER MEN, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 11 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

March 12, 1953

Mr. President:

I am directed 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. Hopkins, C. E. Peterson, Patterson, Kerr, G. D. Taylor, C. W. Larsen, Barlow, and Froerer, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH CALLING UPON THE CITIZENS OF THE STATE OF UTAH TO UNITE IN THE CURRENT EMERGENCY IN INTERMOUNTAIN FREIGHT RATES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 12, 1953

Mr. President:

I am directed 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. 26*, by Mr. Sevy (Irrigation Committee), entitled:

RESOLUTION ACKNOWLEDGING APPRECIATION FOR THE SERVICES RENDERED THE STATE BY WILLIAM R. WALLACE IN A JOINT RESOLUTION ACKNOWLEDGING APPRECIATION OF THE LEGISLATURE AND THE PEOPLE OF THE STATE OF UTAH FOR THE SERVICES RENDERED TO THEM BY WILLIAM R. WALLACE, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 26 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

March 12, 1953

Mr. President:

I am directed 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. Jacobsen, G. Taylor, Thomas, Froerer, Conover and Sheffield, entitled:

AN ACT AMENDING SECTION 58-6-4, UTAH CODE ANNOTATED 1953, DELETING THE REQUIREMENT THAT CONTRACTORS LICENSES MUST BE ISSUED WITHIN TEN DAYS FROM RECEIPT OF APPLICATION.

Respectfully,

W. D. CALLISTER,
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 12, 1953

Mr. President:

I am directed 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. 35*, by Messrs. W. G. Larson, Jacobsen, Rowberry, Brotherson, Young, Edward C. Larsen, Cope, and Dalebout, 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 ENACTING A NEW CHAPTER TO BE KNOWN AS CHAPTER 12b, TITLE 58, UTAH CODE ANNOTATED 1953, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 35 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 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 66*, by Mr. Ralph A. Sheffield, entitled:

AN ACT AMENDING SECTION 21-2-5, UTAH CODE ANNOTATED 1953, RELATING TO THE FEES OF COUNTY TREASURERS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 66 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 67*, by Messrs. Howe and Young, entitled:

AN ACT AMENDING SECTIONS 4-20-36 AND 4-20-37, UTAH CODE ANNOTATED 1953, DEFINING STANDARDS AND LABELING REQUIREMENTS FOR VINEGAR, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 67 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 12, 1953

Mr. President:

I am directed 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. 98*, by Messrs. Postma and Young, entitled:

AN ACT AMENDING SECTIONS 31-32-9 AND 31-32-10, UTAH CODE ANNOTATED 1953, RELATING TO THE CHARTER PROVISIONS AND MEMBERSHIP AND STOCKHOLDER PROVISIONS OF COOPERATIVE INSURANCE ASSOCIATIONS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 98 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 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 115*, by Messrs. Gardner, Grover, White, and Young, entitled:

AN ACT AMENDING SECTION 4-17-14, UTAH CODE ANNOTATED 1953, RELATING TO QUARANTINE REGULATIONS CONCERNING BEES AND PROVIDING REGULATIONS FOR SALVAGE OF HIVES AND APPLIANCES FROM DISEASED BEES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 115 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 197*, by Messrs. Durham, Brotherson, and R. Clair Anderson, entitled:

AN ACT AMENDING SECTION 20-1-13, UTAH CODE ANNOTATED 1953, RELATING TO OPENING AND CLOSING OF POLLS AT ELECTIONS AND CHANGING CLOSING TIME FROM 8 TO 7 P.M., and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 197 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 12, 1953

Mr. President:

I am directed 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 Messrs. Froerer, C. E. Peterson, Hopkins, and Jones, entitled:

AN ACT AMENDING SECTION 36-1-4, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE REDISTRICTING OF COUNTIES HAVING MORE THAN ONE REPRESENTATIVE IN THE HOUSE OF REPRESENTATIVES OF THE STATE LEGISLATURE INTO REPRESENTATIVE DISTRICTS AND FOR NUMBERING 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 REPEALING SECTION 36-1-3, UTAH CODE ANNOTATED 1953, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 12, 1953

Mr. President:

I am directed 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. Hopkins, W. G. Larson, Rowberry, G. Douglas Taylor, Sanders, and Sevy, entitled:

AN ACT AMENDING SECTION 2-1-30, UTAH CODE ANNOTATED 1953, OF THE AERONAUTICAL REGULATORY ACT, PERTAINING TO TAMPERING WITH AIRCRAFT WITHOUT CONSENT OF OWNER, AND ENACTING TWO NEW SECTIONS TO BE KNOWN AS 2-1-33 AND 2-1-34, UTAH CODE ANNOTATED 1953, RELATING TO STATUS OF NONPAYING GUEST RIDING IN AN AIRCRAFT AND SHERIFF'S SALE OF ABANDONED OR UNCLAIMED AIRCRAFT, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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 12, 1953

Mr. President:

I am directed 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. 249*, by Messrs. Hopkins, W. G. Larson, G. Douglas Taylor, Rowberry, and Sanders, entitled:

AN ACT AMENDING SECTIONS 2-1-1, 2-1-16, 2-1-27, AND 2-1-32, UTAH CODE ANNOTATED 1953, OF THE AERONAUTICAL REGULATORY ACT, PERTAINING TO SIZE OF AIRPORTS AND LANDING

FIELDS, THE LANDING OR TAKING OFF OF AIRCRAFT, AND THE REPORTING OF ACCIDENTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 249 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 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 253*, by Messrs. L. Taylor and Young, entitled:

AN ACT AMENDING SECTION 35-1-17 UTAH CODE ANNOTATED 1953 PROVIDING FOR FURTHER STUDY OF ALL PROBLEMS OF THE INDUSTRIAL COMMISSION, INCLUDING REHABILITATION AND RE-EMPLOYMENT OF EMPLOYEES DISABLED BY INDUSTRIAL ACCIDENT OR OCCUPATIONAL DISEASE AND PROVIDING FOR NECESSARY EXPENSES OF COUNCIL MEMBERS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 253 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 12, 1953

Mr. President:

I am directed 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, Tietjen, Thorn and Stringham, entitled:

AN ACT RELATING TO THE CONDUCT OF THE BUSINESS OF BANKING, THE ESTABLISHMENT OF UNIT AND BRANCH BANKS AND AMENDING SECTION 7-3-6, UTAH CODE ANNOTATED 1953, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee report as of March 12, 1953, and passed S. *B. No. 11*, by Messrs. Day, Hopkin, Muir, Fowles, and Mabey, entitled:

AN ACT CREATING A FISH AND GAME CODE FOR THE STATE OF UTAH, TO BE ADMINISTERED BY THE FISH AND GAME DEPARTMENT OF THE STATE OF UTAH; PROVIDING FOR THE ORGANIZATION AND ADMINISTRATION OF THE STATE DEPARTMENT OF FISH AND GAME, ITS POWERS AND DUTIES; CREATING A FISH AND GAME COMMISSION, ITS MEMBERSHIP, TERM OF OFFICE; POWERS AND DUTIES; PROVIDING FOR THE LICENSING OF PERSONS WHO FISH, HUNT, TRAP, ACT AS GUIDES, SEINE, TRANSPORT GAME, FISH OR FURBEARING ANIMALS, ALIVE OR DEAD, WITHIN OR WITHOUT THE BOUNDARIES OF THE STATE OF UTAH; PROVIDING FOR THE LICENSING AND SUPERVISION OF PRIVATE GAME, FISH OR FURBEARING FARMS OR PONDS; ESTABLISHING PROHIBITIONS, PENALTIES, ARRESTS, SEARCH, SEIZURE AND OTHER JUDICIAL PROCESS; ESTABLISHING PROCEDURE FOR ACQUISITIONS, HOLD, MANAGEMENT, AND SALE OR EXCHANGE OF STATE LANDS FOR FISH AND GAME PURPOSES, PROVIDING FOR RECIPROCAL AGREEMENTS WITH OTHER STATES, GIVING ASSENT TO OTHER STATES, PERSONS AND THE FEDERAL GOVERNMENT IN MATTERS RELATING TO FISH, GAME AND FURBEARERS, ESTABLISHING A FISH AND GAME FUND, ESTABLISHING A BOARD OF BIG GAME CONTROL, ITS MEMBERSHIP, POWERS, AND DUTIES; AND THE ESTABLISHMENT OF STATE GAME PRESERVES, POSTED HUNTING AREAS, CLOSED AREAS, DAMAGES, AND PROVIDING FOR THE MANAGEMENT, CONTROL, TRANSPORTATION, STORAGE AND TAKING OF GAME, FURBEARING ANIMALS, BIRDS AND FISH; AND DEFINITIONS, AND REPEALING TITLE 23, UTAH CODE ANNOTATED 1953, and the same is transmitted herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 11 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that on motion of acting chairman Kerr 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. B. No. 15
S. B. No. 30
S. B. No. 166
S. B. No. 190
S. B. No. 245
S. J. R. No. 25

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. Nos. 15, 30, 166, 190, 245 and S. J. R. No. 25 were filed.

REPORTS OF STANDING COMMITTEES

March 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 26,* by Mr. Hopkin, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 30TH LEGISLATURE OF THE STATE OF UTAH, MAKING ASSIGNMENTS OF STUDY FOR THE UTAH LEGISLATIVE COUNCIL AND REQUESTING A REPORT TO THE 31ST LEGISLATURE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. 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.

March 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 27,* by Messrs. Hopkin, Stringham, and Tietjen, entitled:

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES AND THE NATIONAL GOVERNMENT TO BAR FOREIGN PRODUCTS BY FOREIGN LABOR, has examined and carefully compared

the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. 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.

March 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 11*, by Messrs. Day, Hopkin, Muir, Fowles and Mabey, entitled:

AN ACT CREATING A FISH AND GAME CODE FOR THE STATE OF UTAH, TO BE ADMINISTERED BY THE FISH AND GAME DEPARTMENT OF THE STATE OF UTAH; PROVIDING FOR THE ORGANIZATION AND ADMINISTRATION OF THE STATE DEPARTMENT OF FISH AND GAME, ITS POWERS AND DUTIES; CREATING A FISH AND GAME COMMISSION, ITS MEMBERSHIP, TERM OF OFFICE, POWERS AND DUTIES; PROVIDING FOR THE LICENSING OF PERSONS WHO FISH, HUNT, TRAP, ACT AS GUIDES, SEINE, TRANSPORT GAME, FISH OR FURBEARING ANIMALS, ALIVE OR DEAD, WITHIN OR WITHOUT THE BOUNDARIES OF THE STATE OF UTAH; PROVIDING FOR THE LICENSING AND SUPERVISION OF PRIVATE GAME, FISH OR FURBEARING FARMS OR PONDS; ESTABLISHING PROHIBITIONS, PENALTIES, ARRESTS, SEARCH, SEIZURE AND OTHER JUDICIAL PROCESS; ESTABLISHING PROCEDURE FOR ACQUISITIONS, HOLD, MANAGEMENT, AND SALE OR EXCHANGE OF STATE LANDS FOR FISH AND GAME PURPOSES, PROVIDING FOR RECIPROCAL AGREEMENTS WITH OTHER STATES, PERSONS AND THE FEDERAL GOVERNMENT IN MATTERS RELATING TO FISH, GAME AND FURBEARERS, ESTABLISHING A FISH AND GAME FUND, ESTABLISHING A BOARD OF BIG GAME CONTROL, ITS MEMBERSHIP, POWERS AND DUTIES; AND THE ESTABLISHMENT OF STATE GAME PRESERVES, POSTED HUNTING AREAS, CLOSED AREAS, DAMAGES, AND PROVIDING FOR THE MANAGEMENT, CONTROL, TRANSPORTATION, STORAGE AND TAKING OF GAME, FURBEARING ANIMALS, BIRDS AND FISH; AND DEFINITIONS, AND REPEALING TITLE 23, UTAH CODE ANNOTATED 1953, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 11 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 19,* by Messrs. Day, Fowles, Mabey and Kerr, entitled:

AN ACT ESTABLISHING THE UTAH TOURIST AND PUBLICITY COUNCIL, PROVIDING FOR THE ADMINISTRATION THEREOF, THE APPOINTMENT OF A NON-SALARIED EXECUTIVE COUNCIL, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS THEREOF, APPOINTMENT OF A DIRECTOR, ESTABLISHING THE SALARY OF SUCH DIRECTOR, MAKING AN APPROPRIATION FOR THE PURPOSES OF THIS ACT, REPEALING CHAPTER 5, TITLE 35, UTAH CODE ANNOTATED 1953, AND REPEALING CHAPTER 3, TITLE 63, UTAH CODE ANNOTATED 1953, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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.

March 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 71,* by Messrs. Stringham, Fowles and Watson, entitled:

AN ACT AMENDING SECTIONS 73-4-20, 73-5-1, 73-5-5, UTAH CODE ANNOTATED 1953, RELATING TO WATER AND WATER RIGHTS AND THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO THE APPROPRIATION, ADMINISTRATION AND DISTRIBUTION THEREOF, PROVIDING THAT THE STATE ENGINEER SHALL FROM FUNDS APPROPRIATED TO HIS OFFICE PAY ALL COST OF DETERMINATIONS; AND REQUIRING HIS APPROVAL OF ALL DAMS IMPOUNDING OVER 20 ACRE-FEET OF WATER, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 71 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 85,* by Messrs. Openshaw, Woolley and Fowles, entitled:

AN ACT AMENDING SECTION 32-1-29, UTAH CODE ANNOTATED 1953, RELATING TO THE MAXIMUM OPERATING CAPITAL OF THE UTAH LIQUOR CONTROL COMMISSION, AND PROVIDING THAT IN THE DETERMINATION OF WHETHER ANY ORDER OR PURCHASE IS IN EXCESS OF THE MAXIMUM PERMITTED TO BE INVESTED IN ALCOHOLIC BEVERAGES, OUTSTANDING, BUT UNFILLED, ORDERS SHALL NOT BE CONSIDERED, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 85 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 88,* by Messrs. Muir and Hafen, entitled:

AN ACT AMENDING SECTION 58-14-10, UTAH CODE ANNOTATED 1953, RELATING TO TRAINING OF PRACTICAL NURSES; PROVIDING THAT A SURVEY BE MADE; PROVIDING THE MANNER FOR ACCREDITING A COURSE AND REMOVING AN ACCREDITED COURSE; AND PROVIDING FOR APPEAL, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I TIPPETTS,
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.

March 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 91*, by Messrs. Muir and Hafen, entitled:

AN ACT AMENDING SECTION 58-14-9, UTAH CODE ANNOTATED 1953, RELATING TO SCHOOLS OF NURSING; PROVIDING THAT A SURVEY SHALL BE MADE; THE MANNER OF APPROVING SCHOOLS; AND OF REMOVING ACCREDITED SCHOOLS WHO FAIL TO COMPLY; AND PROVIDING FOR APPEAL, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 91 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 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 138*, by Mr. Hafen, entitled:

AN ACT TO AMEND SECTION 15-1-2, UTAH CODE ANNOTATED 1953, RELATING TO MAXIMUM RATES; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 15-1-2a, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE REGULATION OF CONTRACTS FOR THE CONDITIONAL SALE OF TANGIBLE PERSONAL PROPERTY AND PROVIDING FOR THE MAXIMUM RATES TO BE CHARGED IN CONNECTION THEREWITH AND PROVIDING PENALTIES FOR VIOLATIONS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 138 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 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 144*, by Mr. Hafen, entitled:

AN ACT AMENDING SECTIONS 17-6-1, 17-6-2 AND 17-6-3, UTAH CODE ANNOTATED 1953, RELATING TO THE CREATION OF IMPROVEMENT DISTRICTS, AUTHORITY TO ACQUIRE AND OPERATE CERTAIN IMPROVEMENTS, ISSUE BONDS AND BOUNDARIES: AND ENACTING FOURTEEN NEW SECTIONS TO BE KNOWN AS SECTIONS 17-6-3.1, 17-6-3.2, 17-6-3.3, 17-6-3.4, 17-6-3.5, 17-6-3.6, 17-6-3.7, 17-6-3.8, 17-6-3.9, 17-6-3.10, 17-6-3.11, 17-6-3.12, 17-6-3.13, AND 17-6-3.14, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICTS: MANNER OF ISSUING AND PAYING FOR BONDS; POWERS AND DUTIES OF BOARD OF TRUSTEES AND SUCH DISTRICTS; MANNER OF CHOOSING AND ELECTING BOARD OF TRUSTEE MEMBERS; TERMS OF OFFICE, CREATING POLITICAL SUB-DIVISIONS WITH THE RIGHT TO SUE AND BE SUED AND ENTER CONTRACTS; PERMITTING OTHER POLITICAL SUBDIVISIONS TO ENTER INTO CONTRACTS WITH SUCH DISTRICTS; COMPENSATION OF BOARD MEMBERS; DELINQUENT CHARGES TO BE A LIEN ON REAL PROPERTY; MANNER OF LEVYING TAXES AND COLLECTING FEES; SELL WATER; GRANTING POWERS OF EMINENT DOMAIN; MAKING BONDS PAYABLE FROM TAXES LEGAL INVESTMENTS; PUBLICATION; VALIDATING CERTAIN PROCEEDINGS HERETOFORE HAD FOR THE CREATION OF IMPROVEMENT DISTRICTS AND THE AUTHORIZATION OF BONDS THEREOF UNDER THE LAW HEREIN AMENDED; VALIDATING SUCH DISTRICTS AND PROCEEDINGS AND THE CONTRACTS AND BONDS OF SUCH DISTRICTS; AUTHORIZING THE MAKING OF CHANGES IN SUCH PROCEEDINGS; AUTHORIZING ALL DISTRICTS CREATED UNDER CHAPTER 6 AND 7, TITLE 17, UTAH CODE ANNOTATED, 1953, TO COMPLETE THE ISSUANCE OF BONDS UNDER AUTHORITY OF THIS ACT, OR UNDER AUTHORITY OF THE ACT UNDER WHICH SAID DISTRICT WAS CREATED, WITHOUT REGARD TO THE SOURCE OF PAYMENT OF SUCH BONDS, AND TO MAKE ALL CHANGES IN EXISTING PROCEEDINGS NECESSARY TO THAT END, INCLUDING INCREASES IN THE AMOUNTS OF BONDS SO AUTHORIZED; AN EMERGENCY CLAUSE; AND REPEALING SECTIONS 17-6-4, 17-6-5, 17-6-6, 17-6-7, 17-6-8, 17-6-9, 17-6-10, 17-6-11, 17-6-12, 17-6-13, 17-6-14 AND 17-6-15, UTAH CODE ANNOTATED 1953, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
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 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 153*, by Messrs. Fowles, Stringham and Gibson, entitled:

AN ACT ENACTING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 29-1-2 AND 29-1-3, UTAH CODE ANNOTATED 1953, LIMITING THE LIABILITY OF AN INNKEEPER, HOTEL KEEPER, BOARDING OR LODGING HOUSE KEEPER AS TO PERSONAL PROPERTY PLACED IN HIS CARE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 153 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 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 154*, by Messrs. Gibson, Hopkin and Thorn, entitled:

AN ACT CREATING A PUBLIC HEALTH CODE FOR THE STATE OF UTAH TO BE ADMINISTERED BY THE HEALTH DEPARTMENT; PROVIDING FOR THE ORGANIZATION AND ADMINISTRATION OF THE STATE DEPARTMENT OF HEALTH, ITS MEMBERSHIP, TERM OF OFFICE, POWERS AND DUTIES AND SALARY; CREATING A BOARD OF HEALTH, ITS MEMBERSHIP, TERM OF OFFICE, POWERS, DUTY AND SALARY; ESTABLISHING AN OFFICE OF DIRECTOR OF PUBLIC HEALTH, APPOINTMENT, QUALIFICATIONS, SALARY, POWERS, DUTIES, AND MANNER OF REMOVING FROM OFFICE; PROVIDING FOR THE REGISTRATION OF VITAL STATISTICS AND REQUIRING CERTAIN PERSONS UNDER CERTAIN CONDITIONS TO FILE REPORTS WITH SAID REGISTRAR; ESTABLISHING PROCEDURES AND REQUIREMENTS FOR THE ORGANIZATION OF LOCAL HEALTH DEPARTMENTS; PROVIDING FOR THE REGULATION, LICENSING AND CONTROL OF HOSPITALS, NURSING AND CONVALESCENT HOMES, HOMES FOR AGED AND NEEDY, INFIRMARIES, ORPHANAGES, PRIVATE SANITARIUMS AND MATERNITY HOMES; PROVIDING FOR CONTROLS AND RECORDS ON COMMUNICABLE DISEASES; TO ESTABLISH AND ENFORCE STANDARDS FOR DRINKING WATER, SEWAGE SYSTEMS, INDUSTRIAL WATER, POLLUTION OF WATER, HOTELS, SERVICE STATIONS, RESTAURANTS, SCHOOLS, FACTORIES, BARBER AND BEAUTY SHOPS, PHYSICIANS' OFFICES, DENTISTS' OFFICES, SWIM-

MING POOLS, PUBLIC GATHERINGS, AUTOPSIES AND NUMEROUS OTHER ACTIVITIES, OCCUPATIONS, INSTITUTIONS AND PLACES; PROVIDING THAT VIOLATIONS OF CERTAIN PROVISIONS OF THIS ACT SHALL BE A MISDEMEANOR; PROVIDING FOR ATTORNEY-GENERAL TO BE LEGAL ADVISOR OF DEPARTMENT AND DISTRICT ATTORNEYS TO PROSECUTE FOR DEPARTMENT; PROVIDING FOR HEARINGS, JUDICIAL REVIEW; PENALTIES, AMENDING SECTIONS 26-11-5 AND 26-6-36 AND REPEALING CHAPTERS 1, 2, 3 AND 4 OF TITLE 26, SECTIONS 26-5-3, 26-5-10, 26-5-11, 26-5-12, 26-5-13, 26-5-14, 26-5-15, 26-5-16, 26-5-17, 26-5-18, 26-5-19, 26-5-20, 26-5-21, 26-5-22, 26-5-23, 26-5-24, 26-5-25, 26-5-26, 26-5-27, 26-5-28, 26-5-29, 26-5-30, 26-5-31, 26-5-32, 26-6-3, 26-6-4, 26-6-5, 26-6-6, 26-6-7, 26-6-8, 26-6-9, 26-6-10, 26-6-11, 26-6-12, 26-6-13, 26-6-14, 26-6-15, 26-6-21, 26-6-22, 26-6-23, 26-6-24, 26-6-25, 26-6-26, 26-6-27, 26-6-28, 26-6-29, 26-6-30, 26-6-31, 26-6-32, 26-6-33, 26-6-35, 26-6-37, 26-6-38, 26-6-48, 26-6-49, 26-6-50, CHAPTERS 8, 10, 12 AND 13 OF TITLE 26, UTAH CODE ANNOTATED 1953, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 154 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 196*, by Mr. Kerr, entitled:

AN ACT AMENDING SECTIONS 41-11-22, 41-11-30, 41-11-31, 41-11-32, 41-11-35, 41-11-36, 41-11-37, 41-11-39, 41-11-41, ENACTING A NEW SECTION 41-11-34.10, AND REPEALING SECTION 41-11-38, UTAH CODE ANNOTATED 1953, ESTABLISHING SPECIFICATIONS AND GRADES FOR MOTOR FUELS SOLD OR OFFERED FOR SALE IN THE STATE OF UTAH, REQUIREMENTS RELATIVE TO THE ADVERTISING THEREOF, AND CONFERRING POWERS AND IMPOSING DUTIES OF THE STATE ROAD COMMISSION, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 196 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 207*, by Messrs. Fowles and Openshaw, entitled:

AN ACT AMENDING SECTIONS 49-5-1, 49-5-2 AND 49-5-3, UTAH CODE ANNOTATED 1953, RELATING TO THE ESTABLISHMENT OF A POLICE PENSION FUND; SOURCE OF MONIES FOR THE FUND; THE GRANTING OF SERVICE AND DISABILITY PENSION TO EMPLOYEES OF POLICE DEPARTMENTS OF CITIES OF THE FIRST AND SECOND CLASS; THE AMOUNTS AND PAYMENTS THEREOF; PROVISION FOR ACTUARIAL PLAN AND STUDY; PROVISION FOR PAYMENT OF DEATH BENEFITS TO THE DEPENDENTS AND WIDOW OF ACTIVE OR RETIRED EMPLOYEES; ADMINISTRATION, AND MANDATORY RETIREMENT, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 207 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 217*, by Mr. Mabey, entitled:

AN ACT AMENDING SECTIONS 78-12-5, 78-12-7, AND 78-12-12, UTAH CODE ANNOTATED 1953, AND ENACTING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 78-12-5.1 AND 78-12-5.2, UTAH CODE ANNOTATED 1953, RELATING TO THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR RECOVERY OF REAL PROPERTY OR THE POSSESSION THEREOF; AND RELATING TO THE PERIOD FOR THE RECOVERY OF PROPERTY SOLD FOR TAXES; AND ESTABLISHING PRIMA FACIE EVIDENCE OF POSSESSION; AND PROVIDING FOR THE PAYMENT OF TAXES NECESSARY TO ESTABLISH ADVERSE POSSESSION; AND A STATEMENT OF LEGISLATIVE INTENT, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 217 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 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 219,* by Mr. Fowles, entitled:

AN ACT AMENDING SECTIONS 73-3-16 AND 73-3-17, UTAH CODE ANNOTATED 1953, RELATING TO PROOF BY APPROPRIATION OR PERMANENT CHANGE OF USE OF WATER AND TO THE ISSUANCE BY THE STATE ENGINEER OF CERTIFICATES OF APPROPRIATION AND PERMANENT CHANGE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 219 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

March 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 235,* by Mr. Woolley, entitled:

AN ACT AMENDING SECTIONS 52-3-1 AND 52-3-3, UTAH CODE ANNOTATED 1953, RELATING TO THE PROHIBITION AGAINST THE APPOINTMENT BY PUBLIC OFFICERS AND EMPLOYEES OF SPECIFIED NEAR RELATIVES TO POSITIONS WHICH ARE COMPENSATED OUT OF PUBLIC FUNDS, AND PROVIDING THAT SUCH PROHIBITION IS APPLICABLE TO ALL PERSONS HOLDING POSITIONS COMPENSATED OUT OF PUBLIC FUNDS AND TO MEMBERS OF BOARDS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 235 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 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 237,* by Messrs. Woolley and Gibson, entitled:

AN ACT AMENDING SECTIONS 54-6-12 AND 54-6-17, UTAH CODE ANNOTATED 1953, REGARDING SAFETY AND INSPECTION OF MOTOR VEHICLES, REPORTING OF ACCIDENTS, PROVIDING FOR PUBLIC LIABILITY AND PROPERTY DAMAGE INSURANCE, AND ELIMINATION OF CARGO INSURANCE FOR CONTRACT MOTOR CARRIERS FOR HIRE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 237 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 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 250,* by Mr. Gibson, entitled:

AN ACT PROVIDING FOR A FURTHER APPROPRIATION TO THE ATTORNEY GENERAL FOR THE PAYMENT OF A MISCELLANEOUS CLAIM, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 250 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 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House,

H. J. R. No. 5, by Messrs. Young, Sanders, Brotherson, Hopkins, Messinger, Gardner, Brian, Kerr, Esplin, White, Frandsen, Bunderson, Dunn, Sevy, L. L. Peterson, Conover, Dalebout, Patterson, R. C. Anderson, Gunther, Redd, Monson, Rowberry, Russell, Postma, Mrs. Cazier, Messrs. Fullmer, Crofts, C. W. Larsen, and L. B. Johnson, entitled:

A JOINT RESOLUTION PROPOSING TO AMEND SECTIONS 2, 3, AND 4 OF ARTICLE IX OF THE CONSTITUTION OF UTAH BY CHANGING THE CONSTITUTION OF THE LEGISLATURE MAKING EACH COUNTY OF THE STATE A SENATORIAL DISTRICT, BY RE-APPORTIONING REPRESENTATIVES AMONG THE SEVERAL COUNTIES OF THE STATE ACCORDING TO THE 1950 CENSUS, AND BY AUTHORIZING THE LEGISLATURE TO DECREASE AS WELL AS INCREASE THE NUMBER OF REPRESENTATIVES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J. R. No. 5 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

March 12, 1953

Mr. President:

I am directed 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. 25,* by G. Douglas Taylor, entitled:

A RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH DIRECTED TO ALL STATE OFFICERS, STATE BOARDS AND COMMISSIONS, AND THE OFFICERS OF ALL STATE INSTITUTIONS WHO OR WHICH ARE REQUIRED BY LAW TO REPORT TO THE LEGISLATURE, TO CONFORM TO THE PROVISIONS AND REQUIREMENTS OF CHAPTER 10, TITLE 67, UTAH CODE ANNOTATED 1953, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. J .R. 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 Secretary of State.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor on the 12th day of March, 1953, did not approve but did transmit to the Secretary of State, *H. B. No. 14*, by Mr. W. G. Larson, entitled:

AN ACT AMENDING SECTIONS 27-1-29 AND 27-1-30, UTAH CODE ANNOTATED 1953, RELATING TO MAXIMUM WEIGHTS OF MOTOR VEHICLES AND COMBINATIONS OF VEHICLES DRIVEN OR MOVED ON ANY HIGHWAY AND PROVIDING FOR ENFORCEMENT THEREOF, PENALTIES AND DISTRIBUTION OF FINES.

Respectfully,

W. D. CALLISTER,
Chief Clerk.

Communication filed.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 81*, by Messrs. Jacobsen, G. Douglas Taylor, Thomas, Froerer, Conover and Sheffield, entitled:

AN ACT AMENDING SECTION 58-1-5, UTAH CODE ANNOTATED 1953, ADDING PARAGRAPH (20) THERETO AUTHORIZING A REPRESENTATIVE COMMITTEE FOR CONTRACTORS, AND PROVIDING APPEAL BOARD, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 81 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

March 12, 1953

Mr. President:

I am directed 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. W. G. Larson, Jacobsen, Rowberry, Brotherson, Young, E. C. Larsen, Cope and Dalebout, entitled:

AN ACT AMENDING SECTIONS 58-1-5, 58-1-7, 58-1-13, AND 58-1-21, UTAH CODE ANNOTATED 1953, 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 the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
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.

March 12, 1953

Mr. President:

I am directed 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. 36*, by Messrs. W. G. Larson, Jacobsen, Rowberry, Brotherson, Young, E. C. Larsen, Cope, and Dalebout, entitled:

AN ACT REPEALING CHAPTER 13 TITLE 58, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW CHAPTER 58-13a, DEFINING AND RELATING TO NARCOTIC DRUGS AND TO MAKE UNIFORM THE LAW WITH REFERENCE THERETO, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 36 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 12, 1953

Mr. President:

I am directed 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. 206*, by Messrs. L. B. Johnson, Brian, Fullmer, Esplin, R. C. Anderson, J. H. Johnson, Dunn, C. E. Peterson, E. C. Larsen, and Sanders, entitled:

AN ACT RELATING TO AND PROVIDING FOR A SCHOOL BUILDING SURVEY COMMISSION, DEFINING ITS DUTIES, PROVIDING FOR THE DETERMINATION OF SCHOOL BUILDING NEEDS IN SCHOOL DISTRICTS OF THE STATE, PROVIDING FOR STANDARDS OF ELIGIBILITY TO OBTAIN STATE FUNDS TO MEET EMERGENCY SUPPLEMENTAL NET BUILDING NEEDS; DIRECTING THE STATE BOARD OF EDUCATION TO PRESCRIBE MINIMUM SCHOOL PLANT STANDARDS; APPROPRIATING THE SUM OF TWO MILLION ONE HUNDRED FIFTY SEVEN THOUSAND DOLLARS ($2,157,000) FOR EMERGENCY SUPPLEMENTAL STATE AID IN ADDITION TO THE APPROPRIATION PREVIOUSLY MADE; ESTABLISHING CERTAIN PRIORITIES AND PROVIDING FOR THE DISTRIBUTON OF STATE AID AND THE CONDITIONS PRECEDENT THERETO, and the same is transmitted herewith for the signature of the President

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 206 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 12, 1953

Mr. President:

I am directed 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. 215*, by Mr. C. E. Peterson, entitled:

AN ACT TO CREATE AND ESTABLISH A STATE AGENCY FOR SURPLUS PROPERTY, TO PRESCRIBE ITS POWERS, DUTIES, AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 215 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 12, 1953

Mr. President:

I am directed 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. 230*, by Messrs. Young, Brotherson, Dunn, Gardner, R. Clair Anderson, Grover, C. W. Larsen, E. C. Larsen, and Mrs. Gerald Cazier, entitled:

AN ACT CREATING THE UTAH EDUCATIONAL TELEVISION COMMISSION; PRESCRIBING THE POWERS AND DUTIES THEREOF AND THE POWERS AND DUTIES OF ITS MEMBERS, INCLUDING THE RIGHT TO ACQUIRE, OPERATE, AND MAINTAIN EDUCATIONAL TELEVISION STATIONS, AND RECEIVE AND DISBURSE APPROPRIATIONS, GIFTS AND DONATIONS; AND APPROPRIATING FROM THE EMERGENCY RELIEF FUND NOT OTHERWISE APPROPRIATED THE SUM OF $250,000.00 TO CARRY OUT THE PURPOSES OF THIS ACT, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 230 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 12, 1953

Mr. President:

I am directed 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. 263*, by Appropriations Committee, entitled:

AN ACT AMENDING HOUSE BILL NO. 239 OF THE 30TH 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 19 THEREOF, TRANSFERRING AND APPROPRIATING $47,500 ONLY, OUT OF THE FUNDS APPROPRIATED TO THE STATE ENGINEER, TO THE UTAH WATER AND POWER BOARD FOR PURPOSES OF FUND COMMITMENTS FOR THE TRI-STATE SURVEY (BEAR RIVER COMPACT) AND THE COLORADO RIVER COMPACT COMMISSION, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 263 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 12, 1953

Mr. President:

I am directed 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. 26*, by Mr. Hopkin, entitled:

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 30TH LEGISLATURE OF THE STATE OF UTAH, MAKING ASSIGNMENTS OF STUDY FOR THE UTAH LEGISLATIVE COUNCIL AND REQUESTING A REPORT TO THE 31ST LEGISLATURE, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully submitted,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. J. R. No. 26 was transmitted to the Secretary of State.

March 12, 1953

Mr. President:

I am directed 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. 27*, by Messrs. Hopkin, Stringham and Tietjen, entitled:

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES AND THE NATIONAL GOVERNMENT TO BAR FOREIGN PRODUCTS BY FOREIGN LABOR, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. J. R. No. 27 was transmitted to the Secretary of State.

March 12, 1953

Mr. President:

I am directed 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. Day, Hopkin, Muir, Fowles, and Mabey, entitled:

AN ACT CREATING A FISH AND GAME CODE FOR THE STATE OF UTAH, TO BE ADMINISTERED BY THE FISH AND GAME DEPARTMENT OF THE STATE OF UTAH; PROVIDING FOR THE ORGANIZATION AND ADMINISTRATION OF THE STATE DEPARTMENT OF FISH AND GAME, ITS POWERS AND DUTIES; CREATING A FISH AND GAME COMMISSION, ITS MEMBERSHIP, TERM OF OFFICE, POWERS AND DUTIES; PROVIDING FOR THE LICENSING OF PERSONS WHO FISH, HUNT, TRAP, ACT AS GUIDES, SEINE, TRANSPORT GAME, FISH OR FURBEARING ANIMALS, ALIVE OR DEAD, WITHIN OR WITHOUT THE BOUNDARIES OF THE STATE OF

UTAH; PROVIDING FOR THE LICENSING AND SUPERVISION OF PRIVATE GAME, FISH OR FURBEARING FARMS OR PONDS; ESTABLISHING PROHIBITIONS, PENALTIES, ARRESTS, SEARCH, SEIZURE AND OTHER JUDICIAL PROCESS; ESTABLISHING PROCEDURE FOR ACQUISITIONS, HOLD, MANAGEMENT, AND SALE OR EXCHANGE OF STATE LANDS FOR FISH AND GAME PURPOSES, PROVIDING FOR RECIPROCAL AGREEMENTS WITH OTHER STATES, GIVING ASSENT TO OTHER STATES, PERSONS AND THE FEDERAL GOVERNMENT IN MATTERS RELATING TO FISH, GAME AND FURBEARERS, ESTABLISHING A FISH AND GAME FUND, ESTABLISHING A BOARD OF BIG GAME CONTROL, ITS MEMBERSHIP, POWERS AND DUTIES; AND THE ESTABLISHMENT OF STATE GAME PRESERVES, POSTED HUNTING AREAS, CLOSED AREAS, DAMAGES, AND PROVIDING FOR THE MANAGEMENT, CONTROL, TRANSPORTATION, STORAGE AND TAKING OF GAME, FURBEARING ANIMALS, BIRDS AND FISH; AND DEFINITIONS, AND REPEALING TITLE 23, UTAH CODE ANNOTATED 1953, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

March 12, 1953

Mr. President:

I am directed 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. Day, Fowles, Mabey and Kerr, entitled:

AN ACT ESTABLISHING THE UTAH TOURIST AND PUBLICITY COUNCIL, PROVIDING FOR THE ADMINISTRATION THEREOF, THE APPOINTMENT OF A NON-SALARIED EXECUTIVE COUNCIL, PRESCRIBING THE POWERS, DUTIES AND FUNCTIONS THEREOF, APPOINTMENT OF A DIRECTOR, ESTABLISHING THE SALARY OF SUCH DIRECTOR, MAKING AN APPROPRIATION FOR THE PURPOSES OF THIS ACT, REPEALING CHAPTER 5, TITLE 35, UTAH CODE ANNOTATED 1953, AND REPEALING CHAPTER 3, TITLE 63, UTAH CODE ANNOTATED 1953, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 19 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 71,* by Messrs. Stringham, Fowles and Watson, entitled:

AN ACT AMENDING SECTIONS 73-4-20, 73-5-1, 73-5-5, UTAH CODE ANNOTATED 1953, RELATING TO WATER AND WATER RIGHTS AND THE POWERS AND DUTIES OF THE STATE ENGINEER WITH REFERENCE TO THE APPROPRIATION, ADMINISTRATION AND DISTRIBUTION THEREOF; PROVIDING THAT THE STATE ENGINEER SHALL FROM FUND APPROPRIATED TO HIS OFFICE PAY ALL COST OF DETERMINATIONS; AND REQUIRING HIS APPROVAL OF ALL DAMS IMPOUNDING OVER 20 ACRE-FEET OF WATER, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 71 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 85,* by Messrs. Openshaw, Woolley and Fowles, entitled:

AN ACT AMENDING SECTION 32-1-29, UTAH CODE ANNOTATED 1953, RELATING TO THE MAXIMUM OPERATING CAPITAL OF THE UTAH LIQUOR CONTROL COMMISSION, AND PROVIDING THAT IN THE DETERMINATION OF WHETHER ANY ORDER OR PURCHASE IS IN EXCESS OF THE MAXIMUM PERMITTED TO BE INVESTED IN ALCOHOLIC BEVERAGES, OUTSTANDING, BUT UNFILLED, ORDERS SHALL NOT BE CONSIDERED, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 85 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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 Messrs. Muir and Hafen, entitled:

AN ACT AMENDING SECTION 58-14-10, UTAH CODE ANNOTATED 1953, RELATING TO TRAINING OF PRACTICAL NURSES; PROVIDING THAT A SURVEY BE MADE; PROVIDING THE MANNER FOR ACCREDITING A COURSE AND FOR REMOVING AN ACCREDITED COURSE; AND PROVIDING FOR APPEAL, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 88 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 91*, by Messrs. Muir and Hafen, entitled:

AN ACT AMENDING SECTION 58-14-9, UTAH CODE ANNOTATED 1953, RELATING TO SCHOOLS OF NURSING; PROVIDING THAT A SURVEY SHALL BE MADE; THE MANNER OF APPROVING SCHOOLS; AND OF REMOVING ACCREDITED SCHOOLS WHO FAIL TO COMPLY; AND PROVIDING FOR APPEAL, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 91 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 138*, by Mr. Hafen, entitled:

AN ACT TO AMEND SECTION 15-1-2, UTAH CODE ANNOTATED 1953, RELATING TO MAXIMUM RATES; AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 15-1-2a, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE REGULATION OF CONTRACTS FOR THE CONDITIONAL SALE OF TANGIBLE PERSONAL PROPERTY AND PROVIDING FOR THE MAXIMUM RATES TO BE CHARGED IN CONNECTION THEREWITH AND PROVIDING

PENALTIES FOR VIOLATIONS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 138 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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 Mr. Hafen, entitled:

AN ACT AMENDING SECTIONS 17-6-1, 17-6-2 AND 17-6-3, UTAH CODE ANNOTATED 1953, RELATING TO THE CREATION OF IMPROVEMENT DISTRICTS, AUTHORITY TO ACQUIRE AND OPERATE CERTAIN IMPROVEMENTS, ISSUE BONDS AND BOUNDARIES: AND ENACTING FOURTEEN NEW SECTIONS TO BE KNOWN AS SECTIONS 17-6-3.1, 17-6-3.2, 17-6-3.3, 17-6-3.4, 17-6-3.5, 17-6-3.6, 17-6-3.7, 17-6-3.8, 17-6-3.9, 17-6-3.10, 17-6-3.11, 17-6-3.12, 17-6-3.13, AND 17-6-3.14, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE GOVERNMENT AND POWERS OF SUCH DISTRICTS: MANNER OF ISSUING AND PAYING FOR BONDS; POWERS AND DUTIES OF BOARD OF TRUSTEES AND SUCH DISTRICTS; MANNER OF CHOOSING AND ELECTING BOARD OF TRUSTEE MEMBERS; TERM OF OFFICE; CREATING POLITICAL SUB-DIVISIONS WITH THE RIGHT TO SUE AND BE SUED AND ENTER CONTRACTS; PERMITTING OTHER POLITICAL SUBDIVISIONS TO ENTER INTO CONTRACTS WITH SUCH DISTRICTS; COMPENSATION OF BOARD MEMBERS; DELINQUENT CHARGES TO BE A LIEN ON REAL PROPERTY; MANNER OF LEVYING TAXES AND COLLECTING FEES; SELL WATER; GRANTING POWERS OF EMINENT DOMAIN; MAKING BONDS PAYABLE FROM TAXES LEGAL INVESTMENT; PUBLICATION; VALIDATING CERTAIN PROCEEDINGS HERETOFORE HAD FOR THE CREATION OF IMPROVEMENT DISTRICTS AND THE AUTHORIZATION OF BONDS THEREOF UNDER THE LAW HEREIN AMENDED; VALIDATING SUCH DISTRICTS AND PROCEEDINGS AND THE CONTRACTS AND BONDS OF SUCH DISTRICTS; AUTHORIZING THE MAKING OF CHANGES IN SUCH PROCEEDINGS; AUTHORIZING ALL DISTRICTS CREATED UNDER CHAPTER 6 AND 7, TITLE 17, UTAH CODE ANNOTATED, 1953, TO COMPLETE THE ISSUANCE OF BONDS UNDER AUTHORITY OF THIS ACT, OR UNDER AUTHORITY OF THE ACT UNDER WHICH SAID DISTRICT WAS CREATED, WITHOUT REGARD TO THE SOURCE OF PAYMENT OF SUCH BONDS, AND TO MAKE ALL CHANGES IN EXISTING PROCEEDINGS NECESSARY TO THAT END, INCLUDING INCREASES IN THE AMOUNTS OF BONDS SO AUTHORIZED; AN EMERGENCY CLAUSE; AND REPEALING SECTIONS 17-6-4, 17-6-5,

17-6-6, 17-6-7, 17-6-8, 17-6-9, 17-6-10, 17-6-11, 17-6-12, 17-6-13, 17-6-14 AND 17-6-15, UTAH CODE ANNOTATED 1953, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 144 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 153*, by Messrs. Fowles, Stringham and Gibson, entitled:

AN ACT ENACTING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 29-1-2 AND 29-1-3, UTAH CODE ANNOTATED 1953, LIMITING THE LIABILITY OF AN INNKEEPER, HOTEL KEEPER, BOARDING OR LODGING HOUSE KEEPER AS TO PERSONAL PROPERTY PLACED IN HIS CARE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 153 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 154*, by Messrs. Gibson, Hopkin and Thorn, entitled:

AN ACT CREATING A PUBLIC HEALTH CODE FOR THE STATE OF UTAH TO BE ADMINISTERED BY THE HEALTH DEPARTMENT; PROVIDING FOR THE ORGANIZATION AND ADMINISTRATION OF THE STATE DEPARTMENT OF HEALTH, ITS MEMBERSHIP, TERM OF OFFICE, POWERS AND DUTIES AND SALARY; CREATING A BOARD OF HEALTH, ITS MEMBERSHIP, TERM OF OFFICE, POWERS, DUTY AND SALARY; ESTABLISHING AN OFFICE OF DIRECTOR OF PUBLIC HEALTH, APPOINTMENT, QUALIFICATIONS, SALARY, POWERS, DUTIES, AND MANNER OF REMOVING FROM OFFICE; PROVIDING FOR THE REGISTRATION OF VITAL STATISTICS AND REQUIRING CERTAIN PERSONS UNDER CERTAIN CONDITIONS TO FILE REPORTS WITH SAID REGISTRAR; ESTABLISHING PROCEDURES AND REQUIREMENTS FOR THE ORGANIZA-

TION OF LOCAL HEALTH DEPARTMENTS; PROVIDING FOR THE REGULATION, LICENSING AND CONTROL OF HOSPITALS, NURSING AND CONVALESCENT HOMES, HOMES FOR AGED AND NEEDY, INFIRMARIES, ORPHANAGES, PRIVATE SANITARIUMS AND MATERNITY HOMES; PROVIDING CONTROLS AND RECORDS ON COMMUNICABLE DISEASES; TO ESTABLISH AND ENFORCE STANDARDS FOR DRINKING WATER, SEWAGE SYSTEMS, INDUSTRIAL WASTES, POLLUTION OF WATER, HOTELS, SERVICE STATIONS, RESTAURANTS, SCHOOLS, FACTORIES, BARBER AND BEAUTY SHOPS, PHYSICIANS' OFFICES, DENTISTS' OFFICES, SWIMMING POOLS, PUBLIC GATHERINGS, AUTOPSIES AND NUMEROUS OTHER ACTIVITIES, OCCUPATIONS, INSTITUTIONS AND PLACES; PROVIDING THAT VIOLATIONS OF CERTAIN PROVISIONS OF THIS ACT SHALL BE A MISDEMEANOR; PROVIDING FOR ATTORNEY-GENERAL TO BE LEGAL ADVISOR OF DEPARTMENT AND DISTRICT ATTORNEYS TO PROSECUTE FOR DEPARTMENT; PROVIDING FOR HEARINGS, JUDICIAL REVIEW; PENALTIES, AMENDING SECTIONS 26-11-5 AND 26-6-36 AND REPEALING CHAPTERS 1, 2, 3 AND 4 OF TITLE 26, SECTIONS 26-5-3, 26-5-10, 26-5-11, 26-5-12, 26-5-13, 26-5-14, 26-5-15, 26-5-16, 26-5-17, 26-5-18, 26-5-19, 26-5-20, 26-5-21, 26-5-22, 26-5-23, 26-5-24, 26-5-25, 26-5-26, 26-5-27, 26-5-28, 26-5-29, 26-5-30, 26-5-31, 26-5-32, 26-6-3, 26-6-4, 26-6-5, 26-6-6, 26-6-7, 26-6-8, 26-6-9, 26-6-10, 26-6-11, 26-6-12, 26-6-13, 26-6-14, 26-6-15, 26-6-21, 26-6-22, 26-6-23, 26-6-24, 26-6-25, 26-6-26, 26-6-27, 26-6-28, 26-6-29, 26-6-30, 26-6-31, 26-6-32, 26-6-33, 26-6-35, 26-6-37, 26-6-38, 26-6-48, 26-6-49, 26-6-50, CHAPTERS 8, 10, 12 AND 13 OF TITLE 26, UTAH CODE ANNOTATED 1953.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 154 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 196*, by Mr. Kerr, entitled:

AN ACT AMENDING SECTIONS 41-11-22, 41-11-30, 41-11-31, 41-11-32, 41-11-35, 41-11-36, 41-1-37, 41-11-39, 41-11-41, ENACTING A NEW SECTION 41-11-34.10, AND REPEALING SECTION 41-11-38, UTAH CODE ANNOTATED 1953, ESTABLISHING SPECIFICATIONS AND GRADES FOR MOTOR FUELS SOLD OR OFFERED FOR SALE IN THE STATE OF UTAH, REQUIREMENTS RELATIVE TO THE ADVERTISING THEREOF, AND CONFERRING POWERS AND IMPOS-

ING DUTIES OF THE STATE ROAD COMMISSION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 196 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 207*, by Messrs. Fowles and Openshaw, entitled:

AN ACT AMENDING SECTIONS 49-5-1, 49-5-2 AND 49-5-3, UTAH CODE ANNOTATED 1953, RELATING TO THE ESTABLISHMENT OF A POLICE PENSION FUND; SOURCE OF MONIES FOR THE FUND; THE GRANTING OF SERVICE AND DISABILITY PENSIONS TO EMPLOYEES OF POLICE DEPARTMENTS OF CITIES OF THE FIRST AND SECOND CLASS; THE AMOUNTS AND PAYMENTS THEREOF; PROVISION FOR ACTUARIAL PLAN AND STUDY; PROVISION FOR PAYMENT OF DEATH BENEFITS TO THE DEPENDENTS AND WIDOW OF ACTIVE OR RETIRED EMPLOYEES; ADMINISTRATION, AND MANDATORY RETIREMENT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 207 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 217*, by Mr. Mabey, entitled:

AN ACT AMENDING SECTIONS 78-12-5, 78-12-7, AND 78-12-12, UTAH CODE ANNOTATED 1953; AND ENACTING TWO NEW SECTIONS TO BE KNOWN AS SECTIONS 78-12-5.1 AND 78-12-5.2, UTAH CODE ANNOTATED 1953, RELATING TO THE PERIOD WITHIN WHICH ACTIONS MAY BE COMMENCED FOR RECOVERY OF REAL PROPERTY OR THE POSSESSION THEREOF; AND RELATING TO THE PERIOD FOR THE RECOVERY OF PROPERTY SOLD FOR TAXES; AND ESTABLISHING PRIMA FACIE EVIDENCE OF POSSESSION;

AND PROVIDING FOR THE PAYMENT OF TAXES NECESSARY TO ESTABLISH ADVERSE POSSESSION; AND A STATEMENT OF LEGISLATIVE INTENT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 217 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 219*, by Mr. Fowles, entitled:

AN ACT AMENDING SECTIONS 73-3-16 AND 73-3-17, UTAH CODE ANNOTATED 1953, RELATING TO PROOF BY APPROPRIATION OR PERMANENT CHANGE OF USE OF WATER AND TO THE ISSUANCE BY THE STATE ENGINEER OF CERTIFICATES OF APPROPRIATION AND PERMANENT CHANGE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 219 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 235*, by Mr. Woolley, entitled:

AN ACT AMENDING SECTIONS 52-3-1 AND 52-3-3, UTAH CODE ANNOTATED 1953, RELATING TO THE PROHIBITION AGAINST THE APPOINTMENT BY PUBLIC OFFICERS AND EMPLOYEES OF SPECIFIED NEAR RELATIVES TO POSITIONS WHICH ARE COMPENSATED OUT OF PUBLIC FUNDS, AND PROVIDING THAT SUCH PROHIBITION IS APPLICABLE TO ALL PERSONS HOLDING POSITIONS COMPENSATED OUT OF PUBLIC FUNDS AND TO MEMBERS OF BOARDS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 235 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 237*, by Messrs. Woolley and Gibson, entitled:

AN ACT AMENDING SECTIONS 54-6-12 AND 54-6-17, UTAH CODE ANNOTATED 1953, REGARDING SAFETY AND INSPECTION OF MOTOR VEHICLES, REPORTING OF ACCIDENTS, PROVIDING FOR PUBLIC LIABILITY AND PROPERTY DAMAGE INSURANCE, AND ELIMINATION OF CARGO INSURANCE FOR CONTRACT MOTOR CARRIERS FOR HIRE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 237 was transmitted to the Governor.

March 12, 1953

Mr. President:

I am directed 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. 250*, by Mr. Gibson, entitled:

AN ACT PROVIDING FOR A FURTHER APPROPRIATION TO THE ATTORNEY GENERAL FOR THE PAYMENT OF A MISCELLANEOUS CLAIM, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 250 was transmitted to the Governor.

REPORTS OF SPECIAL COMMITTEES

March 12, 1953

Mr. President:

Your Sifting Committee reports out Senate bills as per list attached, and recommends that the enacting clause be struck.

Respectfully,

GRANT S. THORN,
Chairman

SENATE BILLS

S. C. R. Nos. 4, 5, 7.

S. J. R. Nos, 2, 5, 6, 7, 8, 11, 12, 13, 14, 18, 19, 20, 21, 22, 23 24.

S. B. Nos. 10, 14, 22, 27, 31, 39, 44, 46, 50, 51, 52, 54, 55, 56, 57, 58, 59, 60, 61, 70, 73, 75, 76, 77, 78, 81, 82, 83, 84, 93, 94, 95, 96, 97, 98, 99, 100, 102, 103, 105, 106, 111, 112, 113, 114, 115, 122, 123, 124, 127, 130, 131, 133, 145, 146, 147, 148, 149, 150, 151, 152, 156, 157, 158, 159, 160, 161, 162, 164, 165, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 180, 181, 182, 183, 184, 185, 186, 189, 191, 193. 195, 197, 198, 199, 201, 202, 204, 208, 209, 210, 211, 212, 213, 216, 220, 221, 226, 227, 228, 229, 230, 232, 233, 236, 240, 241, 242, 243, 244, 246.

Report adopted and filed.

On motion of Senator Hopkin, the enacting clause was struck on the above listed Senate Bills.

March 12, 1953

Mr. President:

Your Sifting Committee reports out House bills as per list attached, and recommends that the enacting clause be struck.

Respectfully,

GRANT S. THORN,
Chairman

HOUSE BILLS

H. C. R. Nos. 2, 5, 6.

H. J. R. Nos. 1, 10, 15, 16, 22.

H. B. Nos. 16, 34, 46, 53, 55, 59, 60, 63, 70, 80, 87, 97, 99, 103, 107, 108, 113, 131, 132, 136, 152, 165, 174, 184, 187, 189, 195, 196, 222, 228, 240, 245, 254, 256.

Report adopted and filed.

On motion of Senator Day, the enacting clause was struck on the above listed House Bills.

On motion of Senator Woolley, for the purpose of clarifying the intended meaning of the word "construction" in designated places in *H. B. No. 261*, paragraph "Welfare Institutions", as passed by the House and the Senate of the Thirtieth Legislature, the Senate viva voce unanimously passed the following resolution:

RESOLUTION

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

WHEREAS, the Legislature has passed *H. B. No. 261*, among other things amending Section 63-10-17, Revised Statutes of Utah 1953, and

WHEREAS, in said Section 63-10-17, in various line items the word "construction" is used, and

WHEREAS, it is the desire of the Senate to clarify the meaning to be applied to the use of this word,

THEREFORE, BE IT RESOLVED, that in the consideration of this measure, it was the Senate's intent that the use of the word "construction" in lines 2, 3, 4, 5 and 6 under the paragraph headed "welfare institutions", should be interpreted to include construction and purchase of equipment such as might be necessary to prepare for the buildings for full use.

On motion of Senator Clegg, the Senate resolved itself into a Committee of the Whole.

On motion of Senator Mabey, the Committee of the Whole was dissolved.

On motion of Senator Hafen, the rules were suspended and the Senate voted unanimous consent to introduce one bill.

INTRODUCTION OF BILLS

S. B. No. 251 By Messrs. Tietjen and Hafen

AN ACT AMENDING SECTION 59-13-25 UTAH CODE ANNOTATED 1953, AS AMENDED BY SENATE BILL NUMBER 92 AS PASSED BY BOTH HOUSES OF THE THIRTIETH UTAH LEGISLATURE, RELATING TO THE TIME FOR PAYMENT OF CORPORATION FRANCHISE TAXES.

S. B. No. 251 was read the first time and, under suspension of the rules, referred to the Reading Calendar.

On motion of Senator Hafen, the Call of the Senate was made.

On motion of Senator Hafen, the Call of the Senate was lifted.

On motion of Senator Hafen, the rules were suspended and *S. B. No. 251* was read the second and third times and placed on its final passage.

S. B. No. 251 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Muir, Stringham, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Mabey, Openshaw and Selvin.

S. B. No. 251 was transmitted to the House.

On motion of Senator Mabey, the Senate recessed for twenty minutes.

The Senate re-assembled.

March 12, 1953

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. 251*, by Messrs. Tietjen and Hopkin, entitled:

AN ACT AMENDING SECTION 59-13-25, UTAH CODE ANNOTATED 1953, AS AMENDED BY SENATE BILL NUMBER 92 AS PASSED BY BOTH HOUSES OF THE THIRTIETH UTAH LEGISLATURE, RELATING TO THE TIME FOR PAYMENT OF CORPORATION FRANCHISE TAXES, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 251 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

March 12, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 251*, by Messrs. Tietjen and Hafen, entitled:

AN ACT AMENDING SECTION 59-13-25 UTAH CODE ANNOTATED 1953, AS AMENDED BY SENATE BILL NUMBER 92 AS PASSED BY BOTH HOUSES OF THE THIRTIETH UTAH LEGISLATURE, RELATING TO THE TIME FOR PAYMENT OF CORPORATION FRANCHISE TAXES, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 251 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 Hafen, the Senate recessed for 30 minutes.

The Senate re-assembled.

COMMUNICATIONS FROM THE HOUSE

March 12, 1953

Mr. President:

I am directed 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. 251*, by Messrs. Tietjen and Hafen, entitled:

AN ACT AMENDING SECTION 59-13-25, UTAH CODE ANNOTATED 1953, AS AMENDED BY SENATE BILL NUMBER 92 AS PASSED BY BOTH HOUSES OF THE THIRTIETH UTAH LEGISLATURE, RELATING TO THE TIME FOR PAYMENT OF CORPORATION FRANCHISE TAXES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 251 was transmitted to the Governor.

COMMUNICATIONS FROM THE GOVERNOR

March 12, 1953

Dear Mr. President and Members of the Senate:

I have approved this day and am transmitting *S. B. No. 17*, by Messrs. Clegg, Burton, Thorn and Selvin, entitled:

A BILL TO PROVIDE FOR THE INSTALLATION OF HEAD AND REAR LIGHTS, A WINDSHIELD AND WIPER, ON TRACK MOTOR CARS OPERATED BY A RAILROAD.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I am transmitting to the Secretary of State S. *B. No. 47*, by Messrs. Thorn and Woolley, entitled:

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 14-1-1.1, UTAH CODE ANNOTATED 1953, AUTHORIZING THE STATE OF UTAH AND ITS POLITICAL SUBDIVISIONS TO REQUIRE THAT SECURITY BE FURNISHED AND FILED IN CONNECTION WITH BIDS FOR DOING WORK OR FURNISHING MATERIALS AND SUPPLIES; AND PROVIDING FOR THE FORFEITURE OF SUCH SECURITY UNDER CERTAIN CONDITIONS, which I approved March 12, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I am transmitting to the Secretary of State S. *B. No. 110*, by Messrs. Openshaw and Cannon, entitled:

AN ACT TO AMEND SECTION 59-5-57, UTAH CODE ANNOTATED 1953, RELATING TO THE ASSESSMENT OF MINES, MINING CLAIMS AND OTHER VALUABLE MINERAL DEPOSITS AND MACHINERY AND IMPROVEMENTS, which I approved March 12, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I am transmitting to the Secretary of State S. *B. No. 125*, by Mr. Mabey, entitled:

AN ACT APPROVING, ADOPTING AND LEGALIZING THE STATUTE BOOK CONSISTING OF TEN VOLUMES, UTAH CODE ANNOTATED 1953, FOR THE PURPOSE OF AMENDING OR REPEALING SAID TEXT IN WHOLE OR IN PART, which I approved March 12, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I am transmitting to the Secretary of State S. *B. No. 128,* by Messrs. Fowles, Stringham, Gibson, Hammond and Hopkin, entitled:

AN ACT AMENDING SECTIONS 38-2-2 AND 38-2-4, UTAH CODE ANNOTATED 1953, CREATING A HOTEL AND BOARDING HOUSE KEEPER'S LIEN; AND PROVIDING FOR THE METHOD OF FORECLOSURE BY ADVERTISEMENT OF CERTAIN KINDS OF LIENS AND REQUIRING THAT THE SURPLUS BE PAID TO THE COUNTY TREASURER AND ALLOWING THE DEBTOR ONE YEAR TO CLAIM THE SAME, which I approved March 12, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I am transmitting to the Secretary of State S. *B. No. 129,* by Messrs. Fowles, Stringham, Hopkin and Gibson, entitled:

AN ACT AMENDING SECTION 76-31-1, UTAH CODE ANNOTATED 1953, RELATING TO DEFRAUDING HOTELS, INNS, BOARDING AND LODGING HOUSES; AND MAKING IT A MISDEMEANOR TO OBTAIN FOOD, ENTERTAINMENT, LODGING, CREDIT OR OTHER ACCOMMODATION AT SUCH PLACES WITH INTENT TO DEFRAUD; MAKING CERTAIN NAMED ACTS PRIMA FACIE EVIDENCE OF SUCH FRAUDULENT INTENT; AND PROVIDING FOR AN EXCEPTION WHERE IN WRITING THERE IS A TEN DAY CREDIT EXTENSION, which I approved March 12, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I approved on March 12, and am transmitting to the Secretary of State, S. *B. No. 139,* by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTIONS 20-7-10 AND 20-7-13, UTAH CODE ANNOTATED 1953, RELATING TO METHOD OF APPOINTMENT OF JUDGES OF ELECTION, THE NUMBER, QUALIFICATION,

TERM AND COMPENSATION THEREOF; PROVIDING FOR COUNTING THE BALLOTS, PROHIBITING COMMUNICATION AS TO PROGRESS OF COUNT AND PROVIDING PENALTY FOR VIOLATION THEREOF.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I am transmitting to the Secretary of State S. *B. No. 140,* by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-7-5, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE FORM OF BALLOT FOR THE GENERAL ELECTION; AND REQUIRING THAT BALLOTS SHALL HAVE ONLY ONE SQUARE IN THE CASE OF THE PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES, which I approved March 12, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I am transmitting to the Secretary of State S. *B. No. 141,* by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-2-20, UTAH CODE ANNOTATED 1953, RELATING TO TRANSFERRING FROM ONE VOTING DISTRICT TO ANOTHER, which I approved March 12, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I am transmitting to the Secretary of State S. *B. No. 142,* by Messrs. Day and Fowles, entitled:

AN ACT AMENDING SECTION 20-3-29, UTAH CODE ANNOTATED 1953, PROVIDING FOR COUNTING, RECORDING AND RETURNING OF BALLOTS TO COUNTY CLERK, which I approved March 12, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I approved on March 12, and am transmitting to the Secretary of State *S. B. No. 179*, by Mr. Hopkin, entitled:

AN ACT AMENDING SECTIONS 41-11-1, 41-11-3, 41-11-4, 41-11-5, 41-11-6, 41-11-7, 41-11-11, 41-11-13, 41-11-15 AND 41-11-17, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ELIMINATION OF THE REQUIREMENT OF LICENSE AND THE COLLECTION OF MOTOR FUEL TAX FROM RETAIL DEALERS.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I am transmitting to the office of the Secretary of State *S. B. No. 192*, by Mr. Woolley, entitled:

AN ACT AMENDING SECTION 76-20-11, UTAH CODE ANNOTATED 1953, RELATING TO THE ISSUANCE OF CHECKS, DRAFTS OR ORDERS WITHOUT SUFFICIENT FUNDS OR CREDIT, AND RELATING TO PRESUMPTIVE EVIDENCE OF CRIMINAL INTENT, PRESENTATION AND NON-PAYMENT, DEFINING "CREDIT" AS USED IN THIS SECTION, AND PROVIDING THAT VIOLATION OF THIS SECTION SHALL BE MISDEMEANOR, which I approved March 12, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I am transmitting to the Secretary of State *S. B. No. 194*, by Mr. Woolley, entitled:

AN ACT APPROPRIATING FROM THE STATE HIGHWAY FUND THE SUM OF $900,000.00 TO THE STATE ROAD COMMISSION FOR OPERATIONAL EXPENSE DURING THE PRESENT BIENNIUM, which I approved March 12, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I am transmitting to the Secretary of State *S. B. No. 214*, by Mr. Day, entitled:

AN ACT AMENDING SECTION 78-30-8, UTAH CODE ANNOTATED 1953, RELATING TO CONSENT OF PARENTS WHOSE CHILD IS BEING ADOPTED BY OTHERS AND PROVIDING THE METHOD OF ACKNOWLEDGING SUCH CONSENT, which I approved March 12, 1953.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I approved on March 12, *S. B. No. 218*, by Mr. Hopkin, entitled:

AN ACT APPROPRIATING $44,380.00 FROM THE GENERAL FUND TO THIS IS THE PLACE MONUMENT COMMISSION FOR THE MAINTENANCE AND IMPROVEMENT OF THIS IS THE PLACE MONUMENT AND OF THE GROUNDS SURROUNDING THIS IS THE PLACE MONUMENT.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I approved March 12, and am transmitting to the Secretary of State *S. B. No. 224*, by Mr. Tippetts, entitled:

AN ACT TO AMEND SECTION 59-14-4, UTAH CODE ANNOTATED 1953, RELATING TO WHAT DOES AND DOES NOT CONSTITUTE GROSS INCOME FOR INDIVIDUAL INCOME TAX PURPOSES; AND PROVIDING THAT MONEY PAID UNDER THE "TEACHERS' RETIREMENT ACT" OR UNDER ANY OTHER PENSION FUND, PENSION PLAN OR PENSION TRUST SHALL NOT BE INCLUDED IN GROSS INCOME AND SHALL BE EXEMPT FROM SUCH TAXATION.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

March 12, 1953

Dear Mr. President and Members of the Senate:

I approved on March 12, and am transmitting to the Secretary of State *S. B. No. 234*, by Messrs. Day, Hammond, Clegg and Thorn, entitled:

AN ACT DECLARING THE PUBLIC POLICY OF UTAH REGARDING BOY SCOUTS, GIRL SCOUTS, CAMPFIRE GIRLS, AND SIMILAR ORANIZATIONS, AND PROVIDING FOR THE CONTRACT OR LEASE OF SCHOOL BUSES BY SCHOOL DISTRICTS TO SUCH ORGANIZATIONS.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

House notified of Governor's action.

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

On motion of Senator Fowles, the Senate resolved itself into Regular Session.

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

MEMBERS, BOARD OF REGENTS, UNIVERSITY OF UTAH:

Walter E. Cosgriff, Salt Lake City
LeRoy H. Cox, St. George

Reed C. Culp, Salt Lake City
Mrs. J. L. Gibson, Salt Lake City
William J. O'Connor, Salt Lake City
Arthur Woolley, Ogden

All for four year terms beginning July 1, 1953, and ending July 1, 1957.

Richard L. Evans, Salt Lake City

For unexpired term ending July 1, 1955.

MEMBERS, BOARD OF TRUSTEES, UTAH STATE AGRICULTURAL COLLEGE:

J. V. McLea, Roosevelt

For unexpired term ending July 1, 1955.

Reed Bullen, Logan
R. J. Potter, Garland

Both for four-year terms beginning July 1, 1953, and ending July 1, 1957.

Motion carried.

On motion of Senator Hammond, the Senate extended a vote of appreciation to the Chaplain for his inspiration.

On motion of Senator Clegg, the Senate expressed its appreciation to the officers and employees of the Senate for their services.

On motion of Senator Tietjen, the Senate expressed its appreciation to the newspapers, published in Utah.

On motion of Senator Clegg, the Senate extended a vote of appreciation to President Paxton for his excellent work in presiding over its 30th Legislative Session.

On motion of Senator Mabey, the President appointed Senators Muir, Burton and Selvin, as a committee to notify the House that the Senate has concluded its business and is ready to adjourn sine die.

On motion of Senator Mabey, the President appointed Senators Day, Hammond and Tippetts 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 Lowe, Jack, Cazier and Vance, notified the Senate that the House had concluded its business and was ready to adjourn sine die.

Senator Muir reported that the Senate Committee had notified the House.

Senator Day 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 12, 1953

Dear Mr. President and Memmbers of the Senate:

This being the final day of the session of the Thirtieth Legislature, I wish to advise you that I have no further business to present to your Honorable Body prior to adjournment. I want to express my thanks to you for the work that has gone into this session and the accomplishments that have been achieved.

Every legislative session has its problems and, while there are some thorny matters that remain unsolved, I believe this session has a creditable record. The reduction of State taxes has been one of the outstanding achievements, particularly so in view of the heavy cumulative tax burden the people are shouldering at this time.

As I have observed legislative bodies over the years, I have reached the conclusion that all have one weakness in common, that being the manner in which the problem of appropriating funds is approached. Too often the tendency is to satisfy the spending demands, after which taxes are levied to assure sufficient revenue. During this session, however, the process has been reversed. Taxes were reduced at the outset, after which spending was tailored to fit the cloth.

The steady increase of spending demands has reached a dangerous point and will grow worse unless somewhere and somehow a halt is called. It must be recognized that there is a limit to the amount of taxes the people can pay. When government goes beyond that limit, the burden upon the people becomes so prohibitive as to stifle initiative and hamper production.

Another weakness that seems to be common in all legislative assemblies is the last minute jam that occurs in the passage of legislation. The problem here in Utah possibly could be solved if there were annual sessions of the Legislature, but for shorter periods than now provided. At the least, it would seem that a legislative study of this would be desirable.

As always, of course, the Legislature has certain handicaps which can never be eliminated. I only hope 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 will try to cooperate to the end that legislation can be enacted without undue pressure.

I have enjoyed working with this Legislature and, at all times, have tried to meet with any legislator or group who has contacted me. My office

will be open to you always, and I shall welcome any suggestion you may have, particularly those that will help provide a more efficient and economical administration for the people of our State.

As in the past, I shall continue to administer the laws of this State fairly and impartially, and to the best of my ability.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

President Paxton thanked the Committee To Notify the House, and the Committee To Wait Upon the Governor, for their reports and discharge of their duties.

March 12, 1953

M. President:

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

Respectfully,

D. E. HAMMOND,
Chairman

Report adopted and filed.

On motion of Senator Cannon, the Thirtieth Session of the Utah State Senate adjourned sine die.

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GENERAL INDEX

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SENATORS AND COMMITTEES ON WHICH THEY SERVE

	Agriculture & Irrigation	Appropriations & Claims	Banking and Commerce	Education	Fish and Game	Health and Labor	Highways	Judiciary	Military Affairs	Mining and Smelting	Public Institutions	Revenue and Taxation	Revision & Enrolling	Rules & Contingent Exp.	State & Municipal Affairs	Welfare
ADAMS		X			X	X			X	X		X				
BURTON					X						X	X		X		C
CANNON				X				C				X			X	X
CLEGG	X			C		X					X					X
DAY					X			X			X	C			X	
FOWLES			X		X		X	X			X	X		C		
GIBSON		X	X	X		X		X								
HAFEN			X				X	X		C			X			
HAMMOND			X						C	X			X			X
HOPKIN	X	X										X			X	X
JENKINS	X	X		X					X						X	
KERR	X	X				X	C									X
MABEY		X	X		X			X							C	
MUIR		X		X	C				X					X		
OPENSHAW		X			X	C					X	X				
SELVIN						X	X			X						X
STRINGHAM	C		X				X			X					X	
THORN		X					X		X	X	C	X				
TIETJEN	X	X	C			X						X				
TIPPETTS				X							X		C		X	X
WATSON	X							X		X		X				
WOOLLEY		C		X			X									X

C = Chairman of Committee X = Committee Member

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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, et al.—Extension File Date	39	42	62	76	110	129	217	.....	229	259	270	110X - 128
2	Day, et al.—Short Form Income Tax	39	42	62	77	.....	.....	.....	.....	.....	.....	.....	84 - 85X - 97 - 110T - 241 - 280T
					85	.....	.....	.....	.....	.....	.....	.....	776F
3	Day, et al.—Income Tax Exemption	40	43	63	84	.....	.....	.....	.....	.....	.....	.....	110T - 241 - 280T - 776F
4	Day,et al.—Three Million General Fund to Schools	40	43	63	111	.....	.....	.....	.....	.....	.....	.....	121T - 241 - 280T - 776F
5	Day, et al.—Six Million Emergency Relief to Schools	40	43	63	112	.....	.....	.....	.....	.....	.....	.....	121T - 241 - 280T - 776F
6	Day, et al.—$4.8 Million Emergency Relief Property Tax	40	44	63	112	.....	.....	.....	.....	.....	.....	.....	121T - 241 - 280T - 776F
7	Hopkin, et al.—Repeal Short Form	41	44	64	.....	.....	.....	.....	.....	.....	.....	.....	127T - 241 - 280T - 776F
8	Hopkin, et al.—$1¼ Million Emergency Relief to Schools	41	44	64	.....	.....	.....	.....	.....	.....	.....	.....	127 - 241 - 280T - 776F
9	Hopkin, et al.—Increase Income Tax Exemption	41	44	64	77	98	98	282	.....	.....	.....	.....	84T - Failed
					84								
10	Mabey, et al.—Reapportionment	46	52	93	129	.....	.....	.....	.....	.....	.....	.....	130X - 154X - 172X - 203X - 226 - 241X - 258 - 266X -278X - 310 - 317X - 336X - 392 - 847F
11	Day, et al.—Fish & Game Code	46	74	106	524	649	650	703	.....	.....	.....	.....	321 - 497 - 524X - 548X -
			131	184	532		757	759	794				580X - 583 - 586 - 735 - 757 -
					536		812	820	812	822	837	3/21	760 - 794
					583								
					586								
12	Tietjen, et al.—Branch Banks	47	58	209	510	510	511	760	.....	790	819	3/13	321 - 481 - 495 - 497
13	Tietjen, et al.—Stop-Payment Check	47	79	150	319	337	373	592	.....	605	617	680	337X - 360X
						373							
14	Stringham, et al.—State Gas & Oil Conservation	47	132	273	.....	.....	.....	.....	.....	.....	.....	.....	321 - 847F
15	Clegg,et al.—Auto Fenders and Guards	48	52	106	164	188	189	.....	.....	.....	.....	.....	172X - 820F
1	2	3	4	5	6	7	8	9	10	11	12	13	14

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1	2	3	4	5	6	7	8	9	10	11	12	13	14
16	Tietjen,et al.—Six Years Bank Statute Limitation	48	59	151	320	337	337	484	....	503	516	541	
17	Clegg,et al.—Tail and Headlights	48	79	357	658	658	658	718	719	770	796	850	633
18	Woolley, et al.—Beer Tax	48	79	185	477	477	477	592		631	641	680	321 - 440 - 445 - 469
19	Day, et al.—State Public Tourists	48	59	134	164	241	332	760	761	823	838	3/19	164X - 172 - 214 - 244X -
					224			795					267T - 319 - 328 - 776 - 777
20	Clegg, et al.—Salaries Supreme Court Justices & Judges	49	59	307	....							....	307F
21	Selvin, et al.—Saturday Closing Banks	49	80	151	320	320	321	450		468	487	500	
22	Clegg, et al.—Lehal Gas Chamber	49	59	107	....	....	....	....	....	....	....	....	321 - 847F
				181									
23	Openshaw, et al.—Salaries City 1st and 2nd Class	49	60	306	440	441	441	593	593	605	618	3/13	321 - 360 - 380 - 415 - 436 - 440
												not	
												signed	
24	Clegg, et al.—Execution Change	49	60	93	129	173	173	353				....	129X - 162 - 353 failed
25	Hafen, Campus Dixie College	49	60	93	130	138	138	140		158	174	191	
26	Mabey—Traffic Regulations	50	61	134	189	189	189	281		313	366	417	
27	Muir, et al.USAC Teachers Training Bldg.	50	61	107	....	....	....	....	....	....	....	....	321 - 847F
				181									
28	Day, et al.—Ban Sunday Beer	50	75	108	....	....	....	....	....	....	....	....	131 - 237 - 278T - 776F
				236									
29	Hopkin, et al.—State Publicity Council	50	61	134	....	....	....	....	....	....	....	....	164X - 172X - 240 - 318F
30	Cannon, et al.—Maximum Bar Fee	50	61	170	657	678	678	....	....	....	....	....	321 - 633 - 820F
31	Cannon—Supervisors—Judges	51	80	182	....	....	....	....	....	....	....	....	321 - 847F
32	Openshaw, et al.—Health Department—Civil Service	51	62	135	189	241	....	....	....	....	....	....	269F
33	Openshaw, et al.—Liquor Mark-up	53	80	135	189	241	241	500	....	536	543	590	
34	Hammond, et al.—Armories Sale	53	80	150	319	337	337	376	....	388	402	418	
35	Hammond,et al.—New Armories	53	81	150	319	337	337	376	....	389	403	465	
36	Day,et al.—Negotiable Instrument Payable	53	81	108	139	154	203	401		412	451	484	154X - 188X - 190X
						203							
37	Day,et al.—Salaries City Judges	53	81	306	442	470	470	593	....	606	631	3/14	321 - 360 - 380 - 415 - 436 - 440
												not	
												signed	
38	Woolley—Reporter Public Service Commission	56	82	108	131	138	139	227	....	260	272	322	
39	Hammond—Medical Science Bldg., University of Utah	56	82	108	....	....	....	....	....	....	....	....	321 - 847F
				180									

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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
40	Cannon, et al.—Eminent Domain—Board of Education	56	82	169	462	463	462	704		770	797	3/24 0	321 - 440
41	Mabey, et al.—Salaries County Officials	57	90	307	441	469	470	594	594	606	618	3/13 not signed	321 - 360 - 380 - 415 - 436 - 440
42	Mabey,et al.—Personal Property Tax Lien	57	82	198	512	531 571	572	705		726	730	777	321 - 497 - 531T - 571
43	Tietjen, et al.—Fee for Examination—Credit Union	65	90	151	321	338	338	485		504	516	541	
44	Tietjen, et al.—Repeal P. I. D.	66	90	159									321 - 847F
45	Thorn, et al.—Eminent Domain—Colleges	66											94F
46	Thorn, et al.—Pre-qualify Contractors	66	91	135	318								321 - 847F
47	Thorn, et al.—Bonds Supplies and Material	66	91	183	562	562	562	719		736	780	851	321 - 531 - 540 - 548
48	Day, et al.—Salaries District Attorney	66	91	307									307F
49	Day, et al.—Salaries Court Reporter	66	91	306	442	470	470 775	594 804		607	619	684 0 House sustains veto	321 - 360 - 380 - 415 - 436 - 440 - 685T - 775 (override veto)
50	Hafen, et al.—Compromise Minor Claim	67	92	169									321 - 531 - 540 - 548 - 567 - 571 - 585 - 847F
51	Hafen, et al.—Survival Cause of Act	67	92	159									321 - 847F
52	Day, et al.—Judicial Council	67	92	181									321 - 847F
53	Mabey,et al.—Weber Basin Project	67	144	198	399	399	399	422		468	502	542	321 - 360 - 380 - 398
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
54	Thorn, et al.—Approp: Utah State Hospital	68	122	263									495 - 847F
55	Thorn, et al.—Approp: Utah State Training Hospital	68	123	263									495 - 847F
56	Openshaw, et al.—Architecture	68	104	183									321 - 847F
57	Openshaw, et al.—Department of Regis: Licenses	68	104	183									321 - 847F
58	Tippetts, et al.—Farm Labor Contractor	69	105	199									321 - 847F
59	Tippetts, et al.—License Farm Labor Contractor	69	105	199									321 - 847F
60	Openshaw, et al.—Safety Stor-trans. Liq. Gas	69	123	208									321 - 847F
61	Openshaw, et al.—Registr: Fees Allocated	69	123	171									321 - 847F
62	Mabey, et al.—Utah Board Alcoholism	72	105	197	480	483	523	705	706	771	797	3/14 0	321 - 469 - 483T - 494 - 522
63	Mabey, et al.—Increase Liquor Permit Fee	72	124	185	480	483	483 523	706		736	781	3/14 0	321 - 469 - 513 - 523
64	Kerr, et al.—License Fee House Trailors	75	105	135	318	318	318	485		504	517	542	
65	Kerr, et al.—Monthly Pay Sales Tax	75	106	182									321 - 360 - 361F
66	Mabey-Woolley—Water Pollution Contr. Bd.	75	93	152	338	360	361 507	451 525	451 506	560	574	680	321 - 328 - 451 - 488 - 507
67	Muir—Discontinuing Schools	83	171										returned to author
68	Stringham, et al.—Tax—Fairs, Exposition, etc.	83	124	169	410	410	410	575					321 - 398 - 575
69	Stringham, et al.—Tax Water Users Assn.	83	124	169	410	410	410	575					321 - 398 - 575F
70	Watson, et al.—Change Corp. Franchise Tax	83	124	185									321 - 847F
71	Stringham, et al.—Water Adjudication	95	144	199	635	677	677	761	761	823	839	3/19	321 - 633
72	Woolley, et al.—Written Consent Heirs	95	144	234	658	678							321 - 633 - 678T - 776F
73	Woolley, Sacramental Wine	95	144	235									321 - 847F
74	Fowles, et al.—Firemen's Pension Fund	95	133	183	463	471	471	602		621	642	3/14 0	321 - 436 - 440
75	Hafen, et al.—State Board of Education Corp.	96	145	234									321 - 847F
76	Openshaw, et al.—License Engineers, Surveyors	96	133	273									321 - 633 - 660 - 847F
77	Selvin—Day Nurseries—Foster Homes	96	133	274									321 - 571 - 585 - 847
78	Clegg, et al.—Assure One Million Revenue	97	134	198									321 - 847F
79	Woolley—Liability Sales Tax	109	145	185	350	361	361	377	377	389	403	418	321 - 328
80	Thorn, et al.—Eminent Domain Coll	109	145	197									321 - 440 - 463T - 776F
81	Thorn, et al.—Contracting Licenses	109	146	208									321 - 847F

SENATE BILLS (Continued)

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82	Thorn, et al.—Licensing Contractors	109	146	208									321 - 847F
83	Cannon, et al.—Non-profit Hospitals	109	146	274									321 - 398 - 411 - 847F
84	Muir—Governor's Mansion	110	146	264									321 - 847F
85	Openshaw, et al. —Liquor Comm. Operating Capital	110	147	235	742	742	742	762		824	839	3/13	321 - 571 - 585 - 727
86	Hopkin—Exclude Kennedy Drive from Condemned Land	110	147	208	464	464	464	602		646	665	697	321 - 440
87	Mabey, et al.—Daughters of Pioneer Parking Lot	125	147	264	550	581	581	706	707	737	781	3/24	321 - 497 - 524 - 531 - 540 - 548
88	Muir, et al.—Nursing Schools	125	148		623	671	671	719		824	839	3/19	495 - 608
89	Muir, et al.—Nurses Committee	125	148		624	672	672	720		790	798	3/19	495 - 608
90	Muir, et al.—Proposed Nursing Committee	125	148		625	672	672	720		791	798	3/19	495 - 608
91	Muir, et al.—Remove Nursing Schools from Accredited List	125	148		626	672	672	721		825	840	3/19	495 - 608
92	Tietjen, et al.—Deadline Corp. Franchise Tax	126	149	198	350	350	350	402		412	452	484	321 - 328
93	Woolley, et al.—Grand Juries	126	149	233									321 - 847F
94	Woolley, et al.—Call Grand Juries	126	149	235									321 - 847F
95	Gibson, et al.—Repeal Stat. Init. and Refer.	126	150	234									321 - 847F
96	Fowles, et al.—Personal Tax Warehoused—Prop.	136	176	236									321 - 847F
97	Muir, et al.—Right-to-work	136	177										495 - 847F
98	Fowles, et al.—Blind Center, Ogden	137	177	263									495 - 847F
99	Day—Deputy District Attorney 100 M. Pop.	137	177	234									321 - 847F
100	Openshaw—5 Mill Tax—County Fire Department	137	177	255									321 - 847F
101	Woolley, et al.—State Supt. of Public Instruction	137	178	253	431	438 438	439	630	630	647	665	698	321 - 415 - 438T
102	Jenkins—$200,000—School Blind	137	178	263									495 - 847F
103	Openshaw, et al.—Decrease: Tax Recreation	138	178	236	480								321 - 469 - 480T - 494 - 495 - failed - 497 - 524 - 847F
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	Burton—Fixing Library Levy	138	179	303	480								321 - 469 - 480F
105	Day, et al.—Repeal Inheritance Tax	138	179	237									321 - 847F
106	Day, et al.—Committee Interstate Co-op.	138	179	255									321 - 847F
107	Kerr, et al.—Monthly Returns Use Tax	152	193	275	361	362	362	377	378	390	403	418	321 - 360
108	Tietjen, et al.—Meat Inspection	152	193	220	566								321 - 531 - 540 - 548 - 567F
109	Mabey, et al.—Non-resident City Mgr.	153	194	255	464	464	465	603		632	642	681	321 - 380 - 440
110	Openshaw, et al.—Mine Valuation	153	194	273	623	623	623	733		771	798	851	321 - 608
111	Gibson, et al.—Publicat: School Distr.	153	179	254									321 - 847F
112	Gibson, et al.—Publicat: Cities	153	180	254									321 - 847F
113	Gibson, et al.—Publicat: Counties	153	194	254									321 - 847F
114	Gibson, et al.—Publicat: Legal Rate	153	195	295									321 - 847F
115	Clegg, et al.—License Rest Homes	160	195	221									321 - 847F
116	Openshaw, et al.—Assessment Motor Vehicle & Aircraft	160	195	275	658								321 - 633 - 658T - 776F
117	Openshaw, et al.—Assessment Motor Vehicle & Aircraft	160	195	220									321 - 633 - 658T - 776F
118	Woolley—Appropriation Finance Commission	160	196	264	309	309	310	363		371	385	419	
119	Cannon, et al.—Group Disability: Minimum	160	196	220	511	511	511	595		607	619	681	321 - 497
120	Stringham, et al.—Repres: State Water & Power Board	160	196	220	411	416	417	501		519	557	682	321 - 398
121	Gibson, et al.—Corrupt Practices Act	161	197	255	401	427	428	502		505	517	542	321 - 398
122	Woolley—Property Tax Motor Vehicle	171	205	253									321 - 847F
123	Day, et al.—Rape-Mandatory Life	172	206	296									321 - 847F
124	Day,et al.—Corrupt Practices Act	172	206	254									321 - 847F
125	Mabey—Legal; Utah Code 1953	186	218	296	566	582	582	721		772	799	851	321 - 531 - 540 - 548
126	Day—Appropriation: Finance Commission	186	230										230F
127	Clegg, et al.—Appropriation: Vocational Education	186	218	262									495 847F
128	Fowles, et al.—Hotel Lien	187	230	296	549	555	555	721		791	799	852	321 - 497 - 524 - 531 - 540 - 548
129	Fowles, et al.—Hotel Protection: Fraud	187	231	296	555	556	556	722		792	800	852	321 - 497 - 524 - 531 - 540 - 548
130	Gibson—Daylight Saving	187	218	291									321 - 847F
131	Gibson—Auditorium Gym Carbon College	187	219	264									495 - 847F
132	Kerr—Salary: State Executive Officials	187	219	304	429	437 438	438	486		521	535	683	321 - 360 - 380 - 415 - 683 - (not signed)
133	Adams, et al.—Civil Service: Liquor Commission	187	219	291									321 - 847F
134	Openshaw, et al.—Relief Liability Libel	200	231	295	499	499	499	603	604	647	666	698	321 - 469 - 481 - 495 - 497
135	Openshaw, et al.—Relief Liability Libel F. C. A.	200	231	295	499	499	499	595		607	619	683	321 - 469 - 481 - 495 - 497

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
136	Kerr—Salary: State Commissioner Public Safety	200	231	306	429	437	437	486		505	517	684	321 - 360 - 380 - 415 - 684 - (not signed)
137	Mabey—Joint Tenancy	200	232	297	554								321 - 497 - 524 - 531 - 540 548 - 554T - 554F
138	Hafen—Regulation Limitation Interest	201	232	303	471	482	498	733	734	825	840	3/19	321 - 440 - 465 - 469
						498							
139	Day, et al.—Appointment Constable Voting	201	232	293	656	656	657	722	723	792	800	852	321 - 633 - 656
140	Day, et al.—Change Ballot	201	233	293	628	628	628	707		737	781	853	321 - 608
141	Day, et al.—Transfer Voting District	201	233	292	657	657	657	707		772	800	853	321 - 633 - 656
142	Day,et al.—Ballot Envelopes	202	233	292	657	657	657	708		738	782	853	321 - 633 - 656
143	Openshaw—Unfair Practice	209	250	304	524	580							321 - 497 - 524T - 548 - 580 -
					548		580	708		738	782	3/23 0	Failed - 589
144	Hafen—Improvements Districts	210	283	396	635	696	697	762		826	841	3/24	531 - 540 - 548 - 567 - 571 - 585 - 633
					650								
145	Openshaw, et al.—Under Assumed Name	210	250	304									321 - 847F
146	Stringham, et al.—Water Commissioner	211	251										847F
147	Day, et al.—Polls—Hours	211	251	293									321 - 847F
148	Day, et al.—Polls—Watchers	211	251	293									321 - 847F
149	Day, et al.—Absent—Disabled Voters	211	252	291									321 - 847F
150	Woolley—Engineering Advisory Council	211	252	297									321 - 847F
151	Woolley—Membership: Exp. Adv. Council	211	252	297									321 - 847F
152	Woolley—Advisory Council Dept. of Bus. Regulation	212	252	297									321 - 847F
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
153	Fowles, et al.—Liability—Hotels	221	261	294	561	562	562	723		827	842	3/13	321 - 531 - 540 - 548
154	Gibson, et al.—Public Health Code	221	386	458	609	670	670	763		827	842	3/19	531 - 540 - 548 - 567 - 571 - 585 - 586 - 608
155	Openshaw—Closing Time Polls	222	261										261F
156	Openshaw, et al.—Transfer Inflammable Liquids	222	284	354									847F
157	Openshaw, et al.—Limit Speed Inflammable Liquids	222	284	354									847F
158	Day, et al.—Commission for Blind	223	284	371									847F
159	Hafen—Appropriation: Gym—Dixie Jr. College	223	262	304									321 - 847F
160	Kerr—State Roads	223	285	354									847F
161	Selvin—Detention—Children	223	262	298									321 - 847F
162	Selvin—Summons Juvenile Courts	223	262	298									321 - 847F
163	Fowles, et al.National Guard	238	285	355	440 461	470	471	595	596	632	643	698	415 - 436 - 440
164	Day, et al.—Elections	238	368	435									847F
165	Selvin, et al.—Grasshopper Eradication	239	285	390									847F
166	Mabey—Massasoit	239	285	355	628	628	628						608 - 820F
167	Muir—Teachers Retirement System	239	286	371									847F
168	Muir—Powers Board of Education	240	286	372									847F
169	Day, et al.—Use Tax to General Fund	240	286	358									847F
170	Day, et al.—Sales Tax to General Fund	240	287	359									847F
171	Day, et al.—School Lunch to General Fund	240	287	359									847F
172	Day—Building Fund	240	287	359									847F
173	Day—Unlawful Entry	256	287	378									847F
174	Day—Two or More Offenses	256	288	379									847F
175	Tietjen, et al.—Marked Containers	256	288	390									847F
176	Day, et al.—Reward for Apprehension	256	288	357									847F
177	Day, et al.—Powers City Commission	257	289	357									847F
178	Fowles, et al.—Liability Inn-Keeper	257	289										847F
179	Hopkin—Collection: Motor Fuel Tax	257	314	396	511	512	512	708		738	782	854	497
180	Day—Printing	257	289	355									847F
181	Watson, et al.—Life Preservers	257	289										495 - 847F
182	Gibson, et al.—Limit Tax Assess	258	290	379									847F

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
183	Kerr—Pony Express	258	290	356									847F
184	Woolley—Prize Fights	258	290	356									847F
185	Day—Historical Society	265	314	356									847F
186	Hafen—Branch A. C. Cedar City	265	314	356									847F
187	Mabey, et al.—State Council of Defense	266			266	266	266	267		268	269	271	
188	Woolley—Offices Held by Legislature	266	314	357	635								633 - 636 failed
189	Day, et al.—Culinary Water and Sewer	276	315	358									847F
190	Thorn, et al.—Lights—Motor Vehicle	276	315	354	656	656	656						633 - 656 - 820F
191	Gibson, et al.—Deer Season	276	315	414									847F
192	Woolley—Insufficient Funds	276	315	391	634	634	634	709		773	801	854	531 - 540 - 548 - 567 - 571 - 585 - 633
193	Tippetts, et al.—Coordinating Board for Higher Educ.	276	316	372									847F
194	Woolley—Appropriation: Highway Fund State Road	299	325	395	654	655	655	734		793	801	855	633
195	Day—Cigarette Stamps	299	325	396									847F
196	Kerr—Motor Fuel Grading	299	386	436	522	531	532	724		828	843	3/13	497
197	Clegg—Insurance Commissioner	299	325	409									847F
198	Day—Safety Inspection Certificate; Automobile	300	326	395									847F
199	Day—Transfer Title Autos	300	326	408									847F
200	Openshaw, et al.—Directors Corporations	308	368	423	563	581 582	582	709		726	731	777	497 522T
201	Kerr—Salary: Adjutant General	308	368	397									847F
202	Openshaw—Fraud—Checks	308	387	423									847F
203	Stringham—Appropirate Tax Collection Costs	309	368	396	628								608 - 677T - 776F
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
204	Stringham—State Training School	309	387	423									847F
205	Mabey, et al.Re-apportion Legislature	316	S		362 372	391	392	525					328 - 360 - 525 Failed
206	Fowles—Policy Weber College	327	369	414	512	531	531	617	617	648	666	699	497
207	Fowles—Police Pension Fund	327	387	435	479	482	482	764	765	829	844	3/20 0	469
208	Fowles—Curb, Gutter, etc.—Weber College	327	369	397									847F
209	Burton—Carry Hunt—Fish License	327	388	414									847F
210	Muir—Ex-Officials: Board of Trustee—USAC	327	369	397									847F
211	Fowles—Encampment Pay	328	370	398									847F
212	Clegg—Travel Allowance State Employee	336	388	435									847F
213	Tietjen—School Board Survey Commission	336	370	397									847F
214	Day—Child Adoption	360	406	458	567	567	567	735		793	802	855	531 - 540 - 548
215	Day—Recovering Tax Title	360	406										495 - 509F
216	Cannon—Purchase State Land	380	413	476									847F
217	Mabey—Record Property Sold Tax	380	414		509	509 746	509 741	596 785	597 614 711	829	844	3/20 0	495 - 487 - 711
218	Hopkin—Appropriation: This is the Place Monument	381	413	458	634	634	634	710		739	783	855	495 - 608 - 612 - 629 - 633
219	Fowles—Water Use Change	381	433		553	553	553	765		830	845	3/19	495 - 497 - 522T
220	Clegg—Election: Justices—Judges	391	413										495 - 847F
221	Tietjen—T. V. Commission	391	406										847F
222	Fowles—Class Room School Deaf, etc.	391	407	436	510	510	510	544		561	575	630	481 - 495 - 497
223	Hopkin—Education of Indians Public School	399	433	467	510	510	510	604		633	643	684	481 - 495 - 497
224	Tippetts—Teachers Retirement Gross Inc.	399	433	458	655	655	656	724		773	802	856	633
225	Woolley—Appropriation: To State Building Fund	399			400	400	400	405		407	421	432	
226	Woolley—Bird Refuge	400	434	476									847F
227	Woolley—Fish-Hunt State Lands	400	434	476									847F
228	Woolley—Fish-Hunt Leased State Lands	400	434	476									847F
229	Comm. Appr. and Claims—Approp: Biennium	401	435										495 - 847F
230	Adams—Veterans Income Tax	416	491										847F
231	Mabey——Mosquito Abatement Distr.	416	491		627	677	677	765					608 - 765 Failed

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
232	Stringham—Utah Water and Power Board Approp.	416	492										847F
233	Stringham—Utah Water & Power Board Res. Bldg. Fund	416	492										847F
234	Day, et al.—Boy Scouts	425	492		622	622	623	710	711	774	802	856	608
235	Woolley—Nepotism	425	492		636	678	678	766	766	830	845	3/13	633 - 635
236	Muir—Utah State College	425	493										847F
237	Woolley—Exempt Inspection Buses	426	493		611	611	612	767	767	831	846	3/19	571 - 585 - 608
238	Hopkin, et al.—Social Security Personnel	426											461F
239	Hopkin, et al.—Education Systems	426											461F
240	Mabey, et al.—Unified Reciprocal Support	426	493										847F
241	Muir—Fish—Meat Retail	427	493										847F
242	Tietjen—Estray Animals	427	494										847F
243	Day—Sick-Death State Employees	427	494										847F
244	Gibson—Tax for Indigent Care	437	494										847F
245	Cannon, et al.—Amend Civil Defense Act	560	578		635	635	635						622 - 633 - 820F
246	Cannon, et al.—Authorize Governor to Declare Emerg.	560	578										622 - 847F
247	Openshaw—Accreditation Board of Review	621			627	676	677	725		774	803	3/19	627
248	Openshaw—Nursing School Board of Review	622			627	677	677	725		739	783	3/19	627
249	Woolley, et al.—Gen. Fund: Surpluses Educ. Institutions	633	636		637 648	649	649	660		676	678	699	
250	Gibson—Appropriation to Attorney General	794			794	794	794	803		831	846	3/13	
251	Hafen—Deadline: Filing Corp. Franchise Tax	848			848	848	849	849		849	850	3/19	

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	Muir—Congratulating Dwight D. Eisenhower	45			45	45	45	56		73	78	119	
2	Day, et al.—Congratulating Ivy B. Priest	94			94	94	94	119		130	143	165	
3	Day, et al.—Congratulating Ezra T. Benson	94			94	94	95	120		143	158	165	
4	Day—Days of '47	136	180	253									321 - 847F
5	Woolley—California and Arizona Insp. Luggage	237	283	353									847F
6	Fowles, et al.—Condolence Elbert D. Thomas Family	298			298	298	299	302		312	323	419	
7	Hafen—Stabilized Market Metals	336	367	409									847F

SENATE RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Signed by President	REFERENCES (X—Special Order; F—Enacting Clause Struck; O—Veto; T—Tabled)
1	Day—Condolence to Lloyd and Louise Baum Family	186			186	186	205	
2	Muir—Resolution Condolence to E. A. Parson Family	460			460	460	468	
3	Stringham, et al.—Appreciation of Service Wm. R. Wallace	711			712	712	725	
4	Stringham, et al.—Apprec. of Service Wallace B. Mathis	712			712	712	726	

SENATE JOINT RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Enrolling Committee	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur; Conference Committee	Signed by President	Signed by Speaker	REFERENCES X—Special Order F—Enacting Clause Struck O—Veto T—Tabled
1	Watson, et al.—25% Tax Limit	45	58	107	154							162 - 163 failed
2	Kerr, et al.—1% Limit Property Tax	45	58	170								321 - 571 - 585 - 847F
3	Watson, et al.—U. S. Control Marginal Seas	52	78	107	139	163						163 failed
4	Muir, et al.—Salaries Employees; Legislature	64			65	65	65	70		74	78	
5	Woolley—Election of State Auditor	65	89	151								321 - 847F
6	Woolley—Appoint State Auditor	65	89	152								321 - 847F
7	Hopkin—Apportion Senate	72	89	159	203							172X - 203X - 241X - 266X - 278X - 317X - 336X - 392 - 847F
8	Tippetts, et al.—National Primary	75	122									495 - 847F
9	Muir—Condolence Carl W. Sanders Family	171			171	171	171	175		199	217	
10	Stringham—Colorado River Upper Basin	209	250	303	428	428	429	601		646	664	321 - 415
11	Day—Allocation Income Tax	237	283	359								847F
12	Day—Tax Tangible Properties	238	283	371								847F
13	Day—Re-organize Federal Corporation	256	313	355								847F
14	Day—Granting Immunity; Prosecutions	265	313	378								847F

SENATE JOINT RESOLUTIONS (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	REFERENCES X—Special Order F—Enacting Clause Struck O—Veto T—Tabled
15	Hopkin—Re-apportionment Legislature	316	S		373							321 - 328 - 360 - 392 - 398T - 776F
16	Clegg—Condolence J. W. Gillman Family	326			326	326	326	367		370	386	
17	Stringham—Kimball Junction	415	489		609	612	612	718		774	796	608
18	Burton—Intermountain Freight Rates	424	489									847F
19	Day—Suffrage	424	489									847F
20	Muir—Control School System	424	490									847F
21	Muir—Governor's Appointive Power	424	490									847F
22	Woolley—Supreme and District Courts	424	490									847F
23	Woolley—State Executive Department	425	490									847F
24	Stringham—Interstate Oil Compact	425	491									847F
25	Cannon, et al.—Consolidation of School Districts	507	508		715	715	716					692 - 820F
26	Hopkin—Study Assignments for Legislative Council	694			694	694	695	784	784	821	836	
27	Hopkin—Import of Meat From Foreign Countries	727			727	727	728	784		821	837	

HOUSE BILLS

Number	AUTHOR — TITLE (Abbrev.)	Received from House Read First Time	Standing Committees	Read Second Time	Read Third Time	Returned to House	Signed by President	Signed by Governor	REFERENCES X—Special Order F—Enacting Clause Struck O—Veto T—Tabled C—Concurred
1	Hopkins, et al.—Extension File Date	86							130T - 241 - 280T - 776F
2	Hopkns, et al.—Short Form Income Tax	87		97	121	122	175	245	142C
3	Hopkins, et al.—Income Tax Exemptions	87		280	280	317	404	450	130T - 241 - 280 - 353C
4	Hopkins, et al.—General Fund to School Fund	88		111	127	127	158	246	142C
5	Hopkins, et al.—Emergency Relief to School Fund	88		112	127	128	174	246	142C
6	Hopkins et al.—Emergency Relief School Fund Prop. Tax	103		112	128	128	174	247	121
7	Larson, et al.—Patients Tuberculosis Sanatorium	167	197	214	277	277	333	450	
10	Larson—Evaporation Allowance Fuels	103	136						154T - 776F
11	Larson—Increase Motor Fuel Tax	176	209	279	279	279	333	466 0	
12	Larson—Inspection Stations and Highway	126	206	278	381	381	453	515	
13	Larson—Designate State Roads	155	206	278	381	382	454	515	
14	Larson—Maximum Weights Motor Vehicles	141	207	382	398	398	644	833	321 - 380 - 452 - 488 - 608
15	Larson—Motor Fuel Tax	120	207	278	279	279	334	466 0	
16	Larson—State Park	104	235						321 - 847F
18	Thomas, et al.—Sunday Closing	132	236	268	277	278	323	366 0	237 - 324C - 367
19	Sheffield, et al.—Nominee Bank	191	237	392	392	392	454	496	321 - 380
20	Sheffield, et al.—Simultaneous Deaths	141	170	202	213	213	247	365	
22	Kerr, et al.—Cemetery District	228	292	393	393	393	454	571 0	321 - 380
23	Larson—Public Assistance Lien	229	298	393	393	393	475	515	321 - 380 - 421C
1	2	3	4	5	6	7	8	9	10

HOUSE BILLS (Continued)

1	2	3	4	5	6	7	8	9	10
25	Gardner, et al.—Motor Registration Fund	168	207	279	279	280	334	466 0	
26	Gardner, et al.—Disposition Registration Fund	168	207	280	280	318	375	467 0	300 - 318
27	Howe—Chemical Food Addition	383	415	508	509	509	576	640	481 - 495 - 497
31	Jacobsen, et al.—Contractors Committee	271		752	752	752	833		495 - 586 - 601 - 740 - 778C
32	Jacobsen, et al.—Contractors License	334		752	753	753	814		586 - 601 - 740
33	Larson, et al.—State Board of Pharmacy	156	274	756	756	756	833		321 - 740 - 778C
34	Larson, et al.—License Pharmacy	192	275						227 - 321 - 847F
35	Larson, et al.—Rules Pharmacy	192	275	756	756	756	815		227 - 321 - 740
36	Larson, et al.—Narcotics	193	274	756	756	757	834		227 - 321 - 740
37	Kerr, et al.—City Government	156	184	202	213	213	247	365	
38	Kerr, et al.—City Treasurers 3rd Class	157	184	202	213	213	248	375	
39	Kerr, et al.—Election Municipal Office	157	184	202	213	214	248	365	
42	Sheffield—Planning and Zoning Commission	363	379	478	599	599	666	768	469 - 478T - 573
43	Sheffield—Planning and Zoning Commission	363	379	573 582	599	599	666	768	469 - 478T - 573 - 574X - 615C
46	Jack—Increase Maximum Property Tax	685							847F
47	Jones, et al.—Health Dept. Civil Service	204	253	267	267	268	324	467	not appoved
53	Larsen, et al.—Fines and Forfeitures—Liquor	228	292						321 - 847F
55	Larsen, et al.—Escheat Personal Property	204	295						321 - 847F
59	Durham—Unlawful Entry	455							495 - 847F
60	Durham—Offense to be Included on Same Indictment	455							495 - 847F
61	Durham—District Attorneys Deputy: Salary Increase	527		713	713	713	787		692
62	Durham—District Attorneys Hire Clerk: Monthly	528		713	713	714	787		692
63	Sheffield—Liens—County Records	335	358						847F
66	Sheffield—Raise County Treasurers Fee	661		749 753	754	754	815		740 - 749T - 778C
67	Howe—Vinegar Standards	384	415	757	757	757	816		740
70	Peterson, et al.—Motor Rear Guards	364	380						847F
76	Dunn, et al.—Powers Board of Education	249	303	393					321 - 380 - 398 - 398T - 776F
80	Durham—Revoke License	335	414						847F
87	White, et al.—Utah Agricultural Commodity Act	685							847F

HOUSE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Received from House Read First Time	Standing Committees	Read Second Time	Read Third Time	Returned to House	Signed by President	Signed by Governor	REFERENCES X—Special Order F—Enacting Clause Struck O—Veto T—Tabled C—Concurred
88	Larson—Social Security Coverage Extended	686		743	743	743	804		727
90	Jones, et al.—Examine Public Assistance Payroll	528		716	716	741	805		692 - 716X
91	Durham—Survival Cause of Action	217	294	479	482	482	576	701	321 - 469 - 535C
95	Conover, et al.—Publishing Legal Notices	456		712	712	713	788		495 - 692
96	Conover, et al.——Sec. of St. Publicize referendums	456		713	713	713	788		495 - 692
97	Kerr, et al.—Chauffeur License Application	249	294						321 - 380 - 847F
98	Postma—Cooperative Insurance Associations	568		755	755	755	816		740
99	Anderson—Vehicle Ownership	272	294						321 - 380 - 469 - 481 - 847F
103	Durham, et al.—City Judges, 2nd Class	638							847F
107	Jones, et al.—Grand Jury	383	408						586 - 601 - 847F
108	Spence—Grand Jury	384	408						586 - 601 - 847F
110	Peterson, et al.—Sexual Offenders	384	408	478	478	478	518	640	469
111	Peterson, et al.—Patients Utah State Hospital	385	409	478	478	478	519	641	469
113	Anderson, et al.—Grasshopper Control Law	528							847F
115	Gardner, et al.—Quarantine Law Infectious Diseases	529		757	757	757	816		740
116	Jcobsen, et al.—Right to Work Act	473		728	728				727 - 728 failed
118	Jones, et al.—4-Mill Levy Water Treatment Plants	487		572	598	599	644	804	571
120	Sanders, et al.—Approp: U. of U. Dept. of Meteorology	544		744	744	744	805		727
121	Sanders, et al.—U. of U. Dept. of Meteorology	545		744	744	745	806		727
123	Davis, et al.—Financial Responsibility Act	545		600	670	670	731		586 - 703C
124	Rowberry, et al.—Approp: State Board Agriculture	456		714	714	714	788		495 - 692 - 732C
125	Davis, et al.—Parking Capitol Grounds	282	317	599	600	600	668	769	321 - 380 - 586 - 616C
130	Postma—Lien for Services Rendered	457	477	507 521 579	580	580	645	730	481 - 495 - 497 522T - 616C
1	2	3	4	5	6	7	8	9	10

HOUSE BILLS (Continued)

1	2	3	4	5	6	7	8	9	10
131	Sheffield, et al.—Counsel for the Accused	529							847F
132	Sheffield, et al.—Court-Appointed Attorney	529							847F
136	Postma—Maintenance & Bldg. Accounts U. of U. & USAC	568							847F
146	Jacobsen, et al.—Utah Labor Relations Act	474		499	499	500	577	641	481 - 495 - 497
148	Taylor—Maximum Levy for General Fund	545		745	745	745	806		727
149	Bunderson, et al.—State Soil Conservation	457		714	714	715	789		495 - 692
152	Durham, et al.—Number Voters in Voting District	546							847F
158	Froerer—State Dept. of Public Safety	487		579	579	579	620	701	571
162	Jack—Voting for Shut-ins	569		747	747	747	807		740
163	Cazier—License Rest Homes	530		745	745	745	807		727
165	Larsen—Exclude Pick-up Trucks: Carrying fuses, etc.	546							847F
166	Howe—Joint Tenancy	554		554	554	554	597	701	
169	Froerer—Licensing of Agents and Solicitors	686		747	747	747	808		740
170	Barlow, et al.—Examinations Cooperative Insurance Assns.	687		748	748	748	808		740
174	Anderson—Official State Printing	569							847F
181	Hopkins, et al.—State Road Commission Settle Claims	661		741	741	742	808		727
182	Hopkins, et al.—State Road System	547		600	669	670	732		586 - 703C
184	Anderson, et al.—Salary: County School Board Members	687							847F
187	Peterson—License: Motorcycle Dealers	547							847F
189	Barlow—Prohibit forcing an Insurer Upon a Person	503							847F
190	Vance—Meat Inspection Law	530		566	566	567	620	702	598C
191	Fullmer, et al.—Re-use Burlap or Cotton Sacks	662		744	744	744	809		727
193	Butters, et al.—Small Claims Courts	662		750	750	750	809		740
195	Gunther—County Auditors Financial Statement	547							847F
196	Hopkins—Bonded Indebtedness Limit	688							847F
197	Durham, et al.—Polls Closing Time	591		754	754	754	817		740
206	Johnson, et al.—Supplemental School Bldg. Program	639		743	743	743	834		727 - 779C
215	Peterson—Health & Educational Supplies	688		755	755	755	835		740
222	Hopkins, et al.—Vehicle Mileage Tax	662							847F
223	Larson, et al.—State Tax Commission	569		609	609	609	668	770	608
226	Kerr—Pony Express Sculpture	688		749	749	749	810		740
228	Frandsen—State Board of Education	569							847F

SENATE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Received from House Read First Time	Standing Committees	Read Second Time	Read Third Time	Returned to House	Signed by President	Signed by Governor	REFERENCES X—Special Order P—Enacting Clause Struck O—Veto T—Tabled C—Concurred
229	Lundell, et al.—Veterans: Income Tax Exemption	675							727 - 743T - 776F
230	Young, et al.—Educational Television Commission	591		746	746	746	835		727 - 745 - 779C
235	Jones—Printing—Descriptive Literature to Capitol Sightseers	639		742	742	742	810		727
239	Appropriation Committee—Appropriation Bill	405							415 - 422 - 497
		497		498	498	498	543	702	519C - 702, Veto item No. 117
240	Jones, et al.—Runaway Husbands Act	663							847F
243	Froerer, et al.—Redistrict Legislative Districts	569		745	751	752	817		727 - 780C
				750					
245	Thomas, et al.—Adequate Lighting: Taverns, etc.	689							847F
248	Hopkins, et al.—Prohibit Tampering—Aircraft	663		754	754	755	818		740
249	Hopkins, et al.—Take-offs—Landings	663		755	755	755	818		740
253	Taylor—Workmen's Compensation Acts	689		743	743	744	819		727 - 729
254	Cazier, et al.—False Chinch Bugs	690							847F
256	Larson, Survey: Post-High School Education—Utah	690							847F
258	Durham—Dissolution Procedure	675		749	749	750	811		740
261	Appropriation Committee—Reserve Bldg. Bill	695		695	696	696	789		733C - 847
262	Appropriation Committee—Appropriation: Special Claims	728		741	741	741	811		
263	Approp. Committee—Approp: Utah Water & Power Board	767		768	768	768	836		

HOUSE CONCURRENT RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Received from House Read First Time	Standing Committees	Read Second Time	Read Third Time	Returned to House	Signed by President	Signed by Governor	REFERENCES X—Special Order F—Enacting Clause Struck O—Veto T—Tabled C—Concurred
1	White, et al.—Imported Trout Labeled as to Origin	453	476	715	715	715	785		586 - 601 - 692
2	Jones, et al.—H. C. M. 1 1945	382	407						847F
4	Jones, et al.—Pro-Rata Gas Tax	420	436	748	748	748	813		740
5	Jones, et al.—California Arizona Baggage Insp.	526							847F
6	Jones, et al.—Governor Dan Thornton	526							847F
7	Taylor, et al.—Stable Market Metals	394	409	715	715	715	786		586 - 601 - 692

HOUSE JOINT RESOLUTIONS

1	Jacobsen, et al.—Election Gov. Sec. of State	249	291						321 - 847F
4	Rowberry—Transportation—Sierra Highway	301		302	302	302	375		
5	Young, et al.—Re-apportionment	404	459	747	747	749	831		740
9	Cazier—Condolence James H. West	260		260	260	260	272		
10	Kerr—Federal Assistance Laws	526							847F
11	Brian, et al.—Drafting—18-19 Year Olds	527		746	746	746	813		727
14	Larson, et al.—Condolence Mr. C. L. Jack	312		312	312	312	323		
15	Anderson, et al.—Avard Fairbanks—Sculpture	690							847F
16	Anderson, et al.—Interim Study: Law Code	691							847F
18	Larson—Condolence W. I. Lowe	432		433	433	433	475		
19	Hopkins, et al.—Inter-Mountain Freight Rates	675		747	747	747	814		740
21	Anderson, et al.—Condolence Thomas Piercey	473		473	473	473	518		
22	Grover, et al.—Policy—Approp. State Funds	691							847F
23	Dunn, et al.—Condolence Hans P. Anderson	577		577	577	577	597		
24	Anderson, et al.—Apprec. 30th Legislature Dance Comm.	614		614	614	614	669		
25	Taylor—Compile Reports End of Fiscal Year	786		786	786	787	832		
26	Johnson—Express Appreciation to Wm. R. Wallace	776		776	776	776	814		

ERRATA

Page 131—After line 12, insert omitted paragraph: "President Paxton appointed Senators Burton, Clegg and Selvin to read and revise the Journal for two weeks, commencing January 27.

Page 393—After last line, insert "*H. B. No. 18* was returned to the House." (see page 367, notice by Senator Day.)

Page 283—Report from Committee on Revision and Enrolling should read: "*S. J. R. No. 12*" instead of "*S. B. No. 12*". Same correction in line following report.

Page 590—After line: "*S. B. No. 143* was transmitted to the House," insert omitted paragraph: "On motion of Senator Hopkin, the Senate recessed."

Page 601—In first line, "*H. C. R. No. 2*" to be corrected to "*H. C. R. No. 7.*"

Page 757—After last line, insert "*S. B. No. 11* was transmitted to the House."

Pages 87, 88 and 89—re: *H. B. Nos. 1, 2, 3, 4* and *5*, following the respective letters of transmittal from the House and after the line "Communication filed.", insert the line: "*H. B. No.* was read the first time," the numbers from 1 to 5 to correspond with the message.

Page 248—In letter from the House, re: *H. B. No. 39*, correct the spelling of "OFFCIALS" in title to "OFFICIALS."