SENATE JOURNAL

THIRTY-FIFTH SESSION

OF THE

LEGISLATURE

OF THE

STATE OF UTAH

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PUBLISHED BY AUTHORITY

CERTIFICATION

The undersigned, as the duly appointed committee on Revision of the Senate Journal for the Thirty-fifth 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 14, 1963, and continuing for sixty legislative days.

COMMITTEE ON REVISION
OF THE SENATE JOURNAL

QUAYLE CANNON, JR.
Secretary of the Senate

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Minute Clerk

CONSTITUTION

LEGISLATIVE DEPARTMENT
ARTICLE VI

Sec. 1. (Power Vested in Senate, House and People.) The Legislative power of the State shall be vested:

1. In a Senate and House of Representatives which shall be designated the Legislature of the State of Utah.

2. In the people of the State of Utah, as hereinafter stated:

The legal voters or such fractional part thereof, of the State of Utah as may be provided by law, under such conditions and in such manner and within such time as may be provided by law, may initiate any desired legislation and cause the same to be submitted to a vote of the people for approval or rejection, or may require any law passed by the Legislature (except those laws passed by a two-thirds vote of the members elected to each house of the Legislature) to be submitted to the voters of the State before such law shall take effect.

The legal voters or such fractional part thereof as may be provided by law, of any legal subdivision of the State, under such conditions and in such manner, and within such time as may be provided by law, may initiate any desired legislation and cause the same to be submitted to a vote of the people of said legal subdivision for approval or rejection, or may require any law or ordinance passed by the law-making body of said legal subdivision to be submitted to the voters thereof before such law or ordinance shall take effect. (As amended November 6, 1900.)

Sec. 2. (Time of Regular Sessions.) Regular session of the Legislature shall be held biennially at the seat of government; and, except the first session thereof shall begin on the second Monday in January next after the election of members of the House of Representatives.

Sec. 3. (Members, How and When Chosen.) The members of the House of Representatives, after the first election, shall be chosen by the qualified electors of the respective representative districts, on the first Tuesday after the first Monday in November, 1896, and bi-ennially thereafter. Their term of office shall be two years, from the first day of January next after their election.

Sec. 4. (Senators, How and When Chosen.) The Senators shall be chosen by the qualified electors of the respective senatorial districts, at the same times and places as members of the House of Representatives, and their term of office shall be four years from the first day of January next after their election: Provided, That the senators elected in 1896 shall be divided by lot into two classes as nearly equal as may be; seats of senators of the first class shall be vacated at the expiration of two years, and those of the second class at the expiration of four years; so that one-half, as nearly as possible, shall be chosen bi-ennially thereafter. In case of increase in the number of senators, they shall be annexed by lot to one or the other of the two classes, so as to keep them as nearly equal as practicable.

Sec. 5. (Who Eligible as Legislator.) No person shall be eligible to the office of senator or representative, who is not a citizen of the United States, twenty-five years of age, a qualified voter in the district from which he is chosen, a resident for three years of the State, and for one year of the district from which he is elected.

Sec. 6. (Who Ineligible.) No person holding any public office of profit or trust under authority of the United States, or of this State, shall be a member of the Legislature: Provided, That appointments in the State Militia, and the offices of notary public, justice of the peace, United States commissioner, and postmaster of the fourth class, shall not, within the meaning of this section, be considered offices of profit or trust.

Sec. 7. (Ineligibility of Members to Office Created, etc.) No member of the Legislature, during the term for which he was elected, shall be appointed or elected to any civil office of profit under this State, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

Sec. 8. (Privilege from Arrest.) Members of the Legislature, in all cases except treason, felony or breach of the peace, shall be privileged from arrest during each session of the Legislature, for fifteen days next preceding each session, and in returning therefrom; and for words used in any speech or debate in either house, they shall not be questioned in any other place.

Sec. 9. **Compensation of Members.)** The members of the Legislature shall receive such compensation, not exceeding $500.00 a year for the legislative term and $5.00 a day expenses while actually in session, and mileage as provided by law. (As amended November 7, 1950.)

Sec. 10. **(Each House to Judge of Election, etc., of Its Members. Expulsions.)** Each house shall be the judge of the election and qualifications of its members, and may punish them for disorderly conduct, and with the concurrence of two-thirds of all the members elected, expel a member for cause.

Sec. 11. **(Majority is Quorum. Attendance Compelled.)** A majority of the members of each house shall constitute a quorum to transact business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such manner and under such penalties as each house may prescribe.

Sec. 12. **(Rules—Choosing Officers.)** Each house shall determine the rules of its proceedings and choose its own officers and employees.

Sec. 13. **(Vacancies to Be Filled.)** Vacancies that may occur in either house of the legislature shall be filled in such manner as may be provided by law. (As amended Nov. 4, 1930.)

Sec. 14. **(Journals. Yeas and Nays.)** Each house shall keep a journal of its proceedings, which, except in case of executive sessions, shall be published, and the yeas and nays on any question, at the request of five members of such house, shall be entered upon the journal.

Sec. 15. **(Sessions to Be Public. Adjournments.)** All sessions of the Legislature, except those of the Senate while sitting in executive session, shall be public; and neither house, without the consent of the other, shall adjourn for more than three days, nor to any other place than that in which it may be holding session.

Sec. 16. **(Duration of Sessions.)** No regular session of the Legislature (except the first, which may sit ninety days) shall exceed sixty days, except in cases of impeachment. No special session shall exceed thirty days, and in such special session, or when a regular session of the Legislature trying cases of impeachment exceeds sixty days, the members shall receive for compensation only the usual per diem and mileage.

Sec. 17. **(Impeachment by House.)** The House of Representatives shall have the sole power of impeachment, but in order to impeach, two-thirds of all the members elected must vote therefor.

Sec. 18. **(Id. Trial by Senate.)** All impeachment shall be tried by the Senate, and senators, when sitting for that purpose, shall take oath or make affirmation to do justice according to the law and the evidence. When the Governor is on trial, the Chief Justice of the Supreme Court shall preside. No person shall be convicted without the concurrence of two-thirds of the senators elected.

Sec. 19 **(Id. Judgment. Prosecution by Law.)** The Governor and other State and Judiciary officers, except justices of the peace, shall be liable to impeachment for high crimes, misdemeanors, or malfeasance in office; but judgment in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust or profit in the state. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial and punishment according to law.

Sec. 20. **(Id. Service of Articles.)** No person shall be tried on impeachment, unless he shall have been served with a copy of the articles thereof, at least ten days before the trial, and after such service he shall not exercise the duties of his office until he shall have been acquitted.

Sec. 21. **(Removal of Officers.)** All officers not liable to impeachment shall be removed for any of the offenses specified in this article, in such manner as may be provided by law.

Sec. 22. **(Enacting Clause. Passage and Amendments of Law.)** The enacting clause of every law shall be, "Be it enacted by the Legislature of the State of Utah." Except such laws as may be passed by the vote of the electors as provided in subdivision 2, section 1 of this article, and such laws shall begin as follows, "Be it enacted by the people of the State of Utah." No bill or Joint Resolution shall be passed, except with the assent of the majority of all the members elected to each house of the Legislature, and after it has been read three times. The vote upon the final passage of all bills shall be by yeas and nays; and 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. As amended Nov. 6, 1900.)

Sec. 23. **(Bill to Contain Only One Subject.)** Except general appropriation bills, and bills for the codification and general revision of laws, no bills shall be passed containing more than one subject, which shall be clearly expressed in its title.

Sec. 24. (Presiding Officers to Sign Bills.) The presiding officer of each house, in the presence of the house over which he presides, shall sign all bills and joint resolutions passed by the Legislature, after their titles have been publicly read immediately before signing, and the fact of such signing shall be entered upon the journal.

Sec. 25. (When Acts Take Effect.) All acts shall be officially published, and no act shall take effect until so published, nor until sixty days after the adjournment of the session at which it passed, unless the Legislature by a vote of two-thirds of all the members elected to each house, shall otherwise direct.

Sec. 26. (Enumeration of Private Laws Forbidden.) The Legislature is prohibited from enacting any private or special laws in the following cases:

1. Granting divorce.
2. Changing the names of persons or places, or constituting one person the heir-at-law of another.
3. Locating or changing county seats.
4. Regulating the jurisdiction and duties of Justices of the Peace.
5. Punishing crimes and misdemeanors.
6. Regulating the practice of courts of justice.
7. Providing for a change of venue in civil or criminal actions.
8. Assessing and collecting taxes.
9. Regulating the interest on money.
10. Changing the law of descent or succession.
11. Regulating county and township affairs. changing or amending the charter of any city,
12. Incorporating cities, towns or villages; town or village; laying out, opening, vacating or altering town plats, highways, streets, wards, alleys or public grounds.
13. Providing for sale or mortgage of real estate belonging to minors or others under disability.
14. Authorizing persons to keep ferries across streams within the State.
15. Remitting fines, penalties or forfeitures.
16. Granting to an individual, association or corporation any privilege, immunity or franchise.
17. Providing for the management of common schools.
18. Creating, increasing or decreasing fees, percentages or allowances of public officers during the terms for which said officers are elected or appointed.

The legislature may repeal any existing special law relating to the foregoing subdivisions.

In all cases where a general law can be applicable no special law shall be enacted.

Nothing in this section shall be construed to deny or restrict the power of the Legislature to establish and regulate the compensation and fees of county and township officers; to establish and regulate the rates of freight, passage, toll and charges of railroads, toll roads, ditches, flume and tunnel companies, incorporated under the laws of the State or doing business therein.

Sec. 27. (Legislature Cannot Release Certain Debts.) The Legislature shall have no power to release or extinguish, in whole or part, the indebtedness, liability or obligation of any corporation or person to the State, or to any municipal corporation therein.

Sec. 28. (Lotteries Forbidden.) The Legislature shall not authorize any game of chance, lottery or gift enterprise under any pretense or for any purpose.

Sec. 29. (Municipal Powers Not to Be Delegated.) The Legislature shall not delegate to any special commission, private corporation or association, any power to make, supervise or interfere with any municipal improvement, money property or effects, whether held in trust or otherwise, to levy taxes, to select a capitol site or to perform any municipal functions.

Sec. 30 (Extra Compensation to Officers and Contractors Forbidden.) The Legislature shall have no power to grant, or authorize any county or municipal authority to grant, any extra compensation, fee or allowance to any public officer, agent, servant or contractor, after service has been rendered or a contract has been entered into and performed in whole or in part, nor pay or authorize the payment of any claim hereafter created against the State, or any county or municipality of the State, under any agreement or contract made without authority of law: Provided, that this section shall not apply to claims incurred by public officers in the execution of the laws of the State.

Sec. 31. (Lending Public Credit Forbidder) The Legislature shall not authorize the State, or any county, city, town, township, district or other political subdivision of the State to lend its credit or subscribe to stock or bonds in aid of any railroad, telegraph or other private individual or corporate enterprise or undertaking.

ARTICLE XXIII

Sec. 1... (Amendments: Proposal, Election.) Any amendment or amendments to this Constitution may be proposed in either house of the Legislature, and if two-thirds of all the members elected to each of the two houses, shall

vote in favor thereof, such proposed amendment or amendments shall be entered on their respective journals with the yeas and nays taken thereon; and the Legislature shall cause the same to be published in at least one newspaper in every county of the State, where a newspaper is published, for two months immediately preceding the next general election, at which time the said amendment or amendments shall be submitted to the electors of the State, for their approval or rejection, and if a majority of the electors voting thereon shall approve the same, such amendment or amendments shall become part of this Constitution. If two or more amendments are proposed, they shall be so submitted as to enable the electors to vote on each of them separately.

Sec. 2. (Revision of the Constitution.) Whenever two-thirds of the members, elected to each branch of the Legislature, shall deem it necessary to call a convention to revise or amend this Constitution, they shall recommend to the electors to vote, at the next general election, for or against a convention, and, if a majority of all the electors, voting at such election, shall vote for a convention, the Legislature, at its next session, shall provide by law for calling the same. The convention shall consist of not less than the number of members in both branches of the Legislature.

Sec. 3 (Id. Submission to Electors.) No constitution, or amendments adopted by such convention, shall have validity until submitted to, and adopted by, a majority of the electors of the State voting at the next general election.

CRIMES AGAINST THE LEGISLATIVE POWER

UTAH CODE ANNOTATED 1953

76-28-13—Preventing meeting of Legislature.
76-28-14—Disturbing Legislature While in Session.
76-28-15—Altering Draft of Bill After Introduction.
76-28-16—Altering Engrossed Copy of Bill or Resolution.
76-28-17—Bribes—Giving or Offering to Member.
76-28-18—Bribes—Member Asking for or Receiving.
76-28-19—Member promising to Trade Vote or Influence.
76-28-20—Member Trading Vote or Influence.
76-28-21—Corruptly Soliciting Official Action of any Public Officer.
76-28-22—Member Failing to Disclose Private Interest in Legislation.
76-28-23—Voting in Consideration or on Condition of Governor's Action.
76-28-24—Id. by Senator, to Affect Governor's Appointments.
76-28-25—Witnesses Before Legislature — Failing to Attend and Testify.
76-28-26—Lobbying for Hire.
76-28-27—Witnesses Denied Claim of Privileges leges in Prosecutions Under this Chapter.

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES

ORGANIZATION

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

2. Committee on Joint Rules. Thereupon a Committee on Joint Rules shall be appointed, to consist of three Senators, three Representatives, the President of the Senate (who shall be chairman), and the Speaker of the House, whose duty it shall be to formulate a set of joint rules of the Senate and House of Representatives.

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

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

JOINT CONVENTIONS

5. Where Held. Who Presides. Joint conventions of the two houses shall be held in the hall of the House of Representatives, and the President of the Senate shall preside.

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

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

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

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

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

JOINT MEETINGS OF COMMITTEES

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

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

13. Appropriation Bills, Referred To. Every bill introduced in either house having provision therein for the appropriation of money shall in the title thereof set forth such fact and the sum proposed to be appropriated. Such bill shall be referred to the Committee on Appropriations of the house

wherein it originates after it has been considered and reported out by the appropriate other standing committee of that house, except that if such other standing committee shall make an unfavorable report on the bill it shall not be so referred unless the unfavorable report is rejected by the house to which such report is made. When a bill is referred to the Committee on Appropriations of either house such committee shall report it out within three days from the receipt thereof with the committee's findings and recommendations.

BILLS AND RESOLUTIONS, ETC.

14. Scope of Word "Bill." Whenever the word "bill" is used in these rules it shall include constitutional amendments, joint and concurrent resolutions and memorials.

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

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

17A. Bills, Resolutions, etc. Procedure. Introduction of resolution of congratulation and resolutions or memorials of condolence or similar matters, on any things irrelevant to legislative matters is hereby discouraged. Any of such resolutions and memorials as are adopted shall not be printed unless a motion authorizing such printing is adopted by both houses.

17B. Statement of Purpose. Every bill or resolution, when introduced in either house shall be accompanied by a brief statement of the purpose and objective of the bill or resolution by the sponsor, with at least four copies, which statement and copies shall be referred to and considered by the committee to which the bill or resolution is referred, but such statement shall not be printed. This statement shall be limited to 100 words.

17C. All matters referred to the Legislative Council for study shall be by joint resolution.

17D. In harmony with provisions of Section 76-28-22, of the Utah Code, every member of the Legislature who has a personal or private interest in any measure or bill proposed or pending before the Legislature of which he is a member, shall fully disclose the nature of such interest to the House of which he is a member before any vote is taken thereon.

17E. No standing rules of either House shall be altered, amended, suspended, or rescinded without the number of votes which are required to activate the specific rule in question.

17F. Every bill or resolution providing for new or expanded services which authorizes or requires the expenditure of additional state funds shall contain a statement at the end of the bill listing the amount of the appropriation required and where practicable the sources of such appropriation for the implementation of the act. This statement shall not be a part of the act itself and shall not be printed as a part of the bill in its final form. All such bills or resolutions shall be referred to the Appropriations Committee before final passage.

PREPARATION AND INTRODUCTION OF BILLS

18. Size, Number of Copies. Folding Form. All bills shall be typewritten or printed on paper eight and one-half by thirteen or eight and one-half by fourteen 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:

19. 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.

20. 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.

21. Title. The title of every bill introduced shall be by a short, common designation and also by a title which 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.

22. **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."

23. **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 appear between brackets [ ], 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.

24. **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 receive 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.

25. **Title of Bill to Be Printed Once.** The title of a bill, resolution, or memorial shall be set forth in full in the journal only upon introduction or upon first receipt of a measure from the other house; subsequently it may be designated by number and a brief condensation of the title.

26. **Introduction of Bills.** Introduction of the same bill in both houses of the Legislature is discouraged.

After November 15 preceding the convening of the Legislature bills may be submitted to the Legislative Council by any member of the next session of the Legislature to be introduced in such session by such member. The council shall review such bills and provide for their preparation in conformity with the requirements of the Constitution, law and rule of the Legislature.

RECORD OF BILLS

27. **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.

28. **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.

29. **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.

The journals of each house shall be continuous during the legislative session, with pages numbered in consecutive order.

30. **Endorsement of Bills.** The Secretary of the Senate and the Chief Clerk of the House of Representatives shall endorse on every bill a statement of every action taken

by the Senate and House of Representatives.

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

MESSAGES

31. 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.

32. 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.

33. 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.

The house clerk or senate secretary shall act only as directed by the presiding officer.

CONFERENCE COMMITTEES

34. 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 if 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.

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

36. Either House May Recede. Either house may recede, at any time by a majority vote of its membership, from its position on any difference existing between the two houses.

37. Failure of Conferees to Agree. In case of a failure of the conferees to agree a report of such failure may be made. A further conference may be had either by the same or new committees appointed for such purpose. Before a bill which has been given to a conference committee shall be declared lost not to be revived again by either house during the remainder of the session, each house shall have voted to refuse further conference by the same committee or a new committee.

ACTION ON BILLS AFTER PASSAGE

38. Certification. When a bill or resolution shall have passed both houses, 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, respectively, and the number of votes cast for and against it in each house, and the number of absentees.

39. Presiding Officers to Sign Bills. Every bill or resolution which has passed both houses and which has been certified and endorsed as provided in Rule 38 shall be signed first by the presiding officer of the house in which it was last voted upon, 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.

40. Enrollment. After a bill or resolution which has passed both houses has been signed as provided in Rule 39, it shall be enrolled and examined by the Rules Committee of the house where it originated. The committee shall carefully compare the enrollment with the bill or resolution as passed and correct any errors therein. The engrossed bill shall then be certified by the secretary or chief clerk to the governor or secretary of state.

After a bill or resolution has passed both houses and has been certified, endorsed, enrolled and engrossed as herein provided, 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. The secretary of the senate or chief clerk may distribute certified copies of such bills or resolutions.

Any bill or resolution which has passed both houses and which has not been enrolled or examined, as provided in the foregoing paragraph, by the time the legislature adjourns, shall thereafter be enrolled and shall be examined by the secretary or chief clerk of the house where it originated. The secretary or chief clerk, with the approval of his presiding officer, shall correct any errors and certify the engrossed bill to the governor or the secretary of state.

41. Transmitted to Governor. After a bill shall have been signed by the respective presiding officers of the two houses, it shall be enrolled without delay, and the enrolled copy, as certified by the secretary or chief clerk, 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.

42. 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

43. 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.

44. 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. Both houses shall adjourn simultaneously.

LEGISLATIVE EXPENSE

45. How Paid. Each house shall have full control of its own expenses. All bills, claims or payments shall be certified by the president or chairman of the Committee on Rules 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.

46. Inspection Tours. On all tours of inspection to State Institutions, the respective house shall determine who shall be the employees to accompany the members on such tours of inspection. It shall be the duty of the Sergeant-at-Arms or assistant to make all arrangements for transportation and accommodation of members.

Neither house shall take a junket or trip at state expense without the prior consent of the other house. This rule shall not apply to committees of either house or to joint committees.

47. Legislative Council. The Legislative Council, created by Title 36, Chapter 4, Utah Code Annotated 1953, being an arm of the Legislature and answerable only to the Legislature, shall employ and fix the salaries of such personnel as necessary in the performance of its duties. It shall approve any other necessary expenses, including travel, and certify all expense items to the Commission of Finance, who shall draw their warrant upon the State Treasurer.

The Legislative Council shall pay salaries and expenses from appropriations provided and shall not be subject to budgetary control of appropriations and allotments but shall be responsible only to the Legislature in the discharge of its function and in the expenditure of its funds.

In the event regular biennial appropriations are not specifically provided for the Legislative Council, then such council is hereby authorized and empowered to expend funds from the appropriation for contingent

expenses of the Legislature.

48. Appropriation Committee Report Date. The Committee on Appropriations 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.

49. Pooling or Combining Legislative Employees. The presiding officers of the two houses shall provide for the pooling or combining of legislative employees for effective and economical conduct of legislative business. Joint mailing, stenographic, clerical, legal and messenger service shall be maintained wherever feasible.

50. Mailing Lists. Both houses shall cooperate in establishing a joint mailing list. All persons, firms or corporations, regularly receiving copies of the bills and journals of the Legislature or who wish to be put on the mailing list therefore, shall pay the sum of $25.00 for such service for each legislative session. This rule shall not apply to members and officers of the Legislature, nor to any school, library, political subdivision, state agency, the College of Law of the University of Utah, news dispensing agencies such as newspapers, radio stations and television stations, nor to the chairman of State and County political parties, which request such service. All such sums received for said service shall be promptly deposited with the State Treasurer.

RULES OF THE SENATE

ORGANIZATION

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

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

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

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

5. Duties of President. It shall be the general duties 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, 25, 26, 27 and 40.

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

(e) To correct the spelling of words, erroneous division and hyphenation of words, mistakes in numbering sections and references thereto, to capitalize or decapitalize words, to add or correct the enacting clause, to change numbers from words to figures or from figures to words, and to underscore or remove underscoring or to add or remove brackets in bills upon suggestion without a motion to amend.

(f) 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.

(g) 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.

(h) To sign jointly with the president and the chairman of the committee on rules, 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.

(i) 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.

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

(k) 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 de-

cide questions of order, subject to an appeal by any Senator on which appeal no Senator shall speak more than once, unless by leave of the Senate. On appeal being taken, the question shall be: "Shall the decision of the chair stand as the judgment of the Senate," which question and the action thereon shall be entered in the Journal.

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

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

15. **Smoking Not Permitted.** No person shall be permitted to smoke within the Senate chamber while the Senate is in session.

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

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

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

19. **President to Decide Who Is Entitled to Floor.** If two or more Senators rise at once the President shall name the Senator who is to speak first.

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

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

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

MOTIONS

23. **Motions 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. **Motions in Writing.** All amendments to bills, resolutions and memorials in excess of ten words shall be reduced to writing and read by the Secretary before the same shall be put. All other motions except motions to adjourn, postpone or commit, shall be reduced to writing if the President or any Senator desires it.

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

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

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

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

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

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

28. **Motion to Adjourn Always in Order; Exceptions.** A motion to adjourn shall always be in order except when the Senate is voting, and except when a previous motion to adjourn having been defeated, no inter-

vening business has been transacted; but this rule shall not authorize any Senator to move an adjournment when another Senator has the floor.

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

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

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

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

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

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

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

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

RECONSIDERATION

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

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

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

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

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

DEBATES

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

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

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

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

AMENDMENTS

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

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

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

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

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

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

52. Committee Amendments, How Reported: Speaking on Amendments. Amendments reported by a committee shall refer to the printed bill and shall not be inserted in the original bill until after such amendments shall have been adopted by the Senate, when they shall be properly inserted by the Secretary. A copy of the printed bill with all proposed amendments entered thereon shall accompany the committee's report. Such committee amendments shall be inserted in the Senators' files before the bill is considered on its second reading and the amendments shall be acted upon by the Senate in the same manner as though offered from the floor.

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

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

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

VOTING

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

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

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

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

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

60. Putting Question Division. The President shall put questions in this form, to-wit: "As many as are in favor (as the question may be) say aye," and after the affirmative vote is expressed, "As many as are opposed say no." If he doubts the results of the vote, or if a division be called for, the Senate shall divide; those in the affirmative shall first rise from their seats and be counted, and afterward those in the negative.

CALL OF THE SENATE

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

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

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

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

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

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

67. Call Raised When Absentees Present. When the sergeant-at-arms shall make a report showing that all who were absent without leave (naming them) are present, such report shall be entered on the journal and the call be at an end; and thereupon the doors shall be opened and the Senate shall proceed with the business pending when the call was made.

ORDER OF BUSINESS

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

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

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

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

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

72. Messages and Reports Received at Any Time. Messages from the Governor and from the House of Representatives, communications and reports from State officers, reports from the Committee 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.

75. Standing Committees. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture and Irrigation, seven members.
2. Business and Commerce, seven members.
3. Political Subdivisions, nine members.
4. Education, seven members.
5. Appropriations, twelve members.
6. Fish and Game, five members.
7. Public Health, Welfare and Institutions, seven members.
8. Judiciary, five members.
9. Labor, five members.
10. Industry, five members.
11. Highways and Aeronautics, seven members.
12. State, Federal and Military Affairs and Civil Defense, seven members.
13. Rules, three members.
14. Revenue and Taxation, seven members.

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

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

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

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

If any Senator appointed to any committee shall fail, without giving notice of the reason thereof, to attend three consecutive meetings of any committee of which he is a member, his membership shall be automatically canceled 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. Every committee to which a bill is referred is expected to give said bill due consideration and to make a recommendation back to the Senate as to the desirability or undesirability of the proposed legislation.

The conduct of committee hearings is an integral part of good legislative process. Committee members shall, to the best of their ability, fully inform themselves regarding issues involved in bills coming before committees on which they serve. Hearings should be held upon request of interested parties, or when in the opinion of committee members additional facts are necessary for proper consideration of a bill. It shall be the responsibility of committee members, in the conduct of hearings, to request the presentation of testimony by any person who, in the opinion of the committee, is qualified to present testimony of importance in the determination of the issue. Hearings shall be public and proper decorum shall prevail.

Testimony shall be directed to the committee; the procedure adopted for the hearing shall be such that committee members shall properly and appropriately receive testimony essential for proper consideration of the issues before them. 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 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; Payment of Expenses. No expenditures on behalf of the Senate shall be incurred by any officer without the consent and authority of the Com-

mittee on Rules. 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 member of the committee. After any bill or claim shall have been audited and approved by the Committee on Rules, 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.

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 Senators who is or are members 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 Rules. After the bill has been read the first time it shall as a matter of course be referred to the Committee on Rules, 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 Rules shall also see to it that the provisions of the joint rules covering the underscoring of new matter and the indicating of old matter omitted are observed, and that no bill is printed until these provisions are carried out.

88. Report of Committee on Rules. The Committee on Rules 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 Rules 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 opened 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 an aye and no vote. If this question is decided in the negative, it shall be deemed a rejection of the bill.

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

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

94. Third Reading of Bill; Final Question. When a bill is reached on the third reading calendar, it shall be read by title, unless objection be made, in which event the bill shall be read in full as it passed its second reading. The bill shall then be open for dis-

cussion 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. Signed by President. After a bill or resolution has passed both houses and has been certified and endorsed as provided in Joint rule 28, it shall be signed by the President of the Senate in the presence of the Senate, after its title has been publicly read immediately before signing, and the fact of such signing shall be entered upon the journal.

100. No Bill to Be Introduced After Thirtieth Day. No bill shall be introduced in the Senate after the thirtieth day of the session, without unanimous consent.

101. All Money Bills Referred to Appropriations Committee. All bills appropriating money from any fund shall be referred to the Committee on Appropriations 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 Rules 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.

105. Bills, Resolutions, etc.; Procedure. Introduction of resolutions and memorials on matters irrelevant to legislative matters is discouraged and such resolutions and memorials as are adopted shall not be printed except by majority vote.

THE CALENDAR

106. 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.

107. 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 10 .

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

COMMITTEE OF THE WHOLE

109. 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.

110. 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.

111. 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.

112. 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

113. 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.

114. 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

115. 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

116. 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

117. 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.

118. **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 person 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.

119. **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.

120. **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.

REGULAR SESSION

of the

THIRTY-FIFTH LEGISLATURE

FIRST DAY

SENATE CHAMBER,

State Capitol,

Salt Lake City, Utah, January 14, 1963

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

Associate Justice E. R. Callister, in the chair, called the Senate to order.

The following invocation was delivered by Reverend Fred Venable, Pastor of Christ Methodist Church of Salt Lake, also President of Salt Lake Ministerial Association.

Almighty God,
who by your hand has brought us to this place,
accept our gratitude,
for this great good we enjoy.
We give thanks for this body assembled together.
We are aware of the efforts and sacrifice which they
are making to serve the common good.
We know that whenever man has been willing to
sacrifice himself for the common good,
you have been willing to bless those efforts and
make them fruitful and multiply.
So we pray your blessings on this body.
Be with them throughout all their sessions.
Give them the highest degree of devotion, character, and integrity.

And we,
the people of this state,
pledge ourselves to their leading,
knowing that whenever your guidance and power
are combined with man's maximum efforts,
we shall derive the greatest good.
Amen.

Posting of Colors: Under the direction of Major-General Maxwell E. Rich, Utah National Guard.

Associate Justice E. R. Callister presented the following certificate:

CERTIFICATE OF MEMBERSHIP OF THE THIRTY-FIFTH LEGISLATURE OF THE STATE OF UTAH

1963

I, LAMONT F. TORONTO, Secretary of State of the State of Utah, do hereby certify that at a General Election held within and for the State of Utah on Tuesday, November 6, 1962, the following named persons were chosen by the electors as membrs of the Thirty-Fifth Legislature of the State of Utah, to serve in the Senate, each for the term of four years, beginning January 14, 1963:

SECOND DISTRICT: County of Cache – Reed Bullen.

THIRD DISTRICT: Counties of Morgan, Rich and Summit – John A. Lambert.

FOURTH DISTRICT: County of Weber – Merrill Jenkins – Frank M. Browning.

SIXTH DISTRICT: County of Salt Lake – G. Douglas Taylor, W. Hughes Brockbank, Clyde L. Miller.

SEVENTH DISTRICT: County of Utah – John T. Bernhard, Wallace H. Gardner.

EIGHTH DISTRICT: Counties of Beaver and Millard – Thorpe Waddingham.

NINTH DISTRICT: County of Sanpete – G. Stanford Rees.

TWELFTH DISTRICT: Counties of Emery, Grand, and San Juan – Samuel J. Taylor.

AND I FURTHER CERTIFY that by virtue of an election held on Tuesday, November 8, 1960, 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:

FIRST DISTRICT: County of Box Elder – Kleon Kerr.

SIXTH DISTRICT: County of Salt Lake – D. E. Hammond, Bruce S. Jenkins, Wendell Grover.

TENTH DISTRICT: Counties of Garfield, Kane, Piute, and Wayne – Vernon L. Holman.

ELEVENTH DISTRICT: County of Iron – Charles R. Hunter.

THIRTEENTH DISTRICT: Counties of Juab and Tooele – Ernest G. Mantes.

FOURTEENTH DISTRICT: County of Carbon – Frank C. Memmott.

FIFTEENTH DISTRICT: County of Davis – Haven J. Barlow.

SIXTEENTH DISTRICT: Counties of Daggett and Uintah – Leland Sowards.

SEVENTEENTH DISTRICT: County of Sevier: James N. Stacey.

EIGHTEENTH DISTRICT: County of Washington – Orval Hafen.

AND I FURTHER CERTIFY that by virtue of an appointment by the Governor whereby the following person was appointed to serve for the unexpired term:

FIFTH DISTRICT: Counties of Wasatch and Duchesne – Gordon Harmston.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this seventh day of January, 1963.

(Seal)

LAMONT F. TORONTO,
Secretary of State

Roll call: All Senators present.

Associate Justice E. R. Callister of the Supreme Court of Utah administered the oath of office to the newly elected senators present.

Justice E. R. Callister declared that nominations for the office of President of the Senate were in order.

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

Senator Hammond nominated Senator Bullen.

On motion of Senator Bruce S. Jenkins, the rules were suspended, nominations closed and Senator Bullen was elected by acclamation.

A committee consisting of Senators Gardner, Rees and Sowards escorted the President-elect to the chair, and the oath of office was administered by Associate Justice E. R. Callister.

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

On motion of Senator C. Douglas Taylor, 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 Hafen, Kerr, and Waddingham to formulate the Senate Rules.

The President appointed a committee consisting of Senators Hafen, Kerr and Waddingham to formulate the Joint Rules.

The President appointed Senators Hammond, Bernhard and Barlow as the Committee on Patronage and Employees.

The President appointed a committee consisting of Senators Brockbank, Samuel J. Taylor and Merrill Jenkins to notify the House that the Senate was organized and ready to do business.

The President appointed a committee consisting of Senators Stacy, Lambert and Harmston 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 C. Douglas Taylor, the Senate recessed for 30 minutes.

The Senate re-assembled.

President Bullen in the chair.

The President recognized a committee from the House, Representatives Harding, Bott and Allen, which reported that the House was duly organized and ready to do business.

REPORT OF SPECIAL COMMITTEES

January 14, 1963

Mr. President:

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

Secretary of Senate	Quayle Cannon Jr.
Minute Clerk	Sophia C. Buckmiller
Docket Clerk	Ellen J. Winegar
Sgt. At Arms	Ferris Allen
Asst. Sgt. At Arms	James W. Gilbert
Asst. Sgt. At Arms	Lyle Williams
Chaplain (1st 30 days)	Joseph Bennion
Chaplain (2nd 30 days)	To be furnished by the Ministerial Association of the State of Utah
Utility Clerk	Louise B. Nielson
Supervisory Clerk	Marjorie Child
Reference Attorney	Gerald R. Hansen

Reference Attorney.....Boyd Fullmer
Asst. to Reference Attorney.....Marjorie Graham
Committee Clerk.....Bonnie Anerson
Committee Clerk.....Isabelle Shaw
Committee Clerk.....Nellie Brossard
Committee Clerk.....Beth Anderson
Committee Clerk.....Florence Goeglein
Messenger and Clerk.....Grace K. Burbidge
Messenger .....Dorothy Rosebraugh
Messenger .....Helene E. Parker
Messenger .....Rowena W. Slack
Messenger .....Alta Hayward
Messenger .....Vera Perham
Receptionist .....Ruth M. Smith
Telephone Clerk.....Annie R. Williams
Telephone Clerk.....Mrs. F. H. Moreland
Telephone Clerk.....Florence Jorgenson
Doorman .....George F. Adams
Doorman .....Murl H. Gibson
Doorman .....George Magnuson
Doorman .....W. C. Morrell
Doorman .....Wm. J. Humphrey
Doorman .....R. E. Clyde
Mail Room .....Harriet R. Wilson
Mail Room.....Mrs. Millie Tanner
Mail Room.....Melba Anderson
Janitor (day).....Vern Lindsay
Janitor (night).....Michael Flynn

Respectfully,

D. E. HAMMOND,
Chairman

Committee report read and adopted.

The Officers and employees of the Senate then introduced themselves and identified their appointment.

Associate Justice E. R. Callister then administered the oath of office to the officers and employees of the Senate.

On motion of Senator Hafen, the Senate voted that the rules of the Thirty-fourth Legislature of 1961 be adopted temporarily until other rules have been adopted.

On motion of Senator Kerr, the Senate expressed its appreciation to Justice E. R. Callister and Reverend Fred Venable, Pastor of Christ Methodist Church of Salt Lake City, Utah.

Senator Brockbank, 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 Stacy, 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 January 15, 1963 at 10:00 A.M.

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

President Bullen expressed the Senate's appreciation to the Tribune and Deseret News-Telegram, also to the radio and television stations.

The President appointed Senators Barlow, Rees and Browning to read and revise the Journal for the two weeks commencing January 14, 1963.

On motion of Senator Kerr, the Senate adjourned until Tuesday, January 15, 1963 at 9:30 A.M.

The Senate further voted that after hearing the Governor's Message tomorrow that the Senate would not reconvene until Wednesday, January 16, 1963 at 2:00 P.M.

SECOND DAY

MORNING SESSION

January 15, 1963

The Senate was called to order at 9:30 A.M. President Bullen in the chair.

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

The Prayer was given by the Chaplain.

January 15, 1963

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,

HAVEN J. BARLOW,
Chairman

Report Adopted and Filed.

On motion of Senator Kerr, the Senate recessed to meet with the House in Joint Convention to hear the Governor's message and in compliance with the Kerr motion of the previous day the Senate further voted that after the Joint Convention has been dissolved the Senate would stand adjourned until Wednesday, January 16, 1963 at 2:00 P.M.

JOINT CONVENTION

The Roll Call showed a quorum of Senate and House members present.

The Prayer was given by the Senate Chaplain.

Posting of Colors: Under the direction of Major-General Maxwell E. Rich, Utah National Guard.

The President of the Senate appointed a Joint Committee consisting of Representatives Lonax, Bullock and Poulson and Senators Samuel J. Taylor, Bernhard and Harmston, to notify the Governor that the Legislature was in Joint Convention and ready to hear his message.

President Bullen recognized Utah's First Lady, Mrs. George D. Clyde.

The Joint Committee returned, escorting His Excellency, Governor George D. Clyde, who was presented to the Joint Convention by President Bullen.

The Governor then delivered the following message:

GOVERNOR'S MESSAGE

Mr. President, Mr. Speaker, ladies and gentlemen of the 35th Utah Legislature:

We are now launching upon one of the most crucial legislative sessions in the history of the State of Utah The decisions which you will make and the official actions which you will take over the next two months will have a lasting effect in shaping our destinies . It is vital that we all give our full attention and best thought to the problems which we face if we are to discharge effectively the heavy responsibilities which devolve upon us.

There are a number of reasons why this session is of unusual importance. Some of them are arithmetically simple and easy to understand, though not so easy to solve. They stem from fundamental concepts of size and numbers. The 1960 decennial census confirmed what we strongly suspected: that Utah is one of the fastest-growing states in the nation, as measured in terms of population. We are not growing as rapidly as Arizona, California and a few other of our sister states, but our rate of growth is far above the national average. We are right now rapidly approaching the one-million mark in population, and expect to reach and pass that magic figure during the course of the current year. All of this means that the business of state government which we are operating is a much bigger business than it has been in the past.

Operating costs will obviously be higher when we have more citizens to serve, although we should be able to increase our efficiency so that operating costs will not rise as rapidly as population totals . However, we have the further problem of inflation which continues to push the costs of government steadily upwards. In addition, our complex population tends to demand more and more services from its government, introducing yet another factor of increased cost.

On the other, and brighter, side of the picture, continued growth also means—or most certainly should mean—a steadily broadening tax base, which will produce increasing amounts of revenue without imposing additional burdens on individual taxpayers This will be true so long as our economy is healthy

and expanding; but it would be dangerously easy to spend so much in response to the demands of various groups and interests that we destroy the healthful economic climate which is essential to the growth and expansion of the over-all economy on which we depend to pay the bill.

For these reasons I feel, and I am confident that you share my feeling, that in the considerations which lie before us we must be bound by the strictest sense of fiscal responsibility. If we maintain full fiscal integrity, we can meet our problems in a reasonable manner and substantially strengthen our position in the days, weeks and years that lie ahead If we should be false to our trust and fail to maintain full fiscal responsibility, we could do irreparable harm to our future and to that of our children .

At the present time, the economy of the State of Utah is sound. Business and industry are generally healthy, and unemployment is relatively low. We have many new industries, and others are steadily being attracted to the state. There are some darker areas in the generally bright picture, of course, but every effort is being made to provide help where it is most needed. I think our Committee on Industrial and Employment Planning is doing an excellent job, both in attracting new industry to the state and also in helping to locate it, insofar as it is possible to do so, in the areas where it is most needed. Except for comparatively minor amounts borrowed from our own state funds at low interest, and for which full repayment provisions have been made, we are free from debt. At this time, there is considerable pressure from many quarters for a bonding program, which would place the state in formal debt for the first time in many years. This is a highly debatable question, but I shall pass over it here as it bears directly on the question of the state budget, which I shall be discussing with you in a few days' time.

In contrast to the generally excellent state of our economy, which is happily reflected in steadily expanding returns from our present tax base, we are confronted with an unprecedented demand for state funds. The expanded demands come from all sides and concern virtually every department and institution of state government. By far the largest demands come from education, both from the public schools and from the

institutions of higher learning; and relate both to continuing operation and maintenance costs and to capital construction.

This, again, is primarily a budgetary question, which I expect to discuss in my official budget message I shall not, therefore, go into detail on any facet of the problem at this time, but I shall make this brief observation for your serious consideration in the interval between now and the delivery of the budget message:

Some increase in the support of education, both at the high school-grade school level and in our institutions of higher learning, is imperative. On the other hand, when we add up the total of the demands of all of our educational groups, it quickly becomes obvious that we cannot, by any stretch of the imagination or the purse strings, meet them all. Our task becomes one of careful differentiation between critical need and desire and of relating genuine need to our ability to pay. I sincerely hope that our educators will join with us in seeking a reasonable solution, one which will put every available dollar to the best possible use, and that they will not compete so vigorously among themselves that one or another segment of our educational structure—if not, indeed, the entire structure—will seriously suffer.

In order to maintain fiscal integrity and the strict accounting which I have indicated to be so vital to our welfare, I strongly urge that both houses of the Legislature adopt rules to require that "price tags" be clearly affixed to all legislation which is introduced. By this I mean that every piece of proposed legislation which will entail a money cost to the state be accompanied by a statement to this effect, including an estimate of the exact cost. This is necessary because many bills which entail substantial expenditures do not clearly so indicate in the language of the legislation itself These may be passed—particularly in the closing days of the session when time pressure becomes great—without those voting for the measures realizing what their cost will be. The total of such hidden costs which can pile up during the course of a legislative session can be frightening, and we cannot afford to act blindly at this time

One of the matters which must be dealt with by the 35th Legislature is reapportionment This is a responsibility imposed by the Constitution; and we have the additional con-

cern that if we should fail to carry out our responsibility, the Federal Courts might move in and attempt to usurp power rightfully belonging to the state. I urge you to act promptly in this matter, in a manner both to meet the Constitutional requirements and also to guarantee fairness and equity to all areas of our growing state

There are a number of questions which affect state government in general and which I shall treat at this time, before passing on to consider questions pertaining to the various individual departments and institutions

Reorganization of State Government

The 32nd Utah Legislature altered the basic structure of three of our major departments of state government The Road Commission, the Land Board and the Building Board were changed from three-man, full-time commissions which both established policy and administered it, to part-time policy-making commissions, with full-time, professionally-qualified directors to handle departmental administration This is the basic pattern of successful business organizations, and I believe the experience of the past six years has clearly demonstrated its advantages in the conduct of state government. I therefore recommend that you carefully consider making comparable changes in the structure of other state departments, specifically the Agricultural, Finance, Industrial, and Liquor Control Commissions. I do not recommend this change for the Tax Commission, which is prescribed as a four-member commission by the Constitution and which must sit as a quasi-judicial body.

In the matter of the Finance Department, I further urge that the recommendations of the so-called Snow Report and of the Legislative Council be followed and that the department be made directly responsible to the Governor. This would place the administrative authority and facilities, particularly in budget and personnel matters, where the responsibility for these functions is already lodged by law. To separate responsibility from authority and administrative control is both illogical and inefficient and not in the interests of good government.

If the Finance Department is made directly responsible

to the Governor, the budgetary function could be adequately carried out within the department. However, if the department is left in its present position of being responsible to the Board of Examiners rather than to the Governor, I should have to renew my request to have a professionally qualified budget officer added to the staff of the Governor. Under present conditions, it is difficult for the Governor to properly discharge his responsibilities for budget preparation, and virtually impossible for him to exercise proper control of budget performance.

I do most earnestly renew the request I made two years ago, to have added to the staff of the Governor a planning coordinator. Let me repeat what I pointed out when I first made the request: I do not propose to establish a planning director, or a planning department with authority and responsibilities overlapping those of presently-established departments of state government. What I do propose is a planning coordinator in the strictest meaning of the word, one who would work with established departments to make certain that their long-range plans are properly coordinated and are not, through lack of adequate information, in costly conflict. I am sure the cost of such an operation would be repaid many times over in efficiency.

While on the subject of the Office of the Governor, let me again, and most urgently, renew the plea I have made each time I have presented a proposed program to the Legislature: That reasonable staff and office facilities be supplied a Governor-elect between the time of his election in November and his taking office in January I have pointed out each time I have presented this request that it could not affect me personally, as it would apply only to a governor elected for the first time. It is obviously in the interest of the state to have a new Governor reasonably prepared to deal with the problems which confront him when the Legislature convenes some two scant months after his election Under present conditions, the Governor-elect must depend on outside assistance to provide needed staff help to make this preparation, a situation which could create unfortunate conflicts of interest The cost of this proposal would be relatively minor, but its importance is out of all proportion to its modest cost. I urge that appropriate action be made an early order of business in this session.

As a matter of efficiency, and also of equity, I urge that the various retirement programs now in effect for state employees, including schoolteachers, be consolidated into a single program with a single administration

The various non-paid boards which direct, or advise, departments of state government are compensated for necessary travel and expenses, and usually are provided per diem for time actually spent in board meetings and other prescribed official duties This is only reasonable. However, the expense and per diem allowances vary widely and without rhyme or reason. I propose that our statutes be amended to remove these varying provisions, and that a standard scale of per diem and travel allowance be established for all state boards to which such provisions apply.

A number of proposals for merit systems for state employees have been advanced. I want to add my strong endorsement in principle, but at the same time to register my disagreement with certain features of the spcific proposals which have so far been brought to my attention. I am in favor of a merit system which would protect conscientious employees of the state from being dismissed for purely political or other arbitrary reasons. This, I am sure, would be sound practice in the interest of all the citizens of the state, as it would tend to attract qualified career people and to hold in state employ those who have gained valuable training and experience at state expense. However, I do not favor any so-called merit system from which it is iniordinately difficult to discharge an employee who is not doing the job he was hired to do. The public should be protected from the few—and they are very few—parasites who want to take public money without giving value in work done, just as the employee should be protected from capricious or arbitrary action on the part of his supervisors. A proper merit system, with the safeguards I have outlined, should cover all state employees, except temporary employees, below the policy-making level. It is essential that elected officials be empowered to appoint people at the policy-making level whose basic philosophies are in agreement with their own and with whom they can work effectively.

The salaries of a number of appointive officials, specifically those of the Banking and Insurance Commissioners and the directors of the Land Board and the Departments of Fish

and Game and Tourist and Publicity, are now specifically limited by statute, without valid reason. I propose that these statutory limitations be removed and that the Board of Examiners be empowered to fix these salaries as they do those of other state employees. This is not a matter of raising present salaries, but one of reason and convenience. In a situation of continuing inflation it is now necessary to amend the statutes in numerous places every few years, and in so doing it is always possible, through error or oversight, to create serious inequities.

I recommend that departments of state government, such as Fish and Game and Parks and Recreation, which acquire private lands by purchase and thereby take them off the tax rolls, be required to pay users fees in lieu of property taxes. This would not only aid in the support of schools and local government, but it would also remove much of the existing opposition to the expansion programs of these departments.

I shall now direct your attention to various matters which concern individual departments of state government rather than over-all government administration. Rather than attempt to assign them any sort of priority, I shall present them alphabetically

Aging

I want to commend the State Council on Aging for the excellent work it is doing, and to renew my recommendation that the council continue to operate on a limited budget received through the Department of Welfare and without substantial expansion of its present staff and facilities. The council should make every effort to develop support in the cities and communities throughout the state.

Agriculture

I recommend that the State Department of Agriculture be given the responsibility for inspecting all meat packing plants operating in Utah and which are not Federally-inspected, on a program comparable to that by which packing establishments engaged in interstate commerce are inspected by the Federal Government. I believe this is desirable both to protect the health and welfare of our own citizens and also to provide locally-owned establishments an opportunity to

compete with the larger, foreign-owned packing establishments.

Banking

I endorse the legislation which is being proposed by the State Banking Department, and specifically the provision which would remove the requirement that the Governor as well as the Bank Commissioner approve applications for the establishment of branch banks. I believe it is inconsistent to provide for the establishment of unit banks on the approval of the Bank Commissioner, without the approval of the Governor, yet to require the approval of both the Bank Commissiner and the Governor for the establishment of branch banks. Furthermore, I believe that state banks are handicapped by this additional requirement in contrast to national banks which operate under the Federal Comptroller of the Currency and which are subject to far fewer restrictions than are state banks.

Business Regulation

I endorse the proposal of the Department of Business Regulation to revise the schedule of fees for the businesses and professions which come under its jurisdiction. I believe it is only just that each such business or profession pay its way and that the various fees should be set high enough to accomplish this purpose; on the other hand, I believe it is unjust for any business or profession to pay substantially more than the cost of its own regulatory operation through fees which are levied for this specific purpose and not as revenue-producers. I believe the schedule now proposed by the department has been arrived at after careful study and is equitable.

Children and Youth

Let me repeat with regard to the Committee on Children and Youth, the commendation which I voiced for the work of the Committee on Aging. Let me also repeat the recommendation that this committee continue to operate from funds supplied through the Department of Welfare, and that it maintain its present limited staff and facilities and seek to develop maximum support from local communities throughout the state.

Civil Defense

A previously-enacted Constitutional amendment designed to provide continuity in state government under emergency conditions that might be created by enemy nuclear attack was invalidated by the Utah Supreme Court on technical grounds. I urge that appropriate action be taken without delay to re-enact a comparable amendment, this time in proper legal form, so that we may be adequately prepared for any emergency which may arise.

In this same connection, I shall request in my forthcoming budget message moderate funds for setting up, in the basement of the Capitol Building, an alternate site of central state government which could be used under emergency conditions.

Board of Corrections

I urge your favorable consideration of the proposals being sponsored by the Board of Corrections, and I add my special endorsement to the following among them:

1. To remove the statutory requirement that the monthly meetings of the Board of Corrections be held at the Prison. In view of the increasing importance of the Department of Adult Probation and Parole and of the Board of Pardons, it is believed that many meetings could be conducted more effectively at the Capitol than at the Prison.

2. To tighten the law prohibiting the selling or giving away of fermented liquor or drugs at the State Prison; particularly to include delivery of such contrabrand materials on Prison property as a specific violation of the law

3. To recognize, at least to a limited extent, the advance of inflation by increasing the amount of cash to be given inmates on their release from Prison to $25 in lieu of the present statutory $10.

4. To remove the requirement that all goods produced at the Prison be clearly labelled "prison-made goods." In Utah, prison-made goods do not go into the channels of commerce, so that this special identification is not necessary. If the present law were to be strictly followed, Utah automobile license plates would have to carry the inscription.

Fair Board

I urge that State Fair Board funds, including profits from the operation of the Fair, be made non-lapsing so that they will remain in the Fair Board account. The purpose of this would be to provide an incentive for the Fair to become self-supporting. At the present time, profits from a good year of operation go immediately into the General Fund, and the Fair Board is forced to request a deficit whenever adverse weather or other unfortunate conditions reduce profits below the break-even level. Under such conditions there is no incentive to develop an effective long-range program, such as could be developed if the board could use profits from the Fair operation to build the inistitution .

Under existing statutes, appointments to the State Fair Board date from July 1 of the various years in which they may take effect. I recommend that these appointments be made to date from March 1 of the respective years, in order that new appointees may be given assignments for the preparation of the State Fair which will be held in the fall of the same year, in time to properly prepare themselves and to make a worthwhile contribution to the Fair in their first year in office.

Finance Department

I spoke earlier of possible reorganization of the Department of Finance and of the realignment of the chain of responsibility of this department. Quite aside from these considerations, I propose the following actions affecting the internal operation of this department and which would not be affected by reorganization:

1. That the Department of Finance, and the Capitol Plaza Garage which is operated by the Finance Department, be given exclusive responsibility for the marking of all state motor vehicles as required by law.

2. That the responsibility for acquiring surplus property from the United States Government be transferred from the Department of Public Health, where it is now lodged, to the Purchasing Department under the Department of Finance.

Fish and Game

A number of proposals on fish and game matters are being presented with the endorsement of the Utah Wildlife Federation and with most of these I am in general agreement. I particularly recommend the proposed revisions of the law governing posted hunting units for upland bird shooting, this law having been largely written in the 1930's and now having become badly outdated in several particulars.

However, on the most controversial of these issues, that of raising the resident license fees for fishing and hunting, I make no recommendation but urge you to seek the opinion of as many as possible of your constituents and reflect the concensus of your legislative vote .

The issue is quite simple. Utah sportsmen can have the type of program for which they wish to pay. If the majority desire to expand the program, and pay accordingly, they should do so. On the other hand, if they prefer to retain license fees at present levels, and tailor the program to fit, the ultimate choice should be made by the people who pay the bill and reap the benefits of whatever program is carried out.

Highway Department

I urge the enactment of legislation prepared by the Utah Department of Highways in cooperation with the United States Bureau of Public Roads, which provides an over-all revision of Utahs highway laws. This revision is sorely needed, as most of our existing highway laws were enacted a half century or more ago, and many of them are badly out-dated. The primary effect of the proposed legislation would be to eliminate conflicting provisions in existing laws, to delete achaic provisions, and to clarify the responsibilties of the various highway authorities.

Historical Society

I urge your favorable consideration of proposed legislation to provide adequate records management for current and temporary records of the various departments of state government. The present law designating functions of the Utah State Archives, under the State Historical Society, is concerned only with the preservation of permanent records.

Industrial Commission

I urge your support of legislation to revise the statutes pertaining to industrial compensation for second injuries. The present law, providing extensive coverage for persons previously awarded disability compensation and later-re-injured in industrial accidents, is working against rather than to the advantage of partially disabled persons. Many of these are unable to find employment, although they are capable of performing essential tasks, solely because employers cannot afford the risk under our present disability compensation laws. Reasonable revision of the second-injury compensation provisions of the law could open the way for many of these qualified people to find gainful employment.

Insurance

In accordance with the directive provided by Senate Joint Resolution 10 of the 34th Legislature, a special committee made a thorough study of Utah's insurance laws, comparing them to the laws of other states and studying them in the light of court decisions. The report of this committee, and the recommended legislation based on the report, are now available to the 35th Legislature. I commend them to your most thoughtful consideration.

Land Board—Oil and Gas Commission

The State Land Board, which also serves as the Oil and Gas Commission, is proposing legislation in both of these capacities, and I add my endorsement to the board's proposals.

These proposals are:

1. That a 90-day statute of limitations be established for appealing board rulings to the courts, a practice well established in some states and desirable if the board is to discharge its responsibilities in a satisfactory manner .

2. That the Legislature clarify the board's authority to issue leases other than grazing, mineral and oil and gas leases.

3. That the Board be authorized to use, subject to approval of the Board of Examiners, maintenance funds to sponsor research activities conducted by private institutions

as well as those conducted by the University of Utah and Utah State University.

4. That state-owned potash lands in the so-called Seven Mile area be withdrawn from oil and gas leasing for a period comparable to that during which Federally owned lands in this area have been withdrawn from oil and gas leasing.

5. That the Land Board be given the responsibility for conducting study and research to determine the potential values and uses of the Great Salt Lake and the land immediately surrounding it. In this endeavor the Land Board could avail itself of the facilities of other state agencies, and of private institutions, when available. I believe the Land Board is the logical place for this responsibility, and that placing it with the board would be preferable to creating a new state bureau or authority.

In its capicity as Oil and Gas Commission, the board is requesting amendment to the law requiring that oil and gas well logs be kept confidential for four months from date of filing. The amendment would provide that the four-month period date from the date when filings are legally due, and would end the deliberate abuse of late filings in order to prolong the period during which the information remains confidential. The existing situation penalizes those who comply with the law on filing dates, and encourages late filings.

Public Safety

In order to improve the machinery at the disposal of the Department of Public Safety for control of motorists on our streets and highways, in the never-ending battle to check the rising loss of life, limb and property in automotive accidents, I urge your favorable consideration for proposed enabling legislation to permit this state to enter into interstate compacts on the subject of driver licenses and motor vehicle safety equipment.

I also support the proposal of the Public Safety Department to increase the fee for the annual inspection of motor vehicles from $1 to $1.25 in order to provide sufficient funds to adequately enforce the inspection law and make it effective. Under present conditions there appears to be too much "selling" of inspection stickers as opposed to thorough vehicle inspection in the genuine interests of public safety.

Sex Offenders

Nearly six years ago, following a shocking attack on a tiny girl, I appointed a special committee to investigate the problems of dealing effectively with defective delinquents and violent sex offenders. This committee made an extensive study and submitted a report which was widely acclaimed, but which was never effectively implemented by legislative action.

Since the adjournment of the 34th Utah Legislature, I had occasion to recall this special committee, again in the wake of a terrible crime. This committee has painstakingly gone over its previous study and recommendations, has heard the testimony of numerous experts in the field of abnormal behavior, and has very recently presented an up-dated and enlarged report which I earnestly recommend to your most serious consideration. I also urge your careful consideration of legislation prepared under the direction of this committee and which is aimed at implementing the principal committee recommendations.

Tax Commission

Under this heading I shall not discuss proposed new revenue measures, to recommend either for or against them, leaving this general subject to my budget message. However, I do wish to bring to your attention three matters in the general area of taxation, which relate rather to basic theory than to the raising of specific revenues.

Utah's existing system of requiring receipts showing payment of property taxes in the various counties as a prerequisite to obtaining motor vehicle license plates from the State Tax Commission, has been widely and justly criticized as cumbersome and unwieldy. Various proposals have been advanced for substituting a tax to be administered by the State Tax Commission in lieu of the property tax, administered by the various counties. I strongly support this principle and recommend the Tax Commission's specific proposal for its implementation: That the Legislature pass a joinit resolution to place before the people a Constitutional amendment which would exempt motor vehicles from the property tax and give the Legislature authority to impose an in-lieu tax in its place.

It is felt that the objective cannot be reached satisfactorily without a Constitutional amendment and that any attempt to legislate this matter directly, without amending the Constitution, would be rejected by the Supreme Court.

The second tax matter concerns the diversion of 13⅓ per cent of the sales tax from the General Fund to the Uniform School Fund. This diversion was enacted in the closing hours of the 34th Legislature as a part of the bill which raised the general sales tax from 2 to 2½ per cent with the immediate objective of financing legislation to provide state aid for emergency construction of public schools.

I said at the time I signed this bill into law that I thought the permanent diversion of sales tax money to the Uniform School Fund was unwise and that I hoped this feature would be promptly repealed by the 35th Legislature. I now most urgently renew my recommendation to this effect

Let me say that my concern is not with the amount which will have to go into the Uniform School Fund at this time. I am sure that, if this "automatic" diversion of sales tax monies from the General Fund to the Uniform School Fund is repealed in accordance with my recommendation, it will be necessary to transfer the same amount of money, and perhaps considerably more, from the General Fund to the Uniform School Fund this year. Comparable situations may confront future Legislatures for many years. However, I believe such transfers should be made by the various Legislatures, and that money from the sales tax should not go directly into the Uniform School Fund for reasons which I shall now briefly discuss.

Utah has a very broad tax base, utilizing most of the tax sources used across the nation. This breadth of tax base has been generally acclaimed for its effect on equitably distributing the tax load. However, we have three major taxes which raise most of our money, all other taxes contributing comparatively small amounts. The three big taxes are the property tax, the income tax and the sales tax. The property tax is the principal support of local government – municipalities, counties and school districts. The only state use of the property tax in recent times is to balance the Uniform School Fund. No money whatever from the property tax goes into the General Fund.

All of the money from the income tax also goes directly into the Uniform School Fund, and not a dollar of it goes to the General Fund.

This leaves only the sales tax of the "big three" to contribute to the General Fund, and this tax has become the chief support of the General Fund – which fund supports most of the operations of state government. I believe it would be most unwise to permanently divert sales tax monies directly to the Uniform School Fund at the expense of the General Fund. It is a simple matter, and procedures have been well established, to transfer money as needed from the General Fund to the Uniform School Fund whenever the Legislature wishes to do so. There is no precedent for transferring money from the Uniform School Fund to the General Fund.

It should be kept in mind in considering this question that all of our post-high school educational institutions are financed from the General Fund and not from the Uniform School Fund. In fact, the institutions of higher learning take a far larger percentage of the General Fund than does any other segment of state government.

The third tax matter returns to the area of the property tax and relates to the so-called "freeport" proposal. I urge your favorable consideration in placing before the people of Utah a Constitutional amendment to provide for exemption from the prperty tax for a reasonably long period of goods or materials to be distributed in interstate commerce, and also those manufactured in Utah from Utah raw materials but which are sold outside the state in interstate commerce. The objective of such an amendment would be the development of a major distribution center in Utah for the western half of the United States. Utah occupies an ideal geographical location for such a development, and the property at the Clearfield Naval Supply Depot, now being declared surplus by the Federal Government, would provide physical facilities for a large-scale operation. Development of a large distribution center would obviously encourage further industrial development and the use of Utah raw materials. A study conducted by the University of Utah Bureau of Economic and Business Research indicates that the direct loss in property tax which would be entailed with the adoption of a freeport amendment

would probably be made up many times over in other tax revenues which would come from the proposed development. The freeport proposal has the endorsement of Davis County and of Clearfield City, which are the taxing units which would suffer the greatest direct loss in property tax.

Water Plan

It has been frequently pointed out that Utah is situated in an area of semi-arid to arid climatic conditions, and that water is the limiting factor on our population growth and on the development and exploitation of our resources – whether agricultural, mineral, industrial or recreational. We are making a continued effort to develop our water resources as fully as possible, yet we are handicappd by lack of adequate information in many critical fields.

Recent work done under the direction of the State Engineer and the Water and Power Board clearly shows our need for a comprehensive survey of available water sources. We especially need further detailed study of the relationship between surface and underground sources of water, for we are finding more and more that major "savings" of surface waters may be made at the expense of underground sources on which other segments of our economy depend.

What is needed is a comprehensive State Water Plan, which will require a minimum of six to eight years to complete, but which will be vital to the future growth and development of this state.

Work along this line has already been begun under the direction of the Water and Power Board. In my budget message I shall discuss the WPB program in more detail and request a comparatively modest sum to carry the work through the 1963-65 biennium. At this time, I commend this subject to your most thoughtful consideration in the interval until I shall present a specific budget request.

Conclusion

In conclusion, I call your attention to the report of the Legislative Council on the studies assigned to it by the 34th Legislature and other questions which the Council independently chose to investigate. I regret to say that at the time I

prepared these remarks I had not had an opportunity to study the Council report, or its recommended legislation, but I do urge the 35th Legislature to give close attention to the report of this interim study body.

I shall conclude my legislative recommendations at this point. I shall appear before you again, as provided by law, to discuss my budget recommendations in a few days time.

The Joint Committee then escorted Governor Clyde to his chamber.

On motion of Representative Harward, the Governor's Message was ordered spread upon the Journal of the Senate.

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

THIRD DAY

AFTERNOON SESSION

January 16, 1963

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

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

The Prayer was given by the Chaplain.

January 16, 1963

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,

HAVEN J. BARLOW,
Chairman

Report Adopted and Filed.

REPORTS OF SPECIAL COMMITTEES

Mr. President and Mr. Speaker:

Your Committee on Joint Rules wishes to report as follows:

That new joint rules, numbered as follows, be adopted:

17A– *Bills, Resolutions, etc. Procedure.* Introduction of resolution of congratulation and resolutions or memorials of condolence or similar matters, on any things irrelevant to legislative matters is hereby discouraged. Any of such resolutions and memorials as are adopted shall not be printed unless a motion authorizing such printing is adopted by both houses.

17B– *Statement of Purpose.* Every bill or resolution, when introduced in either house shall be accompanied by a brief statement of the purpose and objective of the bill or resolution by the sponsor, with at least four copies, which statement and copies shall be referred to and considered by the committee to which the bill or resolution is referred, but such statement shall not be printed. This statement shall be limited to 100 words unless a greater number is allowed by the presiding officer of the body concerned.

17C– All matters referred to the Legislative Council for study shall be by joint resolution.

17D– In harmony with the provisions of Section 76-28-22, of the Utah Code, every member of the Legislature who has a personal or private interest in any measure or bill proposed or pending before the Legislature of which he is a member, shall fully disclose the nature of such interest to the House of which he is a member before any vote is taken thereon.

17E– No standing rule of either House shall be altered, amended, suspended, or rescinded without the number of votes in either House required by such rule.

17F– Every bill or resolution providing for new or expanded services which authorize or requires the expenditure of additional state funds shall be referred to the Appropriation Committee before final passage.
46. Is hereby amended to read as follows:

46. INSPECTION TOURS. On all tours of inspection to State Institutions, the respective house shall determine who shall be the employees to accompany the members on such tours of inspection. It shall be the duty of the Sergeant-at-arms or assistant to make all arrangements for transportation and accommodation of members.

"Neither House shall take a junket or trip at State Expense without the prior consent of the other House." This rule shall not apply to committees of either House or to Joint Committees.

We recommend that the last paragraph of Rule 47 of the Joint Rules be deleted.

We recommend that Joint Rule 50 be amended to read as follows:

50— *Mailing Lists* Both houses shall cooperate in establishing a joint mailing list.

All persons, firms or corporations regularly receiving copies of the bills and journals of the legislature or who wish to be put on the mailing list therefore, shall pay the sum of $25.00 for such service for each legislative session. This rule shall not apply to members and officers of the legislature, nor to any school, library, political subdivision, state agency, the College of Law of the University of Utah, news dispensing agencies such as newspapers, radio stations and television stations, nor to the chairman of State and County political parties, which request such service.

We believe joint rules 38, 40, and 41 having to do with procedure on enrolled bills deserve careful consideration. It may be possible to amend those rules so that the original bills, rather than the enrolled bills, can be acted upon and it would not be necessary to compare the enrolled bills with the original bills as now required by the rules, until after the session was over. This would insure more accuracy in enrolling the bills, and would save considerable time during the last days of the session. As matters now stand, it is often discovered after the legislature adjourns that the enrolled bill is not an accurate copy of the bill as passed. We therefore recommend that th joint committee on rules consider this matter further and report back within ten days.

Respectfully submitted

Co-Chairman of Joint Rules Committee

Senator Orval Hafen

Representative Franklin W. Gunnell

Report Adopted and Filed.

REPORT OF SPECIAL COMMITTEE ON SENATE RULES

January 16, 1963

Mr. President:

We hereby report as follows:

1. That if the proposed joint rule No. 17A is adopted, Senate Rule No. 105 be repealed.

That if the proposed joint rule No. 17E is adopted, Senate Rule 115 be repealed.

2. Senate Rule No. 75 be amended to read as follows:

1. Agriculture and Irrigation, seven members.
2. Business and Commerce, seven members.
3. Political Subdivisions, nine members.
4. Education, seven members.
5. Appropriations, twelve members.
6. Fish and Game, five members.
7. Public Health, Welfare and Institutions, seven members.
8. Judiciary, seven members.
9. Labor, five members.
10. Industry, five members.
11. Highways and Aeronautics, seven members.
12. State, Federal & Military Affairs & Civil Defense, seven members.
13. Rules, four members.
14. Revenue & Taxation, seven members.

3.Delete: 15. Salaries, five members.

Respectfully submitted,

ORVAL HAFEN, Chairman

SPECIAL SENATE COMMITTEE ON RULES

Report Adopted and Filed.

On motion of Senator Hafen, the Senate voted to honor a long time former Representative and State Senator, Alonzo F. Hopkin, in a very special manner, by inviting his family and paying proper respect in a manner which could be termed a "Lon Hopkin" day in the Legislature.

The Senate further voted to invite the Speaker and members of the House together with His Excellency the Governor, to join in such an occasion and that the President of the Senate appoint a Special Committee from the Senate which could act with a like Committee from the House to make plans

and arrangements so that such a day could be commemorated early in the session. In the event the House does not so desire to join together in such an event the Senate would go ahead with such intent and have a "Lon Hopkin" day in the Senate.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

STANDING COMMITTEES

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

AGRICULTURE AND IRRIGATION

Senator Kerr–Grover, Harmston, Hunter, Lambert, Sowards, Waddingham.

BUSINESS AND COMMERCE

Senator Barlow–Browning, Gardner, Harmston, Hunter, Mantes, Stacey.

POLITICAL SUBDIVISIONS

Senator D. Taylor–Hafen, Hammond, Holman, Lambert, Mantes, Rees, Samuel Taylor, Waddingham.

EDUCATION

Senator Bernhard–Hammond, Lambert, Rees, Sowards, D. Taylor, Waddingham.

APPROPRIATIONS

Senator Brockbank–Barlow, Bernhard, Browning, Hafen, Holman, Hunter, Bruce Jenkins, Kerr, Mantes, Stacey, D. Taylor.

PUBLIC HEALTH, WELFARE AND INSTITUTIONS

Senator Hammond–Grover, M. Jenkins, Lambert, Miller, Rees, Douglas Taylor.

FISH AND GAME

Senator Browning–Harmston, Holman, Miller, Stacey.

JUDICIARY

Senator Hafen–Barlow, Brockbank, Grover, Holman, B. Jenkins, Samuel Taylor.

LABOR

Senator Gardner–Grover, Memmott, Miller, Samuel Taylor.

INDUSTRY

Senator Samuel Taylor–Bernhard, Brockbank, Memmott, Waddingham.

HIGHWAYS AND AERONAUTICS

Senator Stacey–Browning, Hammond, Harmston, Merrill Jenkins, Kerr, Miller.

STATE, FEDERAL & MILITARY AFFAIRS & CIVIL DEFENSE

Senator Rees–Barlow, Gardner, Bruce Jenkins, Merrill Jenkins, Memmott, Sowards.

RULES

Senator Sowards–Hafen, Kerr, Memmott.

REVENUE & TAXATION

Senator Hunter–Bernhard, Brockbank, Gardner, Bruce Jenkins, Merrill Jenkins, Mantes.

On motion of Senator Kerr, the Senate adjourned until Thursday, January 17, at 10 A.M.

FOURTH DAY

MORNING SESSION

January 17, 1963

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

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

The Prayer was given by the Chaplain.

January 17, 1963

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,

HAVEN J. BARLOW,
Chairman

Report Adopted and Filed.

INTRODUCTION OF BILLS

S. B. No. 1 By Messrs. G. Douglas Taylor and Bruce S. Jenkins

AN ACT RELATING TO NON-PROFIT CORPORATIONS; REVISING THE NON-PROFIT CORPORATION LAWS BY ENACTING A NEW ACT TO BE KNOWN AS THE UTAH NON-PROFIT CORPORATION ACT; PROVIDING FOR THE ORGANIZATION AND OPERATION OF NON-PROFIT CORPORATIONS AND THEIR POWERS AND PURPOSES; PROVIDING FOR THE RIGHTS AND OBLIGATIONS OF MEMBERS, TRUSTEES AND OFFICERS; PROHIBITING LOANS TO TRUSTEES OR OFFICERS OR THE PAYMENT OF DIVIDENDS; PROVIDING FOR THE FILING OF ARTICLES OF INCORPORATION AND OF AMENDMENTS THERETO; PROVIDING FOR MERGERS AND CONSOLIDATIONS OF NON-PROFIT CORPORATIONS AND DISSOLUTION THEREOF; PROVIDING FOR THE POWERS AND OBLIGATIONS OF FOREIGN NON-PROFIT CORPORATIONS AND THEIR RIGHTS OF WITHDRAWAL; PROVIDING FOR ANNUAL REPORTS TO THE SECRETARY OF STATE AND FOR FEES AND PENALTIES; AND REPEALING SECTIONS 16-6-1, 16-6-2, 16-16-3, 16-6-4, 16-6-5, 16-6-6, 16-6-7, 16-6-8, 16-6-9, 16-6-10, 16-6-11, 16-6-12 and 16-6-16, UTAH CODE ANNOTATED 1953, 16-6-17, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 24, LAWS OF UTAH 1957 AND 16-10-142, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 28, LAWS OF UTAH 1961, was read the first time and referred to the Committee on Rules.

S. B. No. 2 By Mr. Hafen

AN ACT AMENDING SECTIONS 77-19-9 AND 77-19-10, UTAH CODE ANNOTATED 1953, RELATING TO EMPLOYMENT OF COUNSEL BY A GRAND JURY AND THE USE OF TESTIMONY OF WITNESSES, AND ENACTING A NEW SECTION TO PROVIDE FOR PAYMENT OF EXPENSES OF A GRAND JURY, was read the first time and referred to the Committee on Rules.

S.B. No. 3 By Mr. Hafen

AN ACT AMENDING SECTION 30-1-2, UTAH CODE ANNOTATED 1953, RELATING TO MARRIAGES PROHIBITED AND VOID, was read the first time and referred to the Committee on Rules.

S. B. No. 4 By Mr. Hafen

AN ACT AMENDING SECTIONS 67-2-3 AND 68-1-6, UTAH CODE ANNOTATED 1953, RELATING TO THE DISTRIBUTION OF THE CODES OF THE STATE OF UTAH, was read the first time and referred to the Committee on Rules.

S. B. No. 5 By Messrs. Hafen, Bruce S. Jenkins, and Brockbank

AN ACT RELATING TO CONDOMINIUM OWNERSHIP OF PROPERTY; ENACTING A NEW ACT TO BE KNOWN AS THE "CONDOMINIUM OWNERSHIP ACT"; PROVIDING FOR THE CREATION AND OPERATION OF CONDOMINIUM PROJECTS; PROVIDING FOR EXECUTION AND RECORDING OF DECLARATION OF PROPERTY FOR PURPOSES OF CONDOMINIUM OWNERSHIP; PROVIDING FOR THE SEPARATE ASSESSMENT AND TAXATION OF INDIVIDUAL CONDOMINIUM UNITS, was read the first time and referred to the Committee on Rules.

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

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 1 By Messrs. Sowards, Kerr and Hafen

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

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

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

Yeas, 24; Nays, 0; Absent,1.

Those voting in the affirmative were: Senators Barlow, Bernhard Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Bruce S. Jenkins, Merrill Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, G. Douglas Taylor, Samuel J. Taylor, Waddingham and Mr. President.

Absent and not voting: Senator Hunter.

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

S. J. R. No. 2 By Messrs. Grover and Holman

A JOINT RESOLUTION OF THE LEGISLATURE OF THE STATE OF UTAH TO RATIFY A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, was read the first time and referred to the Committee on Rules.

INTRODUCTION OF BILLS

S. B. No. 6 By Messrs. Barlow, G. Douglas Taylor and Holman

AN ACT AMENDING SECTION 57-1-21, UTAH CODE ANNOTATED 1953, RELATING TO TRUSTEES OF A TRUST DEED, was read the first time and referred to the Committee on Rules.

S. B. No. 7 By Messrs. Bernhard, Merrill Jenkins and G. Douglas Taylor

AN ACT AMENDING SECTION 76-55-1, 76-55-2 and 76-55-4, UTAH CODE ANNOTATED 1953; AND 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, was read the first time and referred to the Committee on Rules.

S. B. No. 8 By Messrs. Sowards, Kerr and Merrill Jenkins

AN ACT AMENDING SECTION 41-11-6, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 69, LAWS OF UTAH 1959, RELATING TO COLLECTION OF MOTOR FUEL TAX AND REFUND FOR OFF HIGHWAY PURPOSE, was read the first time and referred to the Committee on Rules.

S. B. No. 9 By Messrs. Hammond, Barlow and Kerr

AN ACT AUTHORIZING THE STATE LAND BOARD TO TRANSFER TO THE GREATER SALT LAKE COUNCIL OF BOY SCOUTS OF AMERICA, CERTAIN STATE LANDS USED AS A TRAINING CENTER FOR BOY SCOUTS, was read the first time and referred to the Committee on Rules.

S. B. No. 10 By Messrs. Kerr, Bernhard and Bruce Jenkins

AN ACT AMENDING SECTION 53-7-21, UTAH CODE ANNOTATED, 1953, AS ENACTED BY CHAPTER 104, LAWS OF UTAH, 1961, PROVIDING FOR ADDITIONAL DISTRIBUTION UNITS FOR STUDENTS WHO MAY OTHERWISE WITHDRAW FROM HIGH SCHOOL PRIOR TO GRADUATION AND PROVIDING ADDITIONAL DISTRIBUTION UNITS FOR APPROVED SUMMER SCHOOL PROGRAMS, was read the first time and referred to the Committee on Rules.

S. B. No. 11 By Messrs Bruce Jenkins, G. Douglas Taylor and Bullen

AN ACT RELATING TO SECURITIES; PROHIBITING FRAUDULENT PRACTICES IN RELATION THERETO; REQUIRING THE REGISTRATION OF BROKER-DEALERS, AGENTS, INVESTMENT ADVISERS, AND SECURITIES; PROVIDING CIVIL AND CRIMINAL REMEDIES; AND REPEALING ALL OF THE SECURITIES ACT TITLE 61, CHAPTER 1 UTAH CODE ANNOTATED (1953), AS AMENDED BY CHAPTER 129, LAWS OF UTAH 1957, AND BY CHAPTER 149, LAWS OF UTAH 1961, was read the first time and referred to the Committee on Rules.

S. B. No. 12 By Messrs. Hafen and Browning

AN ACT PROVIDING FOR THE EFFICIENT AND ECONOMICAL MANAGEMENT OF PUBLIC RECORDS, was read the first time and referred to the Committee on Rules.

On motion of Senator Kerr, the Senate recessed to meet with the House in Joint Convention to discuss and hear problems concerning the problems of state taxes. The Senate further voted that following the joint convention the Senate stand adjourned until Friday, January 18, 1963 at 10:00 A.M.

JOINT CONVENTION

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

Prayer by the Chaplain of the Senate.

President Bullen announced a Special Joint Committee consisting of Representatives Sheffield, Redd, Loveridge and Senators Hafen, Grover, and Memmott to plan together for a "Lon Hopkin" day to be commemorated in the Legislature.

On motion of Representative Wilkinson, the Senate, and the House resolved itself into a Joint Committee of the Whole.

Th following named individuals appeared before the Joint Committee of the Whole:

Mr. Henry Pearson, Utah Foundation–(Source and distribution of state revenue)

Commissioner–Orville Gunther, State Tax Commission–(Revenue estimates and revenue trends)

Mr. Lewis H. Lloyd, Chairman of the Legislative Council (Tax rates and the tax burden)

Question and answer period for approximately 15-20 minutes.

On motion of Representative Sheffield, the Joint Committee of the Whole was dissolved.

On motion of Representative Gunnell, the President of the Senate announced the Joint Convention dissolved.

FIFTH DAY

MORNING SESSION

January 18, 1963

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

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

Prayer by the Chaplain.

January 18, 1963

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the 4th day and find it correct with minor amendments noted on the final copy.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report Adopted and Filed.

COMMUNICATIONS FROM THE GOVERNOR

January 18, 1963

Honorable Reed Bullen
President of the Utah State Senate
and
Members of the State Senate

Gentlemen:

In accordance with the power vested in me by the Constitution and Laws of the State of Utah, I herewith appoint and recommend to your honorable body for confirmation the individuals named on the attached pages for service on the State Boards and Commissions designated.

Yours sincerely,

GEORGE DEWEY CLYDE,
Governor

Attachs: (9)
Communication Temporarily Filed.
Action Deferred on Same Until Monday.

BOARD OF CORRECTIONS:

Stanley C. Nelson, Salt Lake City; to fill unexpired term of A. Ray Curtis, effective March 7, 1962 and expiring March 4, 1963.

George W. Latimer, Salt Lake City; to fill unexpired term of Calvin A. Behle, effective March 7, 1962, and expiring March 2, 1965.

J. Fred Pingree; appointed for six year term expiring March 1, 1967.

COORDINATING COUNCIL FOR HIGHER EDUCATION:

Morris Rosenblatt, Salt Lake City; to fill unexpired term of John M. Wallace which will expire June 30, 1963.

COUNCIL ON CRIMINAL JUSTICE ADMINISTRATION:

J. Francis Fowles, Ogden; appointed to two year term effective May 9, 1961, expiring May 8, 1963.

Rev. Frank Brusatto, Salt Lake City; appointed to two year term effective May 9, 1961, expiring May 8, 1963.

Arthur L. Beeley, Salt Lake City; appointed to four year term effective May 9, 1961, expiring May 8, 1965.

Mark K. Allen, Provo; appointed to four year term effective May 9, 1961, expiring May 8, 1965.

Robert R. Sonntag, Salt Lake City; appointed to six year term effective May 9, 1961, expiring May 8, 1967.

Christian Ronnow, Salt Lake City; appointed to six year term effective May 9, 1961, expiring May 8, 1967.

COMMITTEE ON CHILDREN AND YOUTH:

Mrs. Allen Lipman, Salt Lake City; appointed for a six year term effective July 1, 1961 and expiring June 30, 1967.

*Mrs. Smoot Brimhall, Provo; appointed for a four year term effective July 1, 1961 and expiring June 30, 1965.

Mrs. James W. Ure, Salt Lake City; appointed for a two year term effective July 1, 1961 and expiring June 30, 1963.

D. Lennox Murdock, Salt Lake City; to fill unexpired term of Mrs. Smoot Brimhall, resigned, effective November 1, and expiring June 30, 1965.

**Marion D. Hanks, Salt Lake City; appointed to a six year term effective July 1, 1961 and expiring June 30, 1967.

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*Resigned August 1962.
**Resigned March 1962.

Dr. Vaughn L. Hall, Salt Lake City; appointed to a six year term effective July 1, 1961 and expiring June 30, 1967.

Dr. Frank E. Duddy, Salt Lake City; appointed to a two year term, effective July 1, 1961 and expiring June 30, 1963.

Dr. Wm. E. Berrett, Provo; appointed to a four year term, effective July 1, 1961 and expiring June 30, 1965.

Warren G. Allsop, Midvale; appointed to a four year term effective July 1, 1961 and expiring June 30, 1965.

Boyd Packer, Provo; to fill unexpired term of Marion D. Hanks, effective April 12, 1962 and expiring June 30, 1967.

STATE FAIR ASSOCIATION:

Jesse M. Conover, Ferron; to fill unexpired term of Horace T. Godfrey, effective Nov. 24, 1961 and expiring June 30, 1965.

Charles W. Romney, Salt Lake City; appointed to a four year term which will expire June 30, 1965.

Rudger C. Atkin, St. George; to fill unexpired term of Ray Lilenquist, expiring June 30, 1965.

Hans Chamberlain, Orderville; to fill unexpired term of Lawrence Jones, expiring June 30, 1965.

John W. Gillman, Orem; reappointed for a four year term, effective July 1, 1961 and expiring June 30, 1965.

FISH AND GAME COMMISSION:

Lamar Dastrup, Sigurd; appointed to a six year term which will expire March 1, 1967.

FINANCE DEPARTMENT ADVISORY COUNCIL:

Lincoln G. Kelly, Salt Lake City; appointed to a four year term which will expire March 1, 1966.

Charles R. Dixon, Salt Lake City; appointed to a five year term which will expire March 1, 1967.

Mark Paxton, Fillmore; appointed to a two year term which will expire March 1, 1964.

Claude R. Middleton, Salt Lake City; appointed to a one-year term expiring March 1, 1963.

Ames K. Bagley, Salt Lake City; appointed to a six year term which will expire March 1, 1968.

Frank R. Fowles, Ogden; appointed to a three year term which will expire March 1, 1965.

BOARD OF FORESTRY AND FIRE CONTROL:

Alden K. Barton, Salt Lake City, Representing Dept. of Agriculture; appointed to six year term expiring June 30, 1967.

Max C. Gardner, Salt Lake City; appointed to two year term, expiring June 30, 1963.

J. Whitney Floyd, Logan, Representing Faculty of Utah State University; appointed to six year term expiring June 30, 1963.

K. E. Bullock, Provo, Representing State Fish and Game Commission; appointed to four year term expiring June 30, 1965.

James A. Hooper, Salt Lake City, Representing Utah Wool Growers Association; appointed to six year term expiring June 30, 1967.

J. Erroll Hicken, Heber City, Representing Utah Cattlemen's Association; appointed to six year term expiring June 30, 1967.

Ralph A. Richards, Oakley, Representing Utah Water Users' Association; appointed to two year term expiring June 30, 1963.

J. Blaine Swenson, Spanish Fork, Representing Utah Farm Bureau Federation; appointed to four year term expiring June 30, 1965.

Harold Coons, Ogden, Representing U. S. Forest Service, appointed to two year term expiring June 30, 1963.

Hall H. McClain, Bountiful, Representing U. S. Bureau of Land Management; appointed to four year term expiring June 30, 1965.

STATE COURSE OF STUDY COMMITTEE:

S. E. Newman, Salt Lake City; to fill unexpired term of Dilworth S. Woolley, expiring June 30, 1963.

Rev. Maurice H. McDowell, Salt Lake City; to fill unexpired term of Rev. C. Sumpter Logan, expiring June 30, 1964.

STATE BOARD OF HEALTH:

Dr. Wm. S. Moyes, Ogden; to fill unexpired term of Dr. Leslie Poulsen, expiring March 1, 1963.

Dr. D. L. Bunderson, Brigham City; to fill unexpired term of Dr. R. O. Porter, expiring March 1, 1965.

Dr. Louis E. Viko; to fill unexpired term of Dr. J. Poulson Hunter, expiring March 1, 1965.

Mrs. Thomas G. Judd, to fill unexpired term of J. R. Backman, expiring March 1, 1965.

WATER POLLUTION CONTROL BOARD:

E. J. Fjelsted, Ogden; reappointed to an eight year term expiring March 1, 1970.

Alvin J. Thuli, Jr., Salt Lake City; to fill unexpired term of R. A. Moss, expiring March 1, 1969.

Wesley Jense, Pleasant Grove; to fill unexpired term of Roy Glazier, expiring March 1, 1968.

HISTORICAL SOCIETY BOARD OF CONTROL:

S. Lyman Tyler, Orem; to fill unexpired term of N. G. Morgan, Sr., expiring April 1, 1965.

INSTITUTE OF FINE ARTS:

Mrs. Helene Parker, American Fork; to fill unexpired term of Mrs. Alice M. Bailey, expiring June 30, 1963.

Mrs. Irene Staples, Salt Lake City; to fill unexpired term of Mrs. Virginia B. Clark, expiring June 30, 1963.

J. Roman Andrus, Provo; appointed to a four year term expiring June 30, 1965.

WEBER COLLEGE BOARD OF TRUSTEES:

Joseph F. Breeze, Ogden; appointed to two year term, expiring June 30, 1963.

Rendell N. Mabey, Bountiful; appointed to two year term expiring June 30, 1963.

Sherman B. Lowe, Salt Lake City; appointed to two year term, expiring June 30, 1963.

Robert G. Hemingway, Ogden; appointed to two year term, expiring June 30, 1963.

O. C. Hammond, Ogden; appointed to two year term, expiring June 30, 1963.

*Marion D. Hanks, Salt Lake City; appointed to two year term, expiring June 30, 1963.

**Frank M. Browning, Ogden; appointed to four year term, expiring June 30, 1965.

John Higginson, Brigham City; appointed to four year term, expiring June 30, 1965.

Ira A. Huggins, Ogden; appointed to four year term expiring June 30, 1965.

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*Resigned March 1962.
**Resigned December 1962.

Mrs. Oma Wilcox, Layton; appointed to four year term expiring June 30, 1965.

Samuel C. Powell, Ogden; appointed to fill the unexpired term of Harvey F. Cahill, deceased which will expire June 30, 1965.

Paul B. Tanner, Salt Lake City; appointed to fill the unexpired term of Frederick R. Hinckley, resigned, which term will expire June 30, 1965.

***Mark E. Peterson, Salt Lake City; appointed to fill the unexpired term of Marion D. Hanks, resigned, which term will expire June 30, 1963.

WATER AND POWER BOARD:

David P. Scott, Ogden; Reappointed to six year term which will expire March 1, 1968.

Leo P. Harvey, Pleasant Grove; Reappointed to six year term, which will expire March 1, 1968.

Wayne Winegar, Layton; appointed to six year term which will expire March 1, 1968.

James A. Bevan, Tooele, appointed to six year term which will expire March 1, 1968.

Dr. Preston L. Jones, Nephi; reappointed to six year term which will expire March 1, 1968.

ROAD COMMISSIOIN:

Elias J. Strong, appointed to fill unexpired term of Weston E. Hamilton, which term will expire April 1, 1965.

TAX COMMISSION:

Donald T. Adams, Monticello; appointed to fill unexpired term of Herbert F. Smart, which term will expire March 1, 1963.

TOURIST AND PUBLICITY COUNCIL:

*Chester J. Olsen, Ogden; appointed to fill unexpired term of Darrell Greenwell, which term will expire July 1, 1965.

UNIVERSITY OF UTAH. BOARD OF REGENTS:

John Strike, Salt Lake City; appointed to four year term which will expire June 30, 1965.

Wilford Moyle Burton, Salt Lake City; appointed to four year term which will expire June 30, 1965.

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*Deceased December 1962.

***Resigned December 1962.

UTAH STATE UNIVERSITY, BOARD OF TRUSTEES:

Sid H. Eliason, Salt Lake City; appointed to four year term which will expire June 30, 1965.

Norman D. Salisbury, Logan; appointed to fill unexpired term of O. C. Hammond, resigned, which term will expire July 1, 1963.

LAND BOARD:

Bryant H. Croft, Salt Lake City; appointed to fill unexpired term of Edward W. Clyde, which term will expire April 1, 1963.

Charles P. Olson, Brigham City; appointed to fill unexpired term of Walter C. Mann, resigned, which term will expire April 1, 1965.

LIBRARY BOARD:

Lerue W. Winget, Salt Lake City; appointed to fill unexpired term of Wilburn N. Ball, which will expire July 1, 1965.

Dr. Everett L. Cooley, Salt Lake City; appointed to fill unexpired term of Dr. A. R. Mortensen, which term will expire July 1, 1965.

LIQUOR CONTROL COMMISSION:

James A. Petersen, Salt Lake City; appointed for a six year term, which will expire June 31, 1967.

HIGHWAY PATROL CIVIL SERVICE COMMISSION:

Charles E. Peterson, Provo; appointed to fill unexpired term of Elias J. Strong, which term will expire January 1, 1962.

Charles E. Peterson, Provo; appointed to four year term, which will expire January 1, 1966.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 3 By Messrs. Brockbank and Bernhard

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH BY ADDING A NEW SECTION NUMBERED 14, EMPOWERING THE STATE LEGISLATURE TO PROVIDE BY LAW FOR THE TAXATION OF MOTOR VEHICLES, TRAILERS, AND SEMI TRAILERS, was read the first time and referred to the Committee on Rules.

INTRODUCTION OF BILLS

S. B. No. 13 By Messrs. Waddingham, Mantes and Bernhard

AN ACT AMENDING SECTION 10-6-41, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 22, LAWS OF UTAH 1961,

RELATING TO THE SALARIES OF ELECTIVE AND APPOINTIVE OFFICERS OF CITIES, AND ENABLING CITIES TO FIX OR CHANGE THE COMPENSATION OF ITS ELECTIVE OR APPOINTIVE OFFICERS BY ORDINANCE AFTER PUBLIC HEARING AND NOTICE OF SAID HEARING, AND REPEALING SECTION 10-6-42, UTAH CODE ANNOTATED 1953, PROHIBITING CHANGES OF COMPENSATION DURING A TERM OF OFFICE, was read the first time and referred to the Committee on Rules.

S. B. No. 14 By Messrs. G. Taylor and Brockbank

AN ACT TO REQUIRE THE FILING WITH THE STATE TAX COMMISSION OF ALL NOTICES IN CONNECTION WITH THE INCORPORATION, ESTABLISHMENT OR MODIFICATION OF COUNTY SERVICE AREAS, SPECIAL PURPOSE DISTRICTS, CITIES AND TOWNS, AND CERTIFIED COPIES OF PROCEEDINGS FOR THE CREATION OR MODIFICATION OF SUCH AREAS AND DISTRICTS, CITIES AND TOWNS, was read the first time and referred to the Committee on Rules.

S. B. No. 15 By Messrs. Hafen, Browning and Gardner

AN ACT AMENDING SECTIONS 7-1-1, 7-1-6, 7-1-7, 7-1-9, UTAH CODE ANNOTATED 1953, 7-1-10, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 7, LAWS OF UTAH 1953, AND CHAPTER 11, LAWS OF UTAH 1959, 7-1-26, 7-1-28, UTAH CODE ANNOTATED 1953, 7-3-6, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 8, LAWS OF UTAH 1953, AND CHAPTER 7, LAWS OF UTAH 1957, 7-3-10, UTAH CODE ANNOTATED 1953, 7-3-32, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 11, LAWS OF UTAH 1957, 7-3-33, 7-3-34 AND 7-3-36, UTAH CODE ANNOTATED 1953, RELATING TO THE STATE BANKING DEPARTMENT, BANKING, BRANCH BANKS, COMMERCIAL AND SAVINGS BANKS, AND AUTHORIZING BANKS TO OWN AN INTEREST IN BANK SERVICE CORPORATIONS AS DEFINED IN THIS ACT, was read the first time and referred to the Committee on Rules.

S. B. No. 16 By Messrs. G. Taylor, Barlow and Miller

AN ACT AMENDING SECTION 38-1-3, UTAH CODE ANNOTATED 1953, RELATING TO MECHANICS' LIENS, was read the first time and referred to the Committee on Rules.

On motion of Senator G. Douglas Taylor, the Senate recessed to meet with the House in Joint Convention to receive information concerning State Budget and Finance. The Senate further voted that when the Joint Convention with the House is dissolved, the Senate stand adjourned until Monday, January 21, 1963 at 2:00 P.M.

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 Cooper, the Senate and the House resolved itself into a Joint Committee of the Whole.

The following named individuals appeared before the Joint Committee of the Whole:

Mr. Lewis H. Lloyd, Executive Sec. and Chairman of the Legislative Council.

Dr. Arthur Browne, Coordinating Council of Higher Education—(Financing Higher Education)

Dr. Marsden Stokes, Assistant State Supt. of Public Instruction—(The Public School Finance Formulas)

Mr. Melburn Coombs, Legislative Auditor—(State Expenditure Patterns)

Clair Hopkins, Commissioner, State Finance Commission—(Budget Management and Transfer of Funds)

On motion of Representative Cooper, the Joint Committee of the Whole was dissolved.

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

EIGHTH DAY

AFTERNOON SESSION

January 21, 1963

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

Roll Call — All Senators present.

Prayer by Senator John T. Bernhard.

January 21, 1963

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,

HAVEN J. BARLOW,
Chairman

Report Adopted and Filed.

COMMUNICATIONS FROM THE GOVERNOR

January 21, 1963

Honorable Reed Bullen, President

Utah State Senate

Capitol

Dear President Bullen:

I shall be ready to present my budget message to the 35th Legislature at 10:00 a.m. on Wednesday, January 23, 1963.

Please notify me immediately if this time will not be satisfactory.

Sincerely,

GEORGE D. CLYDE
Governor

Communication Filed.

Governor notified his request granted by members of the Senate.

COMMUNICATIONS FROM THE HOUSE

January 18, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed under suspension of the rules S.J.R. No. 1, entitled FIXING LEGISLATIVE SALARIES and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD
Chief Clerk

Communication Filed.

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

On motion of Senator G. Douglas Taylor, the Senate voted to appoint a Special Committee of five to act on appointments.

President Bullen appointed Senators Hunter, Kerr, Hammond, Waddingham and Mantes to act as a Special Committee on Appointments.

Communication from the Governor dated January 18, 1963 referred to the Special Committee on Appointments.

On motion of Senator Grover, the Senate voted that upon adjournment Friday, the Senate stand adjourned until the following Monday, January 28, 1963 at 2:00 P.M.

REPORTS OF SPECIAL COMMITTEES

Mr. President and Mr. Speaker:

Your Committee on Joint Rules wishes to report as follows:

1. That Joint Rule 17A, 17C, 17D, be adopted as printed in the Senate Journal, 3rd day, page 2.

2. That Rule 17B as presented in the Senate Journal, 3rd day, page 2, be amended by deleting therefrom the following clause: "unless a greater number is allowed by the presiding officer of the body concerned," then following "100 words" insert a period.

3. That the Joint Rule 17E as presented in Senate Journal, day three, page 2, be amended to read as follows: "No standing rule of either House shall be altered, amended, suspended, or rescinded without the number of votes which are required to activate the specific rule in question."

4. That Rule 17F be amended to read as follows: "Every bill or resolution providing for new or expanded services which authorizes or requires the expenditure of additional state funds shall contain a statement at the end of the bill listing the amount of the appropriation required and where practicable the sources of such appropriation for the implementation of the act. This statement shall not be a part of the act itself and shall not be printed as a part of the bill in its final form. All such bills or resolutions, shall be referred to the Appropriations Committee before final passage."

5. That Rule 50, as reported in the Senate Journal, day three, page 3, be amended by adding a new sentence as follows: "All such sums received for said service shall be promptly deposited with the State Treasurer."

Respectfully submitted,

ORVAL HAFEN

FRANKLIN W. GUNNELL

Co-Chairmen of Joint Rules Committee
Senator Orval Hafen
Representative Franklin W. Gunnell

Report Adopted and Filed.

PRESENTATION OF RESOLUTIONS

S.C.R. No. 1 By Mr. Hafen

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE 35TH LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING CONGRESS TO REBATE FIVE PER CENT OF FEDERALLY COLLECTED INCOME TAXES FOR EDUCATIONAL PURPOSES, was read the first time and referred to the Committee on Rules.

S.J.R. No. 4 By Messrs. D. Taylor, Brockbank and M. Jenkins

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE XIII OF THE CONSTITUTION OF THE STATE OF UTAH BY ADDING A NEW SECTION NUMBERED 14, EMPOWERING THE STATE LEGISLATURE TO PROVIDE BY LAW FOR THE TAXATION OF MOTOR VEHICLES, TRAILERS, AND SEMITRAILERS, was read the first time and referred to the Committee on Rules.

S.J.R. No. 5 By Messrs. Barlow, Browning and D. Taylor

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE XIII, SECTION 2, OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO AN AD VALOREM TAX EXEMPTION FOR ALL TANGIBLE PERSONAL PROPERTY WHICH IS SHIPPED BEYOND THE STATE OF UTAH WITHIN A PERIOD OF ONE YEAR, was read the first time and referred to the Committee on Rules.

INTRODUCTION OF BILLS

S. B. No. 17 By Messrs. Grover and Browning

AN ACT AMENDING SECTIONS 76-28-58, 76-30-4, 76-35-1, and 77-36-1 UCA, 1953, RELATING TO ABOLISHING THE PENALTY OF DEATH AND REPEALING SECTIONS 77-36-5, 77-36-6, 77-36-8, 77-36-9, 77-36-10, 77-36-11, 77-36-12, 77-36-13, 77-36-14, 77-36-15, 77-36-16, 77-36-17, 77-36-18, 77-36-19, UCA, 1953, was read the first time and referred to the Committee on Rules.

S. B. 18 By Messrs. D. Taylor, M. Jenkins and Kerr

AN ACT CREATING A STATE MUSEUM OF NATURAL HISTORY AND ESTABLISHING THE SAME AT THE UNIVERSITY OF UTAH, was read the first time and referred to the Committee on Rules.

S. B. No. 19 By Mr. Holman

AN ACT AMENDING SECTIONS 27-1-29 and 27-1-31, UTAH CODE ANNOTATED 1953, AS AMENDED 1961; RELATING TO SIZE AND WEIGHT OF VEHICLES ALLOWABLE ON UTAH HIGHWAYS AND AMENDING FEE SCHEDULE FOR OVERWEIGHT PERMITS, was read the first time and referred to the Committee on Rules.

S. B. No. 20 By Messrs. Hunter and Sowards

AN ACT AMENDING SECTION 13-6-2, UTAH CODE ANNOTATED 1953, RELATING TO TRADING STAMP BONDS, was read the first time and referred to the Committee on Rules.

S. B. No. 21 By Messrs. Bernhard, M. Jenkins and Browning

AN ACT AMENDING SECTIONS 10-7-23, 10-7-40, 10-7-41 AND 10-7-63, UTAH CODE ANNOTATED 1953, RELATING TO SPECIAL IMPROVEMENT DISTRICTS OF CITIES AND TOWNS; PROVIDING FOR INCLUSION OF THE COST OF ACQUISITION OF REAL PROPERTY IN THE COST OF THE IMPROVEMENT; PROVIDING FOR THE PUBLICATION AND MAILING OF NOTICES OF INTENTION AND OF HEARINGS OF THE BOARD OF EQUALIZATION IN SUCH DISTRICTS AND FOR THE CONTENTS OF SUCH NOTICES, THE PROCEDURE IN HEARINGS BEFORE SUCH BOARDS AND THE POWER OF SUCH BOARDS; PROVIDING FOR INTEREST CHARGES WHEN SPECIAL ASSESSMENTS ARE PAID IN ADVANCE; PROVIDING FOR THE KINDS AND AMOUNTS OF WARRANTS OR BONDS THAT MAY BE ISSUED IN ANTICIPATION OF THE COLLECTION OF SPECIAL ASSESSMENTS; AND REPEALING SECTION 10-7-46, UTAH CODE ANNOTATED 1953, RELATING TO PUBLICATION OF NOTICES OF SPECIAL TAX, was read the first time and referred to the Committee on Rules.

S. B. No. 22 By Mr. Hafen

AN ACT AMENDING SECTIONS 58-23-1, 58-23-2, 58-23-9, 58-23-10, 58-23-11, AND 58-23-14, AS ENACTED BY CHAPTER 137, LAWS OF UTAH 1961, AND CHAPTER 115, LAWS OF UTAH 1957, RELATING TO CONTRACTORS, PROVIDING THAT THE OFFER OF ANY BID SHALL BE ACCEPTED AS PRIMA FACIE EVIDENCE OF ENGAGING IN BUSINESS OF A CONTRACTOR, CHANGING PROVISION CLASSIFYING AN UNDERTAKING UNDER ONE THOUSAND DOLLARS AS CASUAL OR INCONSEQUENTIAL TO ONE HUNDRED DOLLARS ELIMINATING WELL DRILLING AS AN EXCEPTION TO THE CONTRACTORS' LAWS, INCLUDING ALL SPECIALIZED TRADES AND CRAFTS UNDER SPECIALTY CONTRACTOR'S LICENSE, ELIMINATING REFERENCE TO A BOND FOR APPLICANTS WHICH IS NOT REQUIRED BY STATUTE, SPECIFYING THE AMOUNTS REQUIRED FOR ISSUANCE OF SUPPLEMENTAL LICENSE, AND ELIMINATING REQUIREMENT OF FRAUDULENT DEPARTURE AND WILLFUL AND DELIBERATE DISREGARD AND VIOLATION OF BUILDING CODES, SAFETY LAWS AND REGULATIONS, AND RULES AND REGULATIONS OF THE ADMINISTRATOR FOR SUSPENSION OR REVOCATION OF A CONTRACTOR'S LICENSE, was read the first time and referred to the Committee on Rules.

S. B. No. 23 By Messrs. Bernhard, M. Jenkins and Browning

AN ACT AMENDING SECTION 10-7-47, UTAH CODE ANNOTATED 1953, RELATING TO THE ESTABLISHMENT OF SPECIAL IMPROVEMENT DISTRICTS FOR MAKING SPECIAL IMPROVEMENTS AND ENABLING CITIES AND TOWNS TO CREATE SPECIAL IMPROVEMENT DISTRICTS FOR PURPOSES OF PROVIDING OFF-STREET PARKING AND LEVYING TAXES FOR SAID SPECIAL ASSESSMENTS, was read the first time and referred to the Committee on Rules.

S. B. No. 24 By Mr. Hafen

AN ACT TO PROVIDE FOR THE PRE-FILING OF BILLS WITH THE UTAH LEGISLATIVE COUNCIL, was read the first time and referred to the Committee on Rules.

S. B. No. 25 By Messrs. Grover and Hafen

AN ACT AMENDING SECTION 28-1-1, UTAH CODE ANNOTATED 1953, RELATING TO HOMESTEAD EXEMPTIONS, was read the first time and referred to the Committee on Rules.

S. B. No. 26 By Messrs. Hunter and Gardner

AN ACT RELATING TO TRADING STAMPS; PROVIDING THAT PERSONS SELLING TRADING STAMPS TO PERSONS ENGAGED IN TRADE, BUSINESS OR PROFESSIONS SHALL NOT DISCRIMINATE AGAINST PERSONS ENGAGED IN ANY TRADE, BUSINESS OR PROFESSION; AND AMENDING SECTION 13-6-3, UTAH CODE ANNOTATED 1953, TO PROVIDE PURCHASERS OF GOODS, MATERIALS OR SERVICES THE RIGHT TO DEMAND CASH IN LIEU OF TRADING STAMPS, was read the first time and referred to the Committee on Rules.

S. B. No. 27 By Messrs: Barlow, Browning and G. Taylor

AN ACT PROVIDING FOR AN AD VALOREM TAX EXEMPTION FOR ALL TANGIBLE PERSONAL PROPERTY WHICH IS SHIPPED BEYOND THE STATE OF UTAH WITHIN THE PERIOD OF ONE YEAR; AND FOR ALL TANGIBLE PERSONAL PROPERTY ASSESSMENT FORMULA; and REPEALING SECTIONS 59-2-4, 59-5-20, 59-5-21, 59-5-22, 59-5-23, 59-5-24, 59-5-25, 59-5-26, 59-5-27, 59-5-28 and 59-5-29, UTAH CODE ANNOTATED, 1953, was read the first time and referred to the Committee on Rules.

On motion of Senator Kerr, the Senate adjourned until Tuesday, January 22, 1963 at 10:00 a.m.

NINTH DAY

MORNING SESSION

January 22, 1963

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

Roll all – All Senators present.

Prayer by Senator Vernon L. Holman.

January 22, 1963

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,

HAVEN J. BARLOW,
Chairman

Report Adopted and Filed.

REPORTS OF STANDING COMMITTEES

January 22, 1963

Mr. President:

Your Rules Committee, to which were referred

S. B. No. 1 (Judiciary)
S. B. No. 2 (Judiciary)
S. B. No. 3 (Judiciary)
S. B. No. 4 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 6 (Business & Commerce)
S. B. No. 7 (Business & Commerce)
S. B. No. 9 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 10 (Education)
S. B. No. 12 (Judiciary)
S. B. No. 16 (Business & Commerce)
S. B. No. 18 (Education)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the committees indicated.

January 21, 1963

Mr. President:

Your Committee on Rules, to which was referred S.J.R. No. 1, entitled, LEGISLATIVE SALARIES, to be engrossed, has been examined by this Committee who has carefully compared the resolution as passed with the

enrolled and engrossed copy and find it correct and return the same for the signature of the Speaker.

Respectfully,

LELAND SOWARDS,

Chairman

Committee report read and adopted.

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

PRESENTATION OF RESOLUTIONS

S.J.R. No. 6 By Messrs. Miller, Mantes and Memmott

A JOINT RESOLUTION TO AMEND ARTICLE VI, SECTION 16, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE DURATION OF SESSIONS OF THE LEGISLATURE, OMITTING CERTAIN OBSOLETE LANGUAGE THEREIN RELATING TO THE FIRST LEGISLATURE AND TO THE COMPENSATION OF MEMBERS IN SPECIAL AND PROLONGED SESSIONS, AND PROVIDING FOR A SPLIT REGULAR SESSION WITH A RECESS BETWEEN THE TWO PORTIONS WITH INTRODUCTION OF BILLS AND RESOLUTIONS RESTRICTED, was read the first time and referred to the Committee on Rules.

INTRODUCTION OF BILLS

S.B. No. 28 By Messrs. Brockbank, Holman and S. Taylor

AN ACT TO AMEND SECTION 5, CHAPTER 65, SESSION LAWS OF UTAH 1955, TO PREVENT ANY ADVANTAGE BEING GAINED IN THE LENGTH OF TIME FOR WHICH A WELL LOG WILL BE HELD CONFIDENTIAL BY FAILURE TO FILE ON THE DATE REQUIRED BY THE COMMISSION, was read the first time and referred to the Committee on Rules.

S.B. No. 29 By Messrs Brockband, Holman and S. Taylor

AN ACT AMENDING SECTION 40-6-11, UTAH CODE ANNOTATED 1953, RELATING TO THE CONSERVATION OF OIL AND GAS IN THE STATE OF UTAH AND THE JURISDICTIONAL APPLICATIONS OF THE UTAH OIL AND GAS CONSERVATION ACT, was read the first time and referred to the Committee on Rules.

S.B. No. 30 By Messrs. Hafen, D. Douglas and Browning

AN ACT AMENDING SECTIONS 49-6-4, 49-6-7 AND 49-6-8, UTAH CODE ANNOTATED, 1953, AS AMENDED BY CHAPTER 73, LAWS OF UTAH, 1961, PROVIDING THAT: ALL PAID FIREMEN MEETING THE REQUIREMENTS OF THE ACT MAY RETIRE AND RECEIVE A PENSION EQUAL TO ONE-HALF THE AVERAGE ACTUAL MONTHLY WAGE OF SUCH FIREMEN FOR ONE YEAR NEXT PRIOR TO HIS RETIREMENT; UPON THE DEATH OF ANY PAID FIREMAN THE WIDOW OF SUCH DECEASED FIREMAN SHALL RECEIVE A MONTHLY PENSION OF 37½ PER CENT OF THE AVERAGE MONTHLY WAGE OF SAID FIREMAN; A WIDOW OF A RETIRED PENSIONED FIREMAN SHALL RECEIVE THREE-FOURTHS OF THE PENSION OF HER DECEASED HUSBAND; THE PENSION OF A WIDOW SHALL CEASE ONLY UPON THE DEATH OF THE WIDOW, was read the first time and referred to the Committee on Rules.

S.B. No. 31 By Messrs. Browning, Bernhard and Barlow

AN ACT REPEALING SECTION 37-4-11, LAWS OF UTAH 1957, RELATING TO MULTI-COUNTY DISTRICT OR REGIONAL LIBRARIES AND THE PROCEDURE FOR ESTABLISHING THE SAME, was read the first time and referred to the Committee on Rules.

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

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

On motion of Senator Kerr, the Senate voted to defer any legislative action on Friday, February 22, 1963.

REPORTS OF STANDING COMMITTEES

January 22, 1963

Mr. President:

Your Committee on Judiciary to which was referred S.B. No. 3, by Mr. Hafen has carefully considered said bill and reports the same out favorably.

Respectfully,
ORVAL HAFEN
Chairman

Report filed.

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

January 22, 1963

Mr. President:

Your Committee on Education to which was referred S.B. No. 18, by

Messrs. G. Taylor, M. Jenkins, and Kerr has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN O. BERNHARD
Chairman

Report filed.

S.B. No. 18 was placed on the Second Reading Calendar.

January 22, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred S.B. No. 6, by Messrs. Barlow, G. Taylor and Holman has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW
Chairman

Report filed.

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

INTRODUCTION OF BILLS

S.B. No. 32 By Messrs. Browning, Barlow and Bernhard

AN ACT TO AMEND 37-4-3, LAWS OF UTAH 1957, TO PROVIDE THAT THE MEMBERS OF THE STATE LIBRARY COMMISSION MAY BE GRANTED PAY OR PER DIEM IF AUTHORIZED BY LAW, was read the first time and referred to the Committee on Rules.

S.B. No. 33 By Messrs. Browning, Barlow and Bernhard

AN ACT PERTAINING TO PUBLIC LIBRARIES OF THE VARIOUS COUNTIES WHICH PROVIDES FOR THE ESTABLISHMENT AND MAINTENANCE OF THE SAME THROUGH TAXATION, THE APPOINTMENT OF DIRECTORS BY THE COUNTY COMMISSIONERS AND PROVIDING FOR THE GOVERNING OF THE LIBRARIES AND APPOINTMENT OF LIBRARIANS AND ASSISTANTS, PRESCRIBING PENALTIES FOR MISUSE OF LIBRARY PROPERTY AND PERMITTING DONATIONS TO SAID LIBRARIES AND ENPOWERING COOPERATION BETWEEN VARIOUS INSTITUTIONS AND REPEALING PRESENT PROVISIONS OF THE COUNTY LIBRARY LAWS, TITLE 37, CHAPTER 3, SECTIONS 1 THROUGH 9, INCLUSIVE, UTAH CODE ANNOTATED, 1953. THIS ACT SHALL BE KNOWN AS TITLE 37, CHAPTER 3, SECTIONS 1 THROUGH 11, INCLUSIVE, was read the first time and referred to the Committee on Rules.

S.B. No. 34 By Messrs. Browning, Barlow and Bernhard

AN ACT AMENDING TITLE 37, CHAPTER 4, SECTION 4, SUB-SECTION 10, REPEALING SUB-SECTION 11, LAWS OF UTAH 1957, ENACTING A NEW SUB-SECTION THEREFORE, AND ENACTING A NEW SUB-SECTION 14, WHICH RELATE TO THE STATE LIBRARY COMMISSION, ITS POWERS AND DUTIES, was read the first time and referred to the Committee on Rules.

S.B. No. 35 By Messrs. S. Taylor and B. Jenkins

AN ACT AMENDING SECTION 53-38-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 109, LAWS OF UTAH 1955, AND BY CHAPTER 119, LAWS OF UTAH 1961, PROVIDING THAT GENERAL LIBRARY BUILDINGS BE INCLUDED AMONG THE TYPES OF BUILDINGS FOR WHICH INSTITUTIONS OF HIGHER LEARNING MAY ISSUE REVENUE BONDS FOR PURPOSES OF FINANCING THE COST OF CONSTRUCTION, ADDITIONS, REMODELING, FURNISHINGS, MAINTAINING, AND OPERATING SAME, was read the first time and referred to the Committee on Rules.

No. 36 By Messrs. Browning, Barlow and Bernhard

AN ACT RELATING TO CITY LIBRARIES, WITH MAXIMUM AND MINIMUM ANNUAL LEVIES OF TAXES TO PROVIDE FOR A LIBRARY FUND: PROVIDING FOR A BOARD OF DIRECTORS, THEIR APPOINTMENT, POWERS, DUTIES, RULES AND REGULATIONS, ANNUAL REPORT, AND PROVIDING FOR A LIBRARIAN AND ASSISTANTS, PRESCRIBING PENALTIES FOR MISUSE OF LIBRARY PROPERTY, AND AUTHORIZING DONATIONS TO THE LIBRARY AND EMPOWERING VARIOUS BOARDS TO COOPERATE IN PROVIDING LIBRARY SERVICES; PROVIDING FOR CONSOLIDATION: AND REPEALING TITLE 37, CHAPTER 2, SECTIONS 1 THROUGH 12, INCLUSIVE, UTAH CODE ANNOTATED, 1953; AND AS AMENDED BY LAWS OF UTAH, 1955 AND 1959; THIS ACT SHALL BE KNOWN AS TITLE 37, CHAPTER 2, SECTIONS 1 THROUGH 11, LAWS OF UTAH, 1963, was read the first time and referred to the Committee on Rules.

S.B. No. 37 By Messrs. Memmott, Kerr and Miller

AN ACT AMENDING SECTION 58-16-14, UTAH CODE ANNOTATED, 1953, RELATING TO UNPROFESSIONAL CONDUCT AS PERTAINING TO THE PRACTICE OF OPTOMETRY, was read the first time and referred to the Committee on Rules.

S.H. No. 38 By Messrs. Browning, Bernhard and Barlow

AN ACT AMENDING TITLE 53, CHAPTER 2, SECTION 14. REPEALING SECTION 14, ENACTING A NEW SECTION THEREFORE; was read the first time and referred to the Committee on Rules.

S.B. No. 39 By Messrs. Bullen, Holman and Bernhard

AN ACT REQUIRING REASONABLE UNDERSTANDING OF THE FUNDAMENTALS OF THE HISTORY AND THE PRINCIPLES AND FORM OF GOVERNMENT OF THE UNITED STATES AS A BASIS FOR RESPONSIBLE CITIZENSHIP, was read the first time and referred to the Committee on Rules.

S.B. No. 40 By Messrs. Hafen and B. Jenkins

AN ACT AMENDING SECTIONS 75-15-3, 75-15-4, 75-15-5, 75-15-7, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 130, LAWS OF UTAH 1957, RELATING TO THE UTAH UNIFORM GIFTS TO MINORS ACT AND PROVIDING THAT IF THE GIFT IS MONEY, IT MAY BE PAID OR DELIVERED TO A SAVINGS AND LOAN ASSOCIATION FOR INVESTMENT IN SHARES INSURED BY THE FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION, was read the first time and referred to the Committee on Rules.

On motion of Senator Grover, 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. 3 was read the second time.

Committee report read and adopted.

On motion of Senator Grover the rules were suspended and S.B. No. 3 was read the third time and placed on its final passage.

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

Yeas, 23; Nays, 0; Asent, 2.

Those voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting: Senators Mantes and Miller.

S.B. No. 3 was transmitted to the House.

S.B. No. 18 was read the second time.

Committee report read and adopted.

On Motion of Senator Grover, S.B. No. 18 was amended as follows:

Strike the entire Section 1, including lines 1-8 inclusive, then re-number Section 2 to read Section 1, Line 9, following the words "authorized to" insert "establish a state museum of natural history and to."

S.B. No. 18 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 21; Nays, 3; Absent, 1.

Those voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, G. Taylor, S. Taylor, Waddingham, and Mr. President.

Those voting negative were: Senators Browning, Hunter and Stacey.

Absent and not voting was Senator Hafen.

Senator Hafen, chairman of the Special Joint Committee to plan for a "Lon Hopkin" day, moved that if it was agreeable with the House that Wednesday, January 30, 1963, at 10:00 A.M. be set aside to commemorate the aforementioned day.

Motion carried.

On motion of Senator Kerr, the Senate recessed to meet with the House in Joint Convention. The Senate further voted that when the Joint Convention with the House is dissolved, the Senate stand adjourned until Wednesday, January 23, 1963 at 9:30 A.M.

JOINT CONVENTION

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

On motion of Representative Hodgson, the Senate and the House resolved itself into a Joint Committee of the Whole.

The following named individuals appeared before the Joint Committee on the Whole:

INTRODUCTION:

Major General Maxwell E. Rich, Chairman; Utah State Council of Defense.

FEDERAL, STATE AND LOCAL CIVIL DEFENSE OPERATIONS:

Leonard A. Higgins, Director; Utah State Civil Defense Corps.

CONTINUITY OF GOVERNMENT:

J. Rulon Morgan, Utah State Council of Defense.

WOMEN'S ACTIVITIES IN CIVIL DEFENSE:

Irene N. Parson, Director, Women's Activities; Utah State Civil Defense Corps.

TRAINING FOR CIVIL DEFENSE:

John D. McAllister, Director of Training; Utah State Civil Defense Corps.

SHELTER AND SURVIVAL:

D. R. Spradling, Deputy Director; Utah State Civil Defense Corps.
Panel Discussion and Question Period.

On motion of Representative Hodgson, the Joint Committee of the Whole was dissolved.

On motion of Representative Hodgson, the President of the Senate announced the Joint Convention dissolved.

TENTH DAY

MORNING SESSION

January 23, 1963

The Senate was called to order at 9:30 A.M. President Bullen in the chair.

Roll Call – All Senators present.

Prayer by the Chaplain.

January 23, 1963

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,

HAVEN J. BARLOW,
Chairman

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

January 23, 1963

Mr. President:

Your Rules Committee, to which were referred

S.C.R. No. 1 (Revneue & Taxation)
S.J.R. No. 2 (State, Federal & Military Affairs & Civil Defense)
S.J.R. No. 6 (Judiciary)
S. B. No. 5 (Business & Commerce)
S. B. No. 8 (Agriculture & Irrigation)
S. B. No. 14 (Political Subdivisions)
S. B. No. 17 (Judiciary)
S. B. No. 19 (Highways and Aeronautics)
S. B. No. 20 (Judiciary)
S. B. No. 23 (Political Subdivisions)
S. B. No. 24 (Judiciary)
S. B. No. 25 (Judiciary)
S. B. No. 26 (Judiciary)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

INTRODUCTION OF BILLS

S. B. No. 41 By Messrs. Hafen and B. Jenkins

AN ACT AUTHORIZING UTAH STATE BANK COMMISSIONER TO GRANT PERMISSION TO SAVINGS AND LOAN ASSOCIATIONS TO ACT AS TRUSTEE WITHIN THE CONTEMPLATION OF SUB-SECTION (d)(1) OF SECTION 2 OF THE SELF-EMPLOYED INDIVIDUAL'S TAX RETIREMENT ACT OF 1962 AND AS CUSTODIAN WITHIN THE CONTEMPLATION OF SUB-SECTION (f)(1) OF THE SAME SECTION, was read the first time and referred to the Committee on Rules.

S. B. No. 42 By Messrs. Hafen and B. Jenkins

AN ACT GRANTING TO STATE CHARTERED SAVINGS AND LOAN ASSOCIATIONS POWERS, RIGHTS AND AUTHORITY SIMILAR TO THOSE ENJOYED BY FEDERAL SAVINGS AND LOAN ASSOCIATIONS DOMICILED IN THE STATE OF UTAH, was read the first time and referred to the Committee on Rules.

S. B. No. 43 By Messrs. Waddingham and B. Jenkins

AN ACT RELATING TO THE MARKETABILITY OF REAL ESTATE TITLES AND PROVIDING FOR THE EXTINGUISHMENT OF CONFLICTING CLAIMS AFTER A PERIOD OF FORTY YEARS, was read the first time and referred to the Committee on Rules.

S. B. .No 44 By Messrs. Waddingham and B. Jenkins

AN ACT AMENDING SECTIONS 16-10-4, 16-10-28, 16-10-37, 16-10-57, 16-10-60, 16-10-61, 16-10-93, 16-10-102, 16-10-120, 16-10-135 AND 16-10-143 AS ENACTED BY CHAPTER 28, LAWS OF UTAH 1961, BEING PART OF THE UTAH BUSINESS CORPORATION ACT, SAID AMENDMENTS BEING FOR THE PURPOSE OF CORRECTING ERRORS APPEARING IN THE BILL ENACTED IN 1961, SAID CORRECTIONS BEING IN WORDS, PUNCTUATION AND ADDING CERTAIN OMITTED MATTER AND OMITTING CERTAIN MATTER, was read the first time and referred to the Committee on Rules.

S. B. No. 45 By Messrs. Waddingham and B. Jenkins

AN ACT AMENDING THE UTAH BUSINESS CORPORATION ACT, BEING CHAPTER 10 OF TITLE 16, UTAH CODE ANNOTATED 1953 AS AMENDED BY CHAPTER 28, LAWS OF UTAH 1961, BY ADDING TWO SECTIONS TO BE KNOWN AS SECTION 16-10-65.1 RELATING TO THE REDUCTION OF STATED CAPITAL, AND SECTION 16-10-65.2 RELATING TO SURPLUS AND RESERVES OF A CORPORATION UNDER CERTAIN CIRCUMSTANCES, was read the first time and referred to the Committee on Rules.

S. B. No. 46 By Messrs. Waddingham and B. Jenkins

AN ACT REPEALING SECTION 16-8-5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 26, LAWS OF UTAH 1957, RELATING TO WHAT CONSTITUTES "DOING BUSINESS IN UTAH" BY FOREIGN CORPORATIONS, was read the first time and referred to the Committee on Rules.

S. B. No. 47 By Messrs. Brockbank and Waddingham

AN ACT AMENDING SECTIONS 63-6-1, 63-6-2, 63-6-11, 63-6-12, and 63-6-13, UTAH CODE ANNOTATED 1953, RELATING TO THE POWERS AND DUTIES OF THE STATE BOARD OF EXAMINERS WITH RESPECT TO THE EXAMINATION OF UNLIQUIDATED CLAIMS AND REPEALING SECTIONS 63-6-7, 63-6-8, 63-6-9, 63-6-18, 63-6-19, 63-6-20, and 63-6-21, was read the first time and referred to the Committee on Rules.

S. B. No. 48 By Messrs. Brockbank and Waddingham

AN ACT AMENDING SECTIONS 63-2-1, 63-2-2, 63-2-3, 63-2-4, 63-2-7, 63-2-12, 63-2-13, 63-2-14, 63-2-15, 63-2-16, 63-2-17, 63-2-18, 63-2-19, 63-2-20, 63-2-21, 63-2-22, 63-2-23, 63-2-24, 63-2-25, 63-2-26, 63-2-27, 63-2-28, 63-2-29, 63-2-30, 63-2-31, 63-2-32, 63-2-33, 63-2-35, 63-2-36, 63-2-42, 62-2-44, AND 63-2-45, UTAH CODE ANNOTATED 1953, AND 63-2-38, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 150, LAWS OF UTAH, 1961, RELATING TO THE STATE FINANCE ADMINISTRATION AND CONTROL; CREATING THE OFFICE OF DIRECTOR OF FINANCE UNDER THE GOVERNOR AND REPEALING SECTIONS 63-2-5, 63-2-6, 63-2-8, 63-2-9, 63-2-10, AND 63-2-11, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Rules.

S. B. No. 49 By Messrs. Brockbank and Waddingham

AN ACT AMENDING SECTION 67-4-4, UTAH CODE ANNOTATED 1953, RELATING TO THE PREPARATION OF STATE WARRANTS, was read the first time and referred to the Committee on Rules.

S. B. No. 50 By Messrs. Brockbank and Waddingham

AN ACT AMENDING SECTIONS 67-7-6, UTAH CODE ANNOTATED 1953, RELATING TO THE SALARY OF CLERKS OF CERTAIN DISTRICT ATTORNEYS, AND AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF FINANCE TO FIX SUCH SALARIES PAID BY THE STATE, was read the first time and referred to the Committee on Rules.

S. B. No. 51 By Messrs. Brockbank and Waddingham

AN ACT AMENDING SECTION 53-2-9, UTAH CODE ANNOTATED 1953, RELATING TO ACTUAL AND NECESSARY TRAVEL EXPENSE INCURRED BY MEMBERS OF THE STATE BOARD OF EDUCATION, AND PROVIDING THAT THE SAME BE FILED WITH AND APPROVED BY THE DIRECTOR OF FINANCE, was read the first time and referred to the Committee on Rules.

S. B. No. 52 By Messrs. Brockbank and Waddingham

AN ACT AMENDING SECTION 23-2-9, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 32, LAWS OF UTAH, 1959, RELATING TO THE SALARY OF THE DIRECTOR OF FISH AND GAME AS FIXED BY THE FISH AND GAME COMMISSION AND REQUIRING THE SAME TO BE APPROVED BY THE GOVERNOR, was read the first time and referred to the Committee on Rules.

S. B. No. 53 By Messrs. Brockbank and Waddingham

AN ACT AMENDING SECTION 67-2-5, UTAH CODE ANNOTATED 1953, RELATING TO THE MAINTENANCE OF THE STATE CAPITOL AND OTHER STATE BUILDINGS AND REQUIRING THAT EXPENDITURES MADE BE APPROVED BY THE DEPARTMENT OF FINANCE IN THE SAME MANNER AS OTHER BUDGETARY EXPENDITURES OF STATE GOVERNMENT, was read the first time and referred to the Committee on Rules.

S. B. No. 54 By Messrs. Brockbank and Waddingham

AN ACT AMENDING SECTIONS 65-7-7, 65-7-9, 65-7-11 and 65-7-12, UTAH CODE ANNOTATED 1953, RELATING TO THE PURCHASE AND SALE OF LAND OWNED AND USED BY THE VARIOUS DEPARTMENTS AND AGENCIES OF STATE GOVERNMENT AND DESIGNATING THE GOVERNOR AS THE FINAL AUTHORITY FOR APPROVING THE SALE OR PURCHASE OF LAND BY STATE AGENCIES, was read the first time and referred to the Committee on Rules.

S. B. No. 55 By Messrs. Brockbank and Waddingham

AN ACT AMENDING SECTION 55-15-13, UTAH CODE ANNOTATED 1953, RELATING TO THE SALE OF PROPERTY BY THE PUBLIC WELFARE COMMISSION, was read the first time and referred to the Committee on Rules.

S. B. No. 56 By Messrs. Brockbank and Waddingham

AN ACT AMENDING SECTION 23-2-20, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 39, LAWS OF UTAH 1953, AND CHAPTER 49, LAWS OF UTAH 1961, RELATING TO THE FISH AND GAME FUND AND PROVIDING FOR LEGISLATIVE CONTROL OF EXPENDITURES, was read the first time and referred to the Committee on Rules.

S. B. No. 57 By Messrs. Brockbank and Waddingham

AN ACT AMENDING SECTION 23-2-22, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1953, RELATING TO ACQUISITION OF LAND BY THE FISH AND GAME DEPARTMENT, was read the first time and referred to the Committee on Rules.

S. B. No. 58 By Messrs. Brockbank and Waddingham

AN ACT AMENDING SECTIONS 23-7-5 AND 23-7-8, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1953, RELATING TO FISH AND GAME LICENSES, was read the first time and referred to the Committee on Rules.

S. B. No. 59 By Messrs Brockbank and Waddingham

AN ACT AMENDING SECTION 26-15-3, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 163, LAWS OF UTAH 1961, RELATING TO THE SALARY OF THE DIRECTOR OF PUBLIC HEALTH AS FIXED BY THE BOARD OF HEALTH AND REQUIRING THE SAME TO BE APPROVED BY THE GOVERNOR, was read the first time and referred to the Committee on Rules.

On motion of Senator Kerr, the Senate recessed to meet with the House in Joint Convention to receive the Governor's Budget Message, and further moved that the Senate re-assemble at 11:30 A.M.

JOINT CONVENTION

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

Prayer by the Chaplain of the Senate.

The President of the Senate appointed a Joint Committee consisting of Representatives S. A. Smith, Jones and Lambert and Senators Stacey, Gardner and Lambert, to notify the Governor that the Legislature was in Joint Convention and ready to hear his message.

President Bullen recognized Utah's First Lady, Mrs. George D. Clyde.

The Joint Committee returned escorting His Excellency, Governor George D. Clyde, who was presented to the Joint Convention by President Bullen.

The Governor then delivered his Budget Message.

The Joint Committee then escorted Governor Clyde to his chambers.

On motion of Representative Gunnell, the Governor's Mssage was ordered spread upon the Journal of the House.

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

The Senate re-assembled.

CONSIDERATION OF BILLS ON THIRD READING

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:

Yeas, 22; Nays, 2; Absent, 1.

Those voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, Merrill Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Douglas Taylor, Samuel Taylor, Waddingham and Mr. President.

Those voting in the negative were: Senators Browning and Stacey.

Absent and not voting: Senator Bruce Jenkins.

S. B. No. 18 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Mantes, S. B. No. 6 was made a Special Order of Business for Thursday, January 24, 1963 at 2:00 P.M.

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

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

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

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

On motion of Senator Bruce Jenkins, the Senate voted to defer action on appointments and recommendations of the committee, and made such a matter a Special Order of Business for Monday, January 28, 1963 at 2:00 P.M.

On motion of Senator Hafen, the Senate adjourned until Thursday, January 24, 1963 at 10:00 A.M.

ELEVENTH DAY

MORNING SESSION

January 24, 1963

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

Roll Call – All Senators present.

Prayer by the Chaplain.

January 24, 1963

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,

HAVEN J. BARLOW,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 23, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. J. R. No. 1, LEGISLATIVE SALARIES, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

HENRY NYGAARD
Chief Clerk

Communication Filed.

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

REPORTS OF STANDING COMMITTEES

January 22, 1963

Mr. President:

Your Rules Committee, to which was referred S. J. R. No. 4, reports the same back as a duplicate of S. J. R. No. 3, and with the assent of the authors recommends the same not be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Report adopted and filed.

January 24, 1963

Mr. President:

Your Rules Committee, to which were referred

S. J. R. No. 5 (Revenue & Taxation)
S. B. No. 13 (Political Subdivisions)
S. B. No. 21 (Political Subdivisions)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

January 24, 1963

Mr. President:

Your Committee on Revenue and Taxation, to which was referred S. C. R. No. 1, by Mr. Hafen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

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

January 24, 1963

Mr. President:

Your Committee on Judiciary, to which was referred S. B. No. 12, by Messrs. Hafen and Browning, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 60 By Messrs. Holman and Harmston

AN ACT RELATING TO SUPPLIERS OF ELECTRIC SERVICE, PROHIBITING DUPLICATION OF SUCH SERVICE; AND PROVIDING FOR THE CONTINUANCE OF SERVICE IN CERTAIN AREAS, was read the first time and referred to the Committee on Rules.

S. B. No. 61 By Messrs. Hafen, B. Jenkins, and S. Taylor

AN ACT WITHDRAWING CERTAIN STATE LANDS FROM OIL AND GAS LEASING, was read the first time and referred to the Committee on Rules.

S. B. No. 62 By Mr. Hunter

AN ACT RELATING TO REVENUE AND TAXATION; AMENDING SECTION 59-14-7, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 124, LAWS OF UTAH 1955, AS AMENDED BY CHAPTER 124, LAWS OF UTAH 1957, AS AMENDED BY CHAPTER 110, LAWS OF UTAH 1959, AND AMENDING SECTION 59-14-6, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 124, LAWS OF UTAH 1955, PROVIDING FOR AN INCREASE IN THE INDIVIDUAL INCOME TAX EXEMPTION FROM $600.00 to $1,000.00 AND RAISING THE MINIMUM FILING INCOME FROM $600.00 TO $1,000.00, was read the first time and referred to the Committee on Rules.

S. B. No. 63 By Messrs. Hafen and Barlow

AN ACT AMENDING SECTIONS 36-1-1, 36-1-2, AND 36-1-4, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 61, LAWS OF UTAH 1955, 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, was read the first time and referred to the Committee on Rules.

S. B. No. 64 By Messrs. Kerr, Miller and Rees

AN ACT ENABLING LOCAL GOVERNMENTAL UNITS TO ENTER INTO JOINT OR COOPERATIVE AGREEMENTS WITH EACH OTHER TO PROVIDE SERVICES AND FACILITIES TO EACH OTHER AND AUTHORIZING SAID LOCAL GOVERNMENTAL UNITS TO MAKE EXPENDITURES THEREFOR, was read the first time and referred to the Committee on Rules.

S. B. No. 65 By Messrs. Browning, M. Jenkins, and Barlow

AN ACT AMENDING SECTIONS 53-43-1 and 53-43-2, UTAH CODE ANNOTATED 1953, AS ENACTED BY LAWS OF UTAH 1961, CHAPTER 115, PROVIDING FOR CHANGING THE NAME OF WEBER COLLEGE TO WEBER STATE COLLEGE, was read the first time and referred to the Committee on Rules.

On motion of Senator Kerr, the Senate voted to change the Special Order on S. B. No. 6 scheduled for 2:00 P.M. today, further be made a Special Order of Business for 2:15 today.

On motion of Senator Kerr, the Senate recessed to meet with the House in Joint Convention. The Senate further voted that when the Joint Convention with the House is dissolved, the Senate recess until 2:00 P.M.

JOINT CONVENTION

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

On motion of Representative Clyde, the Senate and the House resolved itself into a Joint Committee of the Whole.

The following named individuals appeared before the Joint Committee of the Whole:

Mr. C. A. Grant, Executive Director, Utah State Association of County Officials, introduced Mr. Clair Donnenwirth, member of the Advisory Commission on Inter-Governmental Relations. Mr. Donnenwirth is a county supervisor of Plumas County, California.

On motion of Representative Clyde, the Joint Committee of the Whole was dissolved.

On motion of Representative Clyde, the President of the Senate announced the Joint Convention dissolved.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 7 By Messrs. Kerr and Rees

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROVIDE LEGISLATION DESIGNED TO PRESERVE TO THE RESPECTIVE STATES THEIR POWER TO APPORTION AMONG THEIR CITIZENS THEIR REPRESENTATION IN THE VARIOUS STATE LEGISLATURES, was read the first time and referred to the Committee on Rules.

S. J. R. No. 8 By Messrs. Kerr, Gardner and Holman

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE XIII, SECTION 2, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO AN AD VALOREM TAX EXEMPTION FOR TANGIBLE PERSONAL PROPERTY WHICH IS SHIPPED BEYOND THE STATE OF UTAH WITHIN A PERIOD OF ONE YEAR, AND FOR TANGIBLE PERSONAL PROPERTY WHICH IS HELD FOR EVENTUAL RESALE, was read the first time and referred to the Committee on Rules.

INTRODUCTION OF BILLS

S. B. No. 66 By Mr. Hunter

AN ACT AMENDING SECTION 53-34-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTERS 106 AND 107, LAWS OF UTAH 1955, AS AMENDED BY CHAPTER 117, LAWS OF UTAH 1961, RELATING TO REGISTRATION AND TUITION FEES, PROVIDING FOR AN INCREASE IN NONRESIDENT TUITION FEES, was read the first time and referred to the Committee on Rules.

S. B. No. 67 By Messrs. Hafen, Harmston, and D. Taylor

AN ACT RELATING TO THE BUSINESS OF SELLING OR ISSUING CHECKS, MONEY ORDERS, OR OTHER INSTRUMENTS FOR THE TRANSMISSION OR PAYMENT OF MONEY; PROVIDING FOR THE LICENSING AND REGULATION OF SUCH BUSINESSES BY THE STATE BANK COMMISSIONER; PROVIDING FOR EXEMPTIONS FROM THE ACT; PROVIDING FOR ENFORCEMENT OF THE ACT AND A PENALTY FOR VIOLATION THEREOF, was read the first time and referred to the Committee on Rules.

S. B. No. 68 By Messrs. Grover and Kerr

AN ACT AMENDING SECTION 10-4-2, UTAH CODE ANNOTATED 1953, RELATING TO DISCONNECTION OF AREAS FROM MUNICIPAL CORPORATE LIMITS AND PROVIDING CRITERIA TO BE APPLIED BY THE COURTS IN MAKING DETERMINATIONS RELATING TO DISCONNECTIONS, was read the first time and referred to the Committee on Rules.

S. B. No. 69 By Messrs. Hafen, Bernhard, and Sowards

AN ACT AMENDING SECTION 53-3-1, UTAH CODE ANNOTATED 1953, RELATING TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION, PROVIDING CHANGES IN THE QUALIFICATIONS OF THE OFFICE OF STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, was read the first time and referred to the Committee on Rules.

S. B. No. 70 By Messrs. Hafen, Bernhard, and Sowards

AN ACT AMENDING SECTION 53-2-8, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 77, LAWS OF UTAH 1959, RELATING TO SALARY OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, ELIMINATING THE MAXIMUM ANNUAL SALARY OF $14,000.00, was read the first time and referred to the Committee on Rules.

S. B. No. 71 By Messrs. G. Taylor and Rees

AN ACT AMENDING SECTION 67-2-2, UTAH CODE ANNOTATED 1953, REPLACEMENT VOLUME 7, AS AMENDED BY CHAPTER 128, LAWS OF UTAH 1959, RELATING TO THE GENERAL DUTIES OF THE SECRETARY OF STATE, was read the first time and referred to the Committee on Rules.

S. B. No. 72 By Messrs. G. Taylor and Rees

AN ACT AMENDING SECTION 20-14-21, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 37, LAWS OF UTAH 1953, RELATING TO CORRUPT PRACTICE IN ELECTIONS AND PROVIDING THAT A CORPORATION MAY CONTRIBUTE MONEY TO THE STATE AND COUNTY CENTRAL COMMITTEES, was read the first time and referred to the Committee on Rules.

S. B. No. 73 By Messrs. Hafen and G. Taylor

AN ACT RELATING TO CRIMES; PROVIDING A PENALTY FOR REMOVAL, INJURY OR DESTRUCTION OF PUBLIC TELEPHONE INSTRUMENTS OR OTHER TELEPHONE OR TELEGRAPH FACILITIES; AND AMENDING SECTIONS 76-48-13 and 76-48-16, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Rules.

S. B. No. 74 By Mr. Hunter

AN ACT RATIFYING THE DRIVERS' LICENSE COMPACT PROPOSED FOR ADOPTION FOR THE VARIOUS STATES OF THE UNITED STATES BY THE COUNCIL OF STATE GOVERNMENTS, was read the first time and referred to the Committee on Rules.

S. B. No. 75 By Messrs. Hunter, Gardner and Browning

AN ACT RATIFYING THE VEHICLE EQUIPMENT SAFETY COMPACT PROPOSED FOR ADOPTION FOR THE VARIOUS STATES OF THE UNITED STATES BY THE COUNCIL OF STATE GOVERNMENTS, was read the first time and referred to the Committee on Rules.

SPECIAL ORDER

S. B. No. 6 being a Special Order of Business, was before the Senate.

S. B. No. 6 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 21; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, D. Taylor, S. Taylor, Waddingham, and Mr. President.

Voting in the negative was Senator Mantes.

Absent and not voting were: Senators Hunter, B. Jenkins, and Stacey.

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

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

S. C. R. No. 1 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 16; Nays, 7; Absent, 2.

Those voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Hafen, Hammond, Hunter, Kerr, Lambert, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham, and Mr. President.

Voting in the negative were: Senators Brockbank, Browning, Grover, Harmston, Holman, M. Jenkins, Memmott.

Absent and not voting were: Senators B. Jenkins and Mantes.

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

Committee report read and adopted.

On motion of Senator Grover, S. B. No. 12 was amended as follows:

Page 1, beginning with line 3, delete all of Section 2, which includes up to and including line 6; then renumber all sections accordingly.

On motion of Senator Kerr, 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:

Yeas, 21; Nays, 1; Absent, 3.

Those voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Memmott, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Rees.

Absent and not voting were: Senators B. Jenkins, Mantes, and Miller.

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

On motion of Senator Kerr, the Senate adjourned until Friday, January 25, 1963 at 10:00 A.M.

TWELFTH DAY

MORNING SESSION

January 25, 1963

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

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

Prayer by the Chaplain.

January 25, 1963

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,

HAVEN J. BARLOW,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 23, 1963

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, AN ACT PROVIDING FOR A STATE TRAFFIC SAFETY CO-ORDINATING COMMITTEE; PRESCRIBING ITS DUTIES AND FUNCTIONS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD
Chief Clerk

Communication filed.

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

January 23, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 11, AN ACT AMENDING OPERATORS' AND CHAUFFEURS' LICENSE, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD
Chief Clerk

Communication filed.

H. B. No. 11 was read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

January 25, 1963

Mr. President:

Your Rules Committee, to which were referred

S.J.R. No. 3 (Highways and Aeronautics)
S. B. No. 11 (Business & Commerce)
S. B. No. 22 (Business & Commerce)
S. B. No. 27 (Revenue & Taxation)
S. B. No. 28 (Judiciary)
S. B. No. 47 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 48 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 49 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 50 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 51 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 52 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 53 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 54 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 55 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 56 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 57 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 58 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 59 (State, Federal & Military Affairs & Civil Defense)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

INTRODUCTION OF BILLS

S. B. No. 76 By Messrs. Grover and B. Jenkins

AN ACT AMENDING SECTIONS 36-1-1 AND 36-1-2, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 61, LAWS OF UTAH 1955, PROVIDING FOR REAPPORTIONMENT OF THE LEGISLATURE OF THE STATE OF UTAH, ESTABLISHING THE GEOGRAPHICAL BOUNDARIES OF SENATORIAL AND REPRESENTATIVE DISTRICTS; ESTABLISHING THE BASIS OF APPORTIONMENT OF SENATORS AND REPRESENTATIVES AMONG THE VARIOUS DISTRICTS, was read the first time and referred to the Committee on Rules.

S. B. No. 77 By Messrs. Grover and B. Jenkins

AN ACT AMENDING SECTIONS 36-1-1 AND 36-1-2, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 61, LAWS OF UTAH 1955, PROVIDING FOR REAPPORTIONMENT OF THE LEGISLATURE OF THE STATE OF UTAH, ESTABLISHING THE GEOGRAPHICAL BOUNDARIES OF SENATORIAL AND REPRESENTATIVE DISTRICTS; ESTABLISHING THE BASIS OF APPORTIONMENT OF SENATORS AND REPRESENTATIVES AMONG THE VARIOUS DISTRICTS, AND APPORTIONING THE SENATORS AND REPRESENTATIVES AMONG THE VARIOUS DISTRICTS, was read the first time and referred to the Committee on Rules.

S. B. No. 78 By Messrs. Kerr and M. Jenkins

AN ACT TO PROMOTE THE SAFETY OF EMPLOYEES AND TRAVELERS UPON RAILROADS BY COMPELLING COMMON CARRIERS BY RAILROAD TO PROPERLY MAN THEIR TRAINS, was read the first time and referred to the Committee on Rules.

S. B. No. 79 By Messrs. Barlow and M. Jenkins

AN ACT AMENDING SECTION 17-12-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 33, LAWS OF UTAH 1957, AND ENACTING A NEW SECTION TO BE KNOWN AS 17-12-3, UTAH CODE ANNOTATED 1953, RELATING TO BONDS ISSUED BY COUNTIES; PROVIDING LIMITATIONS ON REFUNDING OF SUCH BONDS AND STATING CERTAIN PURPOSES FOR WHICH SUCH BONDS MAY BE ISSUED; AUTHORIZING JOINT OWNERSHIP OF FACILITIES TO BE SHARED WITH MUNICIPALITY OR TAXING DISTRICTS; AND CONTAINING A SEVERABILITY CLAUSE, was read the first time and referred to the Committee on Rules.

S. B. No. 80 By Mr. Grover

THIS ACT IS AN ACT RELATING TO PROHIBITING MARRIAGES AMENDING SECTION 30-1-2, UTAH CODE ANNOTATED 1953, REMOVING CERTAIN RACIAL RESTRICTIONS FROM MARRIAGES, was read the first time and referred to the Committee on Rules.

S. B. No. 81 By Messrs. Barlow and M. Jenkins

AN ACT AMENDING SECTIONS 17-6-1, 17-6-3.5, 17-6-3.6, 17-6-3.10, 17-6-3.15 AND 17-6-22, UTAH CODE ANNOTATED 1953, RELATING TO IMPROVEMENT DISTRICTS, AUTHORIZING SAID DISTRICTS AS ADDITIONAL PURPOSES TO ACQUIRE SYSTEMS FOR THE COLLECTION, RETENTION AND DISPOSITION OF STORM AND FLOOD WATERS AND TO ISSUE BONDS THEREFOR; AUTHORIZING CERTAIN CONTRACTS AND THE MAKING OF CERTAIN COVENANTS; AND CONTAINING A SEVERABILITY CLAUSE, was read the first time and referred to the Committee on Rules.

On motion of Senator Kerr, the Senate voted that when this body adjourns today it stand adjourned until Monday, January 28, 1963 at 2:00 P.M.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 6 was read the third time and placed on its final passage.

On motion of Senator Waddingham, S. B. No. 6 was made a Special Order of Business for Monday, January 28, 1963 at 2:30 P.M.

S. C. R. No. 1 was read the third time and placed on its final passage.

On motion of Senator Hafen, S. C. R. No. 1 was amended as follows:

Page 1, line 5, preceding the word "WHEREAS" insert quotation marks; also on page 2, line 5, after the word "states" insert quotation mark; then insert the following:

Be it further resolved that the Congress, in formulating and writing such a law, carefully and adequately provide and insure that the states shall receive said rebate free and clear of any and all federal controls and directives, except only that said money shall be used for expansion and improvement of educational programs.

On motion of Senator B. Jenkins, S. C. R. No. 1 retained its position on the Third Reading Calendar.

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

Mr. Richard Headlee, National Vice President of the Junior Chamber of Commerce appeared before the Committee of the Whole.

Mr. Jerry Lendhardt, Mr. John Walker, Mr. Phillip Merrick, Mr. Rex Jones were introduced to the members of the Committee of the Whole.

Following the introduction of the above named gentlemen, they made a special presentation to each member of the Senate.

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

On motion of Senator Kerr, the Senate adjourned.

FIFTEENTH DAY

AFTERNOON SESSION

January 28, 1963

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

Roll Call – All Senators present.

Prayer by the Chaplain.

January 28, 1963

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,

HAVEN J. BARLOW,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 24, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 8 – RELATES TO WIDOW'S INTEREST IN PROPERTY SOLD BY ESTATE EXECUTOR, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD
Chief Clerk

Communication filed.

H. B. No. 8 was read the first time and referred to the Committee on Judiciary.

January 24, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 12 – TO PERMIT EMPLOYERS TO USE EITHER A PERCENTAGE OF FEDERAL INCOME TAX, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD
Chief Clerk

Communication filed.

H. B. No. 12 was read the first time and referred to the Committee on Revenue and Taxation.

January 24, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 3 – PROHIBITING MARRIAGES and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD
Chief Clerk

Communication filed.

S. B. No. 3 was referred to the Committee on Rules to be enrolled and engrossed.

January 25, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 22 – PERMIT ALLOWING PICKUP TRUCKS TO PULL TRAILERS, ETC., and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD
Chief Clerk

Communication filed.

H. B. No. 22 was read the first time and referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

January 28, 1963

Mr. President:

Your Rules Committee, to which were referred

S. B. No. 29 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 31 (Revenue and Taxation)
S. B. No. 32 (Revenue & Taxation)
S. B. No. 33 (Revenue & Taxation)
S. B. No. 35 (Revenue & Taxation)
S. B. No. 36 (Revenue & Taxation)
S. B. No. 38 (Education)
S. B. No. 39 (Education)
S. B. No. 41 (Business and Commerce)

S. B. No. 42 (Business and Commerce)
S. B. No. 45 (Business and Commerce)
S. B. No. 46 (Business and Commerce)
S. B. No. 60 (Business and Commerce)
S. B. No. 61 (Judiciary)
S. B. No. 64 (Business and Commerce)
S. B. No. 65 (Education)
S. B. No. 74 (Highways and Aeronautics)
S. B. No. 75 (Highways and Aeronautics)
S. B. No. 78 (Labor)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

January 28, 1963

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred S. B. No. 8, by Messrs Sowards, Kerr and M. Jenkins, has carefully considered said bill and reports the same out favorably with attached amendments.

Respectfully,

KLEON KERR,
Chairman

Report filed.

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

January 28, 1963

Mr. President:

Your Committee on Political Subdivisions, to which was referred S. B. No. 13, by Messrs, Mantes, Waddingham, and Bernhard, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. DOUGLAS TAYLOR
Chairman

Report filed.

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

January 28, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 14, by Messrs G. D. Taylor, and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. DOUGLAS TAYLOR
Chairman

Report filed.

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

PRESENTATION OF RESOLUTIONS

S. J. R. No. 9 By Messrs. Miller, Kerr, and Memmott

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

INTRODUCTION OF BILLS

S. B. No. 82 By Messrs. Kerr, Gardner, and Holman

AN ACT PROVIDING FOR AN AD VALOREM TAX EXEMPTION FOR ALL TANGIBLE PERSONAL PROPERTY WHICH IS SHIPPED BEYOND THE STATE OF UTAH WITHIN THE PERIOD OF ONE YEAR, AND FOR ALL TANGIBLE PERSONAL PROPERTY WHICH IS HELD FOR EVENTUAL RESALE, AND FOR AN ASSESSMENT FORMULA; AND REPEALING SECTIONS 59-2-4, 59-5-20, 59-5-21, 59-5-22, 59-5-23, 59-5-24, 59-5-25, 59-5-26, 59-5-27, 59-5-28 AND 59-5-29, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Rules.

S. B. No. 83 By Messrs. Barlow and Browning

AN ACT RE-ENACTING SECTIONS 53-29-37 AND 53-29-28, UTAH CODE ANNOTATED 1953, OF THE UTAH STATE SCHOOL EMPLOYEES' RETIREMENT ACT, PROVIDING FOR A MINIMUM RETIREMENT ALLOWANCE, INCLUDING SOCIAL SECURITY BENEFITS, OF $125.000 PER MONTH; PROVIDING FOR AN APPROPRIATION OF $194,000; AND THE EFFECTIVE DATE, was read the first time and referred to the Committee on Rules.

S. B. No. 84 By Messrs. B. Jenkins, M. Jenkins, and S. Taylor

AN ACT TO AMEND SECTION 20-7-16, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 38, LAWS OF UTAH 1961, PROVIDING FOR CONSOLIDATION OF VOTING DISTRICTS FOR VOTING PURPOSES ONLY IN A GENERAL ELECTION, was read the first time and referred to the Committee on Rules.

S. B. No. 85 By Messrs. Kerr and Memmott

AN ACT AMENDING TITLE 53, CHAPTER 31, SECTION 18, UTAH CODE ANNOTATED 1953, DEALING WITH LEAVES OF ABSENCE FOR HOLDERS OF NORMAL SCHOLARSHIPS, was read the first time and referred to the Committee on Rules.

S. B. No. 86 By Messrs. Hunter, Kerr and Sowards

AN ACT APPROPRIATING $1,000,000.00 FROM THE STATE GENERAL FUND TO THE UTAH WATER AND POWER BOARD LOAN FUND, was read the first time and referred to the Committee on Rules.

S. B. No. 87 By Messrs. Kerr and Memmott

AN ACT AMENDING TITLE 53, CHAPTER 39, SECTION 3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 102, LAWS OF UTAH 1955, RELATING TO SCHOLARSHIPS, ALLOWING GOVERNING BOARDS OF COLLEGES TO DETERMINE EXTENT OF LEAVES OF ABSENCE FOR HOLDERS OF NORMAL SCHOLARSHIPS, was read the first time and referred to the Committee on Rules.

S. B. No. 88 By Mr. Hafen

AN ACT VALIDATING MARRIAGES TO A PERSON SUBJECT TO CHRONIC EPILEPTIC FITS WHO HAD NOT BEEN STERILIZED, was read the first time and referred to the Committee on Rules.

S. B. No. 89 By Mr. Hafen

AN ACT AMENDING UTAH BUSINESS CORPORATION ACT BY AMENDING SECTIONS 16-10-89, AND 16-10-90, UTAH CODE ANNOTATED 1953, REPLACEMENT VOLUME 2, AS ENACTED BY CHAPTER 28, LAWS OF UTAH 1961, RELATING TO INVOLUNTARY DISSOLUTION OF DOMESTIC CORPORATIONS FOR FAILURE TO FILE AN ANNUAL REPORT OR SUSPENSION AS PROVIDED BY SECTION 59-13-61, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Rules.

S. B. No. 90 By Messrs. Hunter and Mantes

AN ACT AMENDING SECTION 35-1-43, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 62, LAWS OF UTAH 1957; RELATING TO WORKMAN'S COMPENSATION: PROVIDING THAT THE OWNER OF A SOLE PROPRIETORSHIP MAY BE COVERED UNDER THE WORKMAN'S COMPENSATION ACT, was read the first time and referred to the Committee on Rules.

S. B. No. 91 By Mr. Hunter

AN ACT RELATING TO REVENUE AND TAXATION, ENACTING NEW SECTIONS TO BE KNOWN AS 59-15-4.5 AND 59-16-3.5, UTAH CODE ANNOTATED 1953, PROVIDING FOR ONE-HALF PERCENT INCREASE IN SALES AND USE TAX; EARMARKING THE PROCEEDS OF THESE TAXES FOR IMPROVEMENT OF CAMPUS AND BUILDINGS IN SCHOOLS OF HIGHER EDUCATION; FIXING THE LENGTH OF TIME FOR THE TAX TO BE LEVIED; PROVIDING FOR A METHOD OF DISTRIBUTION OF THE FUNDS TO THE VARIOUS SCHOOLS; AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to the Committee on Rules.

SPECIAL ORDER

Appointments being a Special Order of Business, was before the Senate for its consideration.

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

BOARD OF CORRECTIONS:

Stanley C. Nelson, Salt Lake City; to fill unexpired term of A. Ray Curtis, effective March 7, 1962 and expiring March 4, 1963.

George W. Latimer, Salt Lake City; to fill unexpired term of Calvin A. Behle, effective March 7, 1962, and expiring March 2, 1965.

J. Fred Pingree; appointed for six year term expiring March 1, 1967.

COORDINATING COUNCIL FOR HIGHER EDUCATION:

Morris Rosenblatt, Salt Lake City; to fill unexpired term of John M. Wallace which will expire June 30, 1963.

COUNCIL ON CRIMINAL JUSTICE ADMINISTRATION:

J. Francis Fowles, Ogden; appointed to two year term effective May 9, 1961, expiring May 8, 1963.

Rev. Frank Brusatto, Salt Lake City; appointed to two year term effective May 9, 1961, expiring May 8, 1963.

Arthur L. Beeley, Salt Lake City; appointed to four year term effective May 9, 1961, expiring May 8, 1965.

Mark K. Allen, Provo; appointed to four year term effective May 9, 1961, expiring May 8, 1965.

Robert R. Sonntag, Salt Lake City; appointed to six year term effective May 9, 1961, expiring May 8, 1967.

Christian Ronnow, Salt Lake City; appointed to six year term effective May 9, 1961, expiring May 8, 1967.

COMMITTEE ON CHILDREN AND YOUTH:

Mrs. Allen Lipman, Salt Lake City; appointed for a six year term effective July 1, 1961 and expiring June 30, 1967.

*Mrs. Smoot Brimhall, Provo; appointed for a four year term effective July 1, 1961 and expiring June 30, 1965.

Mrs. James W. Ure, Salt Lake City; appointed for a two year term effective July 1, 1961 and expiring June 30, 1963.

D. Lennox Murdock, Salt Lake City; to fill unexpired term of Mrs. Smoot Brimhall, resigned, effective November 1, and expiring June 30, 1965.

**Marion D. Hanks, Salt Lake City; appointed to a six year term effective July 1, 1961 and expiring June 30, 1967.

Dr. Vaughn L. Hall, Salt Lake City; appointed to a six year term effective July 1, 1961 and expiring June 30, 1967.

Dr. Frank E. Duddy, Salt Lake City; appointed to a two year term, effective July 1, 1961 and expiring June 30, 1963.

Dr. Wm. E. Berrett, Provo; appointed to a four year term, effective July 1, 1961 and expiring June 30, 1965.

Warren G. Allsop, Midvale; appointed to a four year term effective July 1, 1961 and expiring June 30, 1965.

Boyd Packer, Provo; to fill unexpired term of Marion D. Hanks, effective April 12, 1962 and expiring June 30, 1967.

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*Resigned August 1962.
**Resigned March 1962.

STATE FAIR ASSOCIATION:

Jesse M. Conover, Ferron; to fill unexpired term of Horace T. Godfrey, effective Nov. 24, 1961 and expiring June 30, 1965.

Charles W. Romney, Salt Lake City; appointed to a four year term which will expire June 30, 1965.

Rudger C. Atkin, St. George; to fill unexpired term of Ray Lilenquist, expiring June 30, 1965.

Hans Chamberlain, Orderville; to fill unexpired term of Lawrence Jones, expiring June 30, 1965.

John W. Gillman, Orem; reappointed for a four year term, effective July 1, 1961 and expiring June 30, 1965.

FISH AND GAME COMMISSION:

Lamar Dastrup, Sigurd; appointed to a six year term which will expire March 1, 1967.

FINANCE DEPARTMENT ADVISORY COUNCIL:

Lincoln G. Kelly, Salt Lake City; appointed to a four year term which will expire March 1, 1966.

Charles R. Dixon, Salt Lake City; appointed to a five year term which will expire March 1, 1967.

Mark Paxton, Fillmore; appointed to a two year term which will expire March 1, 1964.

Claude R. Middleton, Salt Lake City; appointed to a one-year term expiring March 1, 1963.

Ames K. Bagley, Salt Lake City; appointed to a six year term which will expire March 1, 1968.

Frank R. Fowles, Ogden; appointed to a three year term which will expire March 1, 1965.

BOARD OF FORESTRY AND FIRE CONTROL:

Alden K. Barton, Salt Lake City, Representing Dept. of Agriculture; appointed to six year term expiring June 30, 1967.

Max C. Gardner, Salt Lake City; appointed to two year term, expiring June 30, 1963.

J. Whitney Floyd, Logan, Representing Faculty of Utah State University; appointed to six year term expiring June 30, 1963.

K. E. Bullock, Provo, Representing State Fish and Game Commission; appointed to four year term expiring June 30, 1965.

James A. Hooper, Salt Lake City, Representing Utah Wool Growers Association; appointed to six year term expiring June 30, 1967.

J. Erroll Hicken, Heber City, Representing Utah Cattlemen's Association; appointed to six year term expiring June 30, 1967.

Ralph A. Richards, Oakley, Representing Utah Water Users' Association; appointed to two year term expiring June 30, 1963.

J. Blaine Swenson, Spanish Fork, Representing Utah Farm Bureau Federation; appointed to four year term expiring June 30, 1965.

Harold Coons, Ogden, Representing U. S. Forest Service, appointed to two year term expiring June 30, 1963.

Hall H. McClain, Bountiful, Representing U. S. Bureau of Land Management; appointed to four year term expiring June 30, 1965.

STATE COURSE OF STUDY COMMITTEE:

S. E. Newman, Salt Lake City; to fill unexpired term of Dilworth S. Woolley, expiring June 30, 1963.

Rev. Maurice H. McDowell, Salt Lake City; to fill unexpired term of Rev. C. Sumpter Logan, expiring June 30, 1964.

STATE BOARD OF HEALTH:

Dr. Wm. S. Moyes, Ogden; to fill unexpired term of Dr. Leslie Poulsen, expiring March 1, 1963.

Dr. D. L. Bunderson, Brigham City; to fill unexpired term of Dr. R. O. Porter, expiring March 1, 1965.

Dr. Louis E. Viko; to fill unexpired term of Dr. J. Poulson Hunter, expiring March 1, 1965.

Mrs. Thomas G. Judd, to fill unexpired term of J. R. Backman, expiring March 1, 1965.

WATER POLLUTION CONTROL BOARD:

E. J. Fjelsted, Ogden; reappointed to an eight year term expiring March 1, 1970.

Alvin J. Thuli, Jr., Salt Lake City; to fill unexpired term of R. A. Moss, expiring March 1, 1969.

Wesley Jense, Pleasant Grove; to fill unexpired term of Roy Glazier, expiring March 1, 1968.

HISTORICAL SOCIETY BOARD OF CONTROL:

S. Lyman Tyler, Orem; to fill unexpired term of N. G. Morgan, Sr., expiring April 1, 1965.

INSTITUTE OF FINE ARTS:

Mrs. Helene Parker, American Fork; to fill unexpired term of Mrs. Alice M. Bailey, expiring June 30, 1963.

Mrs. Irene Staples, Salt Lake City; to fill unexpired term of Mrs. Virginia B. Clark, expiring June 30, 1963.

J. Roman Andrus, Provo; appointed to a four year term expiring June 30, 1965.

WEBER COLLEGE BOARD OF TRUSTEES:

Joseph F. Breeze, Ogden; appointed to two year term, expiring June 30, 1963.

Rendell N. Mabey, Bountiful; appointed to two year term expiring June 30, 1963.

Sherman B. Lowe, Salt Lake City; appointed to two year term, expiring June 30, 1963.

Robert G. Hemingway, Ogden; appointed to two year term, expiring June 30, 1963.

O. C. Hammond, Ogden; appointed to two year term, expiring June 30, 1963.

*Marion D. Hanks, Salt Lake City; appointed to two year term, expiring June 30, 1963.

**Frank M. Browning, Ogden; appointed to four year term, expiring June 30, 1965.

John Higginson, Brigham City; appointed to four year term, expiring June 30, 1965.

Ira A. Huggins, Ogden; appointed to four year term expiring June 30, 1965.

Mrs. Oma Wilcox, Layton; appointed to four year term expiring June 30, 1965.

Samuel C. Powell, Ogden; appointed to fill the unexpired term of Harvey F. Cahill, deceased which will expire June 30, 1965.

Paul B. Tanner, Salt Lake City; appointed to fill the unexpired term of Frederick R. Hinckley, resigned, which term will expire June 30, 1965.

***Mark E. Peterson, Salt Lake City; appointed to fill the unexpired term of Marion D. Hanks, resigned, which term will expire June 30, 1963.

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*Resigned March 1962.
**Resigned December 1962.
***Resigned December 1962.

WATER AND POWER BOARD:

David P. Scott, Ogden; Reappointed to six year term which will expire March 1, 1968.

Leo P. Harvey, Pleasant Grove; Reappointed to six year term, which will expire March 1, 1968.

Wayne Winegar, Layton; appointed to six year term which will expire March 1, 1968.

James A. Bevan, Tooele, appointed to six year term which will expire March 1, 1968.

Dr. Preston L. Jones, Nephi; reappointed to six year term which will expire March 1, 1968.

ROAD COMMISSIOIN:

Elias J. Strong, appointed to fill unexpired term of Weston E. Hamilton, which term will expire April 1, 1965.

TAX COMMISSION:

Donald T. Adams, Monticello; appointed to fill unexpired term of Herbert F. Smart, which term will expire March 1, 1963.

TOURIST AND PUBLICITY COUNCIL:

*Chester J. Olsen, Ogden; appointed to fill unexpired term of Darrell Greenwell, which term will expire July 1, 1965.

UNIVERSITY OF UTAH. BOARD OF REGENTS:

John Strike, Salt Lake City; appointed to four year term which will expire June 30, 1965.

Wilford Moyle Burton, Salt Lake City; appointed to four year term which will expire June 30, 1965.

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*Deceased December 1962.

UTAH STATE UNIVERSITY, BOARD OF TRUSTEES:

Sid H. Eliason, Salt Lake City; appointed to four year term which will expire June 30, 1965.

Norman D. Salisbury, Logan; appointed to fill unexpired term of O. C. Hammond, resigned, which term will expire July 1, 1963.

LAND BOARD:

Bryant H. Croft, Salt Lake City; appointed to fill unexpired term of Edward W. Clyde, which term will expire April 1, 1963.

Charles P. Olson, Brigham City; appointed to fill unexpired term of Walter G. Mann, resigned, which term will expire April 1, 1965.

LIBRARY BOARD:

Lerue W. Winget, Salt Lake City; appointed to fill unexpired term of Wilburn N. Ball, which will expire July 1, 1965.

Dr. Everett L. Cooley, Salt Lake City; appointed to fill unexpired term of Dr. A. R. Mortensen, which term will expire July 1, 1965.

LIQUOR CONTROL COMMISSION:

James A. Petersen, Salt Lake City; appointed for a six year term, which will expire June 31, 1967.

HIGHWAY PATROL CIVIL SERVICE COMMISSION:

Charles E. Peterson, Provo; appointed to fill unexpired term of Elias J. Strong, which term will expire January 1, 1962.

Charles E. Peterson, Provo; appointed to four year term, which will expire January 1, 1966.

Motion carried.

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

Mr. Jenkyn E. Powell, Council Chairman of the Governors of Utah Lions, appeared before the Committee of the Whole and introduced Mr. Aubrey D. Green.

Mr. Aubrey D. Green, First Vice President of Lions International and also Senator from York, Alabama, addressed members of the Committee of the Whole.

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

SPECIAL ORDER

S. B. No. 6, being a Special Order of Business, was before the Senate.

On motion of Senator Kerr, S. B. No. 6 was made a Special Order of Business for today at 3:00 p.m.

CONSIDERATION OF BILLS ON THIRD READING

S. C. R. No. 1, having been previously read, was before the Senate.

S. C. R. No. 1 failed of passage on the following roll call:

Yeas, 11; Nays, 13; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Hafen, Hammond, Hunter, Kerr, Rees, Stacey, D. Taylor, and S. Taylor.

Voting in the negative were: Senators Brockbank, Browning, Grover, Harmston, Holman, B. Jenkins, M. Jenkins, Lambert, Mantes Memmott, Miller, Sowards, and Mr. President.

Absent and not voting was Senator Waddingham.

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

The American Dairy Princess, Miss Sandy Tibeau, and Utah's Dairy Princess, Miss Ann Godderidge, together with her attendant, Miss Pamiel Johnson, appeared before the Committee of the Whole.

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

SPECIAL ORDER

S. B. No. 6 being a Special Order of Business, was before the Senate.

On motion of Senator Barlow, S. B. No. 6 was further made a Special Order of Business for Tuesday, January 29, 1963 at 11:15 a.m.

On motion of Senator Grover, 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. 8 was read the second time.

Committee report read and adopted.

On motion of Senator Mantes, S. B. No. 8 retained its position on the Second Reading Calendar.

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

Committee report read and adopted.

S. B. No. 13 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor (explained vote), Waddingham, and Mr. President.

Absent and not voting was Senator Hammond.

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

Committee report read and adopted.

S. B. No. 14 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham, and Mr. President.

Absent and not voting were: Senators Hafen, Hammond and Mantes.

Senator Brockbank served notice that on the next legislative day he would ask the Senate to re-consider its vote by which S. C. R. No. 1 failed of passage.

On motion of Senator Barlow, the rules were suspended and S. B. No. 6 was lifted from a Special Order for tomorrow and then placed before the Senate for immediate consideration.

CONSIDERATION OF BILLS ON THIRD READING

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

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham, and Mr. President.

Absent and not voting was Senator Hammond.

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

On motion of Senator Grover, the Senate recessed.

The Senate re-assembled.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 8, having retained its position, was before the Senate.

On motion of Senator Waddingham, S. B. No. 8 was amended as follows:

Page 4, following line 11, insert the following as a new paragraph:

Provided, however, that in the event the applicant for a refund under this Act has filed a Federal Gas Request for Refund Return, a verified copy of such Return with the statement of the applicant filed certifying that the original thereof together with all supporting documents filed therewith has been duly filed will be a sufficient filing under this act.

On motion of Senator Brockbank, S. B. No. 8 was amended as follows:

Page 4, line 1, strike the word "paid."

Page 4, line 1, strike the word "duplicate," then insert the word "copy" in lieu thereof.

Page 4, line 2, strike the word "paid."

S. B. No. 8 was placed on the Third Reading Calendar on the following Roll Call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham, and Mr. President.

Absent and not voting were: Senators Browning and Hammond.

The President appointed Senators Bernhard, Waddingham and Holman to read and revise the Journal for the two weeks commencing January 29, 1963.

On motion of Senator Kerr, the Senate adjourned until Tuesday, January 29, 1963 at 11:00 A.M.

SIXTEENTH DAY

MORNING SESSION

January 29, 1963

The Senate was called to order at 11:00 A.M. President Bullen in the chair.

Roll Call – All Senators present.

Prayer by the Chaplain.

January 29, 1963

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,
JOHN T. BERNHARD
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 28, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 10 – RELATES TO MECHANICS OF CREDITORS' CLAIM NOTICE, and the same is transmitted herewith for your action.

Respectfully,
HENRY NYGAARD
Chief Clerk

Communication filed.

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

January 28, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 13 – TO TRANSFER TO STATE FINANCE COMMISSION FROM STATE HEALTH DEPARTMENT RESPONSIBILITY

FOR SURPLUS PROPERTY ADMINISTRATION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD
Chief Clerk

Communication filed.

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

January 28, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 17 – ASSIGNMENT OF DISTRICT JUDGES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD
Chief Clerk

Communication filed.

H. B. No. 17 was read the first time and referred to the Committee on Judiciary.

January 28, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, H. B. No. 19 – BUSINESSES UNDER ASSUMED NAME, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD
Chief Clerk

Communication filed.

H. B. No. 19 was read the first time and referred to the Committee on Business and Commerce.

REPORTS OF STANDING COMMITTEES

January 29, 1963

Mr. President:

Your Rules Committee, to which were referred

S.J.R. No. 9 (Judiciary)

S. B. No. 37 (Public Health, Welfare and Institutions)

S. B. No. 62 (Revenue & Taxation)

S. B. No. 63 (Political Subdivisions)

S. B. No. 68 (Political Subdivisions)

S. B. No. 82 (Revenue & Taxation)

S. B. No. 83 (Education)

S. B. No. 86 (Agriculture and Irrigation)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

January 29, 1963

Mr. President:

Your Committee on Revenue and Taxation, to which was referred S.J.R. No. 5, by Messrs. Barlow, Browning and G. D. Taylor, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CHARLES R. HUNTER
Chairman

Report filed.

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

January 29, 1963

Mr. President:

Your Committee on Revenue and Taxation, to which was referred S. B. No. 27, by Messrs. Barlow, Browning and G. D. Taylor, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

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

January 29, 1963

Mr. President:

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

Respectfully,

ORVAL HAFEN

Chairman

Report filed.

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

January 29, 1963

Mr. President:

Your Committee on State and Federal Affairs, to which was referred S. B. No. 29, by Messrs. Brockbank, Holman and S. J. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES

Chairman

Report filed.

S. B. No. 29 was placed on the Second Reading Calendar.

January 29, 1963

Mr. President:

Your Committee on State and Federal Affairs, to which was referred S.J.R. No. 2, by Messrs. B. Jenkins, Grover and Holman, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES

Chairman

Report filed.

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

January 29, 1963

Mr. President:

Your Committee on State and Federal Military and Civil Affairs, to which was referred S. B. No. 9, by Messrs, Hammond, Barlow and Kerr, has care-

fully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES
Chairman

Report filed.

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

January 29, 1963

Mr. President:

Your Committee on Business and Commerce, to which was referred S. B. No. 16, by Messrs. G. Taylor, Barlow and Miller, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 16 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 92 By Messrs. Rees and D. Taylor

AN ACT AMENDING SECTION 16-6-13, UTAH CODE ANNOTATED 1953, REPLACEMENT VOLUME 2, AS AMENDED BY CHAPTER 25, LAWS OF UTAH 1955, RELATING TO SOCIAL CLUBS AND RECREATIONAL, ATHLETIC OR KINDRED ASSOCIATIONS INCORPORATED AS NON-PROFIT CORPORATION, was read the first time and referred to the Committee on Rules.

S. B. No. 93 By Messrs. Brockbank, Lambert and Waddingham

AN ACT AUTHORIZING DEVELOPMENT OF A STATE WATER PLAN AND APPROPRIATING $150,000 FROM THE STATE GENERAL FUND FOR BEGINNING THE NECESSARY INVESTIGATIONS, SURVEYS, PLANS, ESTIMATES AND REPORTS, was read the first time and referred to the Committee on Rules.

S. B. No. 94 By Messrs. Mantes, M. Jenkins and Waddingham

AN ACT ESTABLISHING A STATE RETIREMENT OFFICE AND RETIREMENT BOARD; PROVIDING FOR THE ADMINISTRATION OF PUBLIC RETIREMENT SYSTEMS, FUNDS, AND FUNCTIONS; SET-

TING FORTH THE DUTIES, RESPONSIBILITIES AND POWERS OF THE BOARD; PROVIDING FOR THE PAYMENT OF ADMINISTRATIVE COSTS; CREATING THE UTAH STATE RETIREMENT FUND; PROVIDING FOR THE PREPARATION OF A UNIFORM RETIREMENT STATUTE COVERING RETIREMENT SYSTEMS ASSIGNED TO THE STATE RETIREMENT OFFICE TO ADMINISTER; AND THE EFFECTIVE DATE, was read the first time and referred to the Committee on Rules.

S. B. No. 95 By Messrs. Mantes, Waddingham and M. Jenkins

AN ACT AMENDING SECTION 41-1-40, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 100, LAWS OF UTAH 1961, RELATING TO THE UTAH PUBLIC EMPLOYEES' RETIREMENT ACT; PROVIDING FOR TRANSFERRING THE ADMINISTRATION OF THE UTAH PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE UTAH PUBLIC EMPLOYEES' RETIREMENT FUND FROM THE UTAH PUBLIC EMPLOYEES' RETIREMENT BOARD TO THE UTAH STATE RETIREMENT BOARD CREATED BY S. B. NO. 94, LAWS OF UTAH 1963; AND THE EFFECTIVE DATE, was read the first time and referred to the Committee on Rules.

S. B. No. 96 By Messrs. Mantes, Waddingham and M. Jenkins

AN ACT AMENDING SECTION 53-29-6, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 20, LAWS OF UTAH 1953 (1st S. S.), AND BY CHAPTERS 110 AND 111, LAWS OF UTAH 1961, RELATING TO THE UTAH STATE SCHOOL EMPLOYEES' RETIREMENT ACT; PROVIDING FOR TRANSFERRING THE ADMINISTRATION OF THE UTAH STATE SCHOOL EMPLOYEES' RETIREMENT SYSTEM AND THE UTAH STATE SCHOOL EMPLOYEES' RETIREMENT FUND FROM THE UTAH STATE SCHOOL EMPLOYEES' RETIREMENT BOARD TO THE UTAH STATE RETIREMENT BOARD, CREATED BY S. B. NO. 94, LAW SOF UTAH 1963; AND THE EFFECTIVE DATE, was read the first time and referred to the Committee on Rules.

S. B. No. 97 By Messrs. Mantes, Waddingham and M. Jenkins

AN ACT REPEALING CHAPTER 4 OF TITLE 49, UTAH CODE ANNOTATED 1953, RELATING TO THE PRISON GUARDS AND INDUSTRIAL SCHOOL EMPLOYEES' PENSION SYSTEM; PROVIDING FOR THE TERMINATION OF SAID SYSTEM; PROVIDING FOR THE CONTINUED PAYMENT OF BENEFITS TO PERSONS RETIRED THEREUNDER AND THE PROTECTION OF ACCRUED SERVICE CREDITS FOR EMPLOYEES; PROVIDING FOR THE CONTINUED FINANCING OF THE SYSTEM UNTIL ALL LIABILITIES ARE LIQUIDATED; PROVIDING FOR THE ADMINISTRATION OF THE ACT, was read the first time and referred to the Committee on Rules.

S. B. No. 98 By Messrs. Mantes, Waddingham and Barlow

AN ACT AMENDING SECTION 49-6-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 73, LAWS OF UTAH 1959; ENACTING SECTION 49-6-1.5, UTAH CODE ANNOTATED 1953; AND AMENDING SECTION 49-6-9, UTAH CODE ANNOTATED 1953, REGARDING THE FIREMEN'S PENSION FUND, FOR THE PURPOSE OF TRANSFERRING THE ADMINISTRATION OF SAID FUND FROM THE COMMISSION OF FINANCE TO THE UTAH STATE RETIREMENT BOARD CREATED BY S. B. NO. 94, LAWS OF UTAH 1963; CHANGING THE LEGAL INVESTMENTS OF THE FUND; AUTHORIZING THE RETIREMENT BOARD TO DELEGATE ITS AUTHORITY TO HOLD REQUIRED HEARINGS; PERMITTING HEALTH INSURANCE DEDUCTIONS; AND THE EFFECTIVE DATE, was read the first time and referred to the Committee on Rules.

S. B. No. 99 By Messrs. Mantes, Waddingham and Barlow

AN ACT AMENDING SECTIONS 49-8-2 AND 49-8-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 86, LAWS OF UTAH 1957, AS AMENDED BY CHAPTER 102, LAWS OF UTAH 1961; AND SECTION 49-8-5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 86, LAWS OF UTAH 1957, RELATING TO THE HIGHWAY PATROL RETIREMENT SYSTEM, FOR THE PURPOSE OF TRANSFERRING THE ADMINISTRATION OF THE UTAH HIGHWAY PATROL RETIREMENT SYSTEM AND FUND FROM THE STATE FINANCE COMMISSION TO THE UTAH STATE RETIREMENT BOARD CREATED BY S. B. NO. 94, LAWS OF UTAH 1963; PERMITTING THE COMMINGLING AND POOLING OF FUNDS FOR INVESTMENT PURPOSES; AND THE EFFECTIVE DATE, was read the first time and referred to the Committee on Rules.

S. B. No. 100 By Messrs. Mantes, M. Jenkins and Barlow

AN ACT AMENDING THE JUDGES' RETIREMENT ACT BY ENACTING SECTIONS 49-7-9, 49-7-10, 49-7-11, 49-7-12, AND 49-7-13, UTAH CODE ANNOTATED 1953, RELATING TO THE ADMINISTRATION OF THE ACT; CREATION OF THE UTAH JUDGES' RETIREMENT FUND AND THE INVESTMENT OF MONIES THEREOF; ESTABLISHMENT OF MEMBER'S AND EMPLOYER'S CONTRIBUTIONS TO THE FUND; PROVIDING FOR A JOINT STUDY OF RETIREMENT NEEDS OF THE JUDICIAL BRANCH OF STATE GOVERNMENT, TOGETHER WITH THE FORMULATION OF LEGISLATION TO INCORPORATE COVERAGE OF JUDGES IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND THE EFFECTIVE DATE, was read the first time and referred to the Committee on Rules.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 13 was read the third time and placed on its final passage.

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

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Hammond.

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

S. B. No. 14 was read the third time and placed on its final passage.

On motion of Senator D. Taylor, S. B. No. 14 retained its position on the Third Reading Calendar.

S. B. No. 8 was read the third time and placed on its final passage.

On motion of Senator Kerr, the rules were suspended and the Senate voted to permit S. B. No. 8 to be lifted from the Third Reading Calendar and then returned to the Committee on Agriculture and Irrigation for further discussion and a proposed public hearing.

S. B. No. 14 having retained its position was before the Senate.

On motion of Senator D. Taylor, S. B. No. 14 was amended as follows:

On lines 5 and 6 of the Title delete "AND CERTIFIED COPIES AND TOWNS".

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

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Hammond.

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

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

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator B. Jenkins, S. J. R. No. 5 was made a Special Order of Business for Friday, February 8, 1963 at 10:30 A.M.

S. B. No. 27 was read the second time.

Committee report read and adopted.

On motion of Senator Barlow, S. B. No. 27 was made a Special Order of Business for Friday, February 8, 1963 at 10:30 A.M. to be considered along with S. J. R. No. 5, a companion bill.

S. B. No. 24 was read the second time.

Committee report read and adopted.

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

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

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were Senators Brockbank and Hammond.

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

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

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

REPORTS OF STANDING COMMITTEES

January 29, 1963

Mr. President:

Your Rules Committee, to which were referred

S.J.R. No. 7 (State, Federal & Military Affairs & Civil Defense)
S.J.R. No. 8 (Revenue & Taxation)
S. B. No. 15 (Business and Commerce)
S. B. No. 30 (Political Subdivisions)
S. B. No. 34 (Public Health, Welfare and Institutions)
S. B. No. 40 (Business and Commerce)
S. B. No. 44 (Business and Commerce)
S. B. No. 66 (Education)
S. B. No. 67 (Judiciary)
S. B. No. 69 (Education)
S. B. No. 70 (Education)
S. B. No. 71 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 72 (Political Subdivisions)
S. B. No. 73 (Judiciary)
S. B. No. 79 (Revenue & Taxation)
S. B. No. 80 (Judiciary)
S. B. No. 84 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 85 (Education)
S. B. No. 87 (Education)
S. B. No. 88 (Judiciary)
S. B. No. 90 (Business and Commerce)
S. B. No. 91 (Revenue & Taxation)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,
LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

INTRODUCTION OF BILLS

S. B. No. 101 By Messrs. Kerr and Sowards

AN ACT AMENDING SECTION 4-2-3, UTAH CODE ANNOTATED 1953, RELATING TO THE LABELING OR TAGGING SEEDS – RECITALS OR TAG OR LABEL WHEN SEED IS OFFERED FOR SALE, was read the first time and referred to the Committee on Rules.

S. B. No. 102 By Mr. Stacey

AN ACT AMENDING SECTION 41-6-158 AND SECTION 41-6-161, UTAH CODE ANNOTATED 1953, AS AMENDED, RELATING TO MOTOR VEHICLE INSPECTION CERTIFICATES AND INCREASING THE FEE TO BE CHARGED FOR SUCH CERTIFICATES, was read the first time and referred to the Committee on Rules.

S. B. No. 103 By Messrs. Mantes, Bernhard and Grover

AN ACT AMENDING SECTION 59-2-4, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 119, LAWS OF UTAH 1955, AND BY CHAPTER 118, LAWS OF UTAH 1957, RELATING TO PROPERTY MOVING IN INTERSTATE COMMERCE; PROVIDING FOR THE EXEMPTION OF CERTAIN GOODS, WARES AND MERCHANDISE HAVING A FINAL DETERMINATION OUTSIDE OF THE STATE, was read the first time and referred to the Committee on Rules.

S. B. No. 104 By Mr. Kerr

AN ACT AMENDING SECTION 78-30-4, UTAH CODE ANNOTATED 1953, RELATING TO CONSENT TO ADOPTION; PROVIDING FOR MINOR PARENTS CONSENTING TO THE ADOPTION OF THEIR CHILDREN, was read the first time and referred to the Committee on Rules.

S. B. No. 105 By Messrs. D. Taylor, Gardner and Hunter

AN ACT AMENDING SECTION 53-7-16, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 104, LAWS OF UTAH 1961, RELATING TO THE STATE SUPPORTED MINIMUM SCHOOL PROPROM AND PROVIDING FOR AN INCREASE IN THE DISTRIBUTION UNIT AMOUNT OF THE BASIC STATE SUPPORTED SCHOOL PROGRAM, was read the first time and referred to the Committee on Rules.

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

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

Senator Brockbank, having voted on the prevailing side moved that the Senate do re-consider its final action on S. C. R. No. 1.

Motion failed.

On motion of Senator Kerr, 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. 29 was read the second time.

Committee report read and adopted.

S. B. No. 29 was placed on the Third Reading Calendar on the following Roll Call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Hammond.

S. J. R. No. 2 was read the second time.

Committee report read and adopted.

On motion of Senator Bruce Jenkins the rules were suspended and S. J. R. No. 2 was read the third time and placed on its final passage.

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

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were Senators Hammond and M. Jenkins.

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

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

Committee report read and adopted.

On motion of Senator Kerr, S. B. No. 9 retained its position on the Second Reading Calendar.

S. B. No. 16 was read the second time.

Committee report read and adopted.

On motion of Senator G. Douglas Taylor, S. B. No. 16 retained its position on the Second Reading Calendar.

On motion of Senator Merrill Jenkins, the Senate adjourned until Wednesday, January 30, 1963 at 10:00 A.M.

SEVENTEENTH DAY

MORNING SESSION

January 30, 1963

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

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

Prayer by the Chaplain.

January 30, 1963

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,

JOHN T. BERNHARD
Chairman

Report adopted and filed.

On motion of Senator Brockbank, Chairman of the Appropriations Committee, the Senate voted to add to the sub-committee on Post High School Education, Senator Mantes and Representative Squires. The Senate further voted to add to the Building Board sub-committee, Senator Browning and Representative Evans.

On motion of Senator Kerr, the Senate recessed to meet with the House in Joint Convention. The Senate further voted that when the Joint Convention with the House is dissolved, the Senate recess until 2:00 P.M.

JOINT CONVENTION

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

On motion of Representative Sonntag, the Senate and the House resolved itself into a Joint Committee of the Whole.

PROGRAM FOR LON HOPKIN DAY

Prayer:	Senator John A. Lambert
Announcement and Introduction:	Senator Hafen, Chairman of the Special Committee that planned for the "Lon Hopkin" day announced and introduced the following program and those participating.
Presentation:	Representative Della Loveridge
Address:	Senator Wendell Grover
Address:	Lewis H. Lloyd, Director, Legislative Council
Address:	President Henry D. Moyle
Address:	Governor George D. Clyde
Tribute:	Representative Ralph A. Sheffield
Response:	Mrs. Vera Hopkin

President Bullen expressed to members of the committee his appreciation for the fine thing they had done in planning and promoting this solemn assembly and thanked members of the Hopkin family for their presence here.

Representative Dean and Representative Gunnel acknowledged and concurred in all the fine tributes that were paid to Senator Alonzo F. Hopkin.

On motion of Representative Sonntag, the Joint Committee of the Whole was dissolved.

On motion of Representative Sonntag, the President of the Senate announced the Joint Convention dissolved.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

REPORTS OF STANDING COMMITTEES

January 30, 1963

Mr. President:

Your Committee on Highway and Aeronautics to which was referred S. J. R. No. 3, by Messrs. Brockbank, Bernhard, M. Jenkins, and D. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

JAMES N. STACEY
Chairman

Report filed.

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

January 30, 1963

Mr. President:

Your Committee on State and Federal, Military and Civil Affairs to which was referred S. B. No. 4, by Mr. Hafen has carefully considered said bill and reports the same out unfavorably.

Respectfulll,

STANFORD REES,
Chairman

Report filed.

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

January 30, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 35, by Messrs. S. J. Taylor and B. Jenkins has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 35 was placed on the Second Reading Calendar.

January 30, 1963

Mr. President:

Your Committee on Education to which was referred S. B. No. 38, by Messrs. Browning, Bernhard, and Barlow has carefully considered said bill

and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

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

January 30, 1963

Mr. President:

Your Committee on Education to which was referred S. B. No. 39, by Messrs. Bullen, Holman and Bernhard has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD
Chairman

Report filed.

S. B. No. 39 was placed on the Second Reading Calendar.

January 30, 1963

Mr. President:

Your Committee on Education to which was referred S. B. No. 65, by Messrs Browning, M. Jenkins, and Barlow has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD
Chairman

Report filed.

S. B. No. 65 was placed on the Second Reading Calendar.

January 30, 1963

Mr. President:

Your Committee on Judiciary to which was referred H. B. No. 17, by Messrs. Sheffield, Hodgson and Harding has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN
Chairman

Report filed.

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

Mr. President: January 30, 1963

Your Committee on Judiciary to which was referred H. B. No. 10, by Messrs. Sheffield, Hodgson, Watkins, Compton and Jorgensen has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN
Chairman

Report filed.

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

Mr. President: January 30, 1963

Your Committee on Judiciary to which was referred H. B. No. 8, by Messrs. Watkins, Hodgson, Sheffield and Anderson has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN
Chairman

Report filed.

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

Mr. President: January 30, 1963

Your Committee on Judiciary to which was referred S. B. No. 61, by Messrs. Hafen, B. Jenkins and S. Taylor has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 61 was placed on the Second Reading Calendar.

Mr. President: January 30, 1963

Your Committee on Judiciary to which was referred S. B. No. 1, by Messrs. G. Taylor and B. Jenkins has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN
Chairman

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 106 By Messrs. B. Jenkins and Kerr

AN ACT AMENDING SECTIONS 73-8-2, 73-8-21, 73-8-27, 73-8-35, 73-8-36, 73-8-37, 73-8-39, 73-8-40 AND 73-8-45, UTAH CODE ANNOTATED 1953; SECTIONS 73-8-18, 73-8-20 AND 73-8-52, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 159, LAWS OF UTAH 1957, RELATING TO METROPOLITAN WATER DISTRICTS AND THE ORGANIZATION AND OPERATION THEREOF, INCLUDING DEFINING OF WORDS AND PHRASES, THE NUMBER, APPOINTMENT, QUALIFICATIONS, TENURE AND RECALL OF DIRECTORS; THE LEVYING AND COLLECTION OF TAXES ;ENACTING SECTIONS 73-8-57, 73-8-58 AND 73-8-59, UTAH CODE ANNOTATED 1953, PROVIDING THAT EXPENDITURE OF TAX RECEIPTS MAY BE DEFERRED, AUTHORIZING CREATION OF RESERVE FUNDS, AND PROVIDING FOR SAVINGS CLAUSE; AND REPEALING SECTIONS 73-8-38, 73-8-43, 73-8-44, 73-8-46, 73-8-47 AND 73-8-48, UTAH CODE ANNOTATED 1953, RELATING TO RIGHTS OF CITIES TO PAY OUT OF MUNICIPAL FUNDS; CREDIT TO CITIES IN REDUCTION OF TAXES; SALE BY CITIES OF PROJECTS TAKEN OVER BY DISTRICT AND EXPENSES INCURRED BY CITY FOR PROJECT, was read the first time and referred to the Committee on Rules.

S. B. No. 107 By Messrs. Mantes, Holman and Stacey

AN ACT AMENDING SECTION 17-5-38, UTAH CODE ANNOTATED 1953, RELATING TO ACQUISITION, CONTROL AND ABANDONMENT OF COUNTY HIGHWAYS AND AIRPORTS AND ENACTING NEW SECTIONS TO BE KNOWN AS SECTIONS 27-1-3.1, 27-1-3.2, 27-1-3.3, 27-1-3.4 AND 27-1-3.5, RELATING TO THE PROCEDURE TO BE FOLLOWED BY THE COUNTY FOR VACATING, NARROWING OR CHANGING OF NAMES OF COUNTY ROADS AND HIGHWAYS AND PRESCRIBING THE MANNER IN WHICH COUNTIES MAY VACATE, NARROW OR CHANGE THE NAME OF COUNTY ROADS AND HIGHWAYS, was read the first time and referred to the Committee on Rules.

S. B. 108 By Messrs. Stacey and Miller

AN ACT RELATING TO HIGHWAYS: REVISING THE GENERAL HIGHWAY LAWS; PROVIDING FOR A DECLARATION OF THE INTENT OF THE LEGISLATURE IN RELATION THERETO: PROVIDING FOR A DEFINITION OF TERMS; PROVIDING FOR A STATE ROAD COMMISSION, A DEPARTMENT OF HIGHWAYS, A DIRECTOR OF HIGHWAYS AND PRESCRIBING THEIR POWERS AND DUTIES; PROVIDING FOR THE CLASSIFICATION OF STATE HIGHWAYS, COUNTY ROADS, AND CITY STREETS, AND THE DESIGNATION OF STATE HIGHWAYS; PROVIDING FOR LIVESTOCK AND LIMITED ACCESS

HIGHWAYS; PROVIDING FOR ACQUISITION OF RIGHTS-OF-WAY AND THE CONSTRUCTION, MAINTENANCE, AND IMPROVEMENT OF HIGHWAYS; PROVIDING FOR DISTRIBUTION OF HIGHWAY FUNDS TO COUNTIES, CITIES, AND TOWNS, AND ASSENTING TO FEDERAL AID; PROVIDING FOR LIMITATION OF WEIGHT AND SIZE OF VEHICLES ON HIGHWAYS; PROVIDING FOR REGULATION OF ENCROACHMENTS ON HIGHWAYS; PROVIDING FOR PROTECTION OF HIGHWAYS AND PRESCRIBING PENALTIES FOR VIOLATION OF HIGHWAY LAWS; PROVIDING FOR ASSISTANCE IN RELOCATION OF UTILITIES AND DISPLACED PERSONS WHEN FEDERAL-AID FUNDS AVAILABLE; PROVIDING FOR SEVERABILITY; AND REPEALING CHAPTERS 1, 2, 3, 4, 5, 6, 7. 8, 9 OF TITLE 27, UTAH CODE ANNOTATED 1953, AND ALL SECTIONS IN SAID CHAPTERS AS THEY HAVE BEEN AMENDED OR ENACTED BY CHAPTERS 43, 44, 45, 46, LAWS OF UTAH 1953, CHAPTERS 41, 42, 43, 44, 71, LAWS OF UTAH 1955, CHAPTERS 52, 53, 54, LAWS OF UTAH 1957, CHAPTERS 21, 44, 45, 46, LAWS OF UTAH 1959, AND CHAPTERS 56, 57, 58, 97, LAWS OF UTAH 1961, was rea the first time and referred to the Committee on Rules.

S. B. No. 109 By Messrs. Barlow and Waddingham

AN ACT AMENDING SECTIONS 17-29-5, 17-29-7, 17-29-11, AND 17-29-17 UTAH CODE ANNOTATED 1953, RELATING TO COUNTY SERVICE AREAS, BROADENING THE POWERS GRANTED, RESTRICTING OVERLAPPING AREAS, PROVIDING FOR THE MAILING OF NOTICE OF HEARING UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR DISCONTINUANCE OF SERVICES OR DISSOLUTION OF SUCH AREAS; PROVIDING FOR THE EFFECT OF THE DETACHMENT OF TERRITORY IN A FIRST OR SECOND CLASS CITY; AND PROVIDING LIMITATIONS ON THE INDEBTEDNESS TO BE INCURRED IN SUCH AREAS, was read the first time and referred to the Committee on Rules.

S. S. No. 110 By Messrs. Kerr, Bullen and Brockbank

AN ACT AMENDING SECTION 23-2-18, UTAH CODE ANNOTATED, 1953, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1953, RELATING TO UNEXPENDED BUDGET BALANCES, was read the first time and referred to the Committee on Rules.

S. No. 111 By Messrs. Kerr, Bullen and Browning

AN ACT AMENDING SECTION 23-5-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1953, RELATING TO POSTED PHEASANT HUNTING UNITS, was read the first time and referred to the Committee on Rules.

S. B. No. 112 By Messrs. Kerr, Bullen and D. Taylor

AN ACT AMENDING SECTION 23-2-20 RELATING TO PROPERTY OF THE DEPARTMENT OF FISH AND GAME, was read the first time and referred to the Committee on Rules.

S. B. No. 113 By Messrs. Bullen, Kerr and Browning

AN ACT AMENDING SECTION 23-5-4, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1953, RELATING TO PRIVATE GAME FARMS AND PERMITS, was read the first time and referred to the Committee on Rules.

S. B. No. 114 By Messrs. Bullen, Kerr and Browning

AN ACT AMENDING SECTIONS 23-7-5 THROUGH 23-7-16, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1953, RELATING TO LICENSES IN THE FISH AND GAME CODE, was read the first time and referred to the Committee on Rules.

S. B. No. 115 By Mr. Kerr

AN ACT AMENDING SECTION 41-2-7(a), AS AMENDED BY CHAPTER 68, LAWS OF UTAH 1955, SECTION 41-2-10(a), SECTION 41-2-16(c), AS AMENDED BY CHAPTER 83, LAWS OF UTAH 1961, SECTION 41-2-20, SECTION 41-2-23, SECTION 41-2-28, SECTION 41-2-29(b), AND SECTION 41-2-30, UTAH CODE ANNOTATED 1953, PROVIDING FOR A CHANGE IN THE AGE LIMIT FOR APPLICANTS FOR INSTRUCTION PERMITS; PROVIDING FOR THE SIGNATURE OF A MOTHER, GUARDIAN, OR FOSTER PARENT ON APPLICATIONS OF MINORS; CORRECTING FROM FIVE TO THREE YEARS THE EXPIRATION PERIOD FOR OPERATORS' AND CHAUFFEURS' LICENSES TO CORRESPOND WITH EXISTING LANGUAGE IN THE SECTION; CHANGING APPEALS FROM DEPARTMENT RULINGS FROM COURTS OF RECORD TO DISTRICT COURTS; INCLUDING THE PRINTING, MANUFACTURING, OR OTHERWISE CREATING FICTITIOUS LICENSES AS A VIOLATION OF THIS ACT; INCLUDING REVOCATIONS OR SUSPENSIONS UNDER CHAPTERS 6 AND 12 OF TITLE 41 WITHIN THIS ACT; AND REDUCING THE PENALTY FOR VIOLATIONS OF THE ACT FROM $300 TO $299, was read the first time and referred to the Committee on Rules.

S. B. No. 116 By Mr. Kerr

AN ACT AMENDING SECTION 53-35-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 108, LAWS OF UTAH 1955, AND CHAPTER 118, LAWS OF UTAH 1961 RELATING TO AUTHORI-

ZATION TO THE GOVERNING BOARDS OF INSTITUTIONS OF HIGHER EDUCATION TO ASSIST FACULTY MEMBERS AND EMPLOYEES IN ACQUIRING OLD-AGE ANNUITIES AND PROVIDING FOR AUTHORIZATION TO CONTRACT WITH FACULTY MEMBERS AND EMPLOYEES TO ACCEPT A REDUCED SALARY UPON CONSIDERATION THAT THE BOARD WILL CONTRIBUTE AN AMOUNT EQUAL TO THE AMOUNT OF THE SALARY REDUCTION TOWARD THE PURCHASE OF OLD-AGE ANNUITIES IN ORDER TO OBTAIN THE DEFERRED FEDERAL INCOME TAX TREATMENT OF OLD-AGE ANNUITIES OFFERED BY THE INTERNAL REVENUE CODE OF 1954, AS AMENDED, was read the first time and referred to the Committee on Rules.

S. B. No. 117 By Messrs. Miller, Kerr and B. Jenkins

AN ACT TO CREATE THE CITIZENS COMMISSION ON GOVERNMENTAL ORGANIZATION; PROVIDING FOR THE NUMBER AND APPOINTMENT OF ITS MEMBERS AND THEIR TERM OF OFFICE; PROVIDING FOR PAYMENT OF PER DIEM TO THE MEMBERS; DEFINING THE MISSION OF THE COMMISSION; PROVIDING FOR ITS ORGANIZATION; DEFINING ITS POWERS; AUTHORIZING THE EXPENDITURE OF CERTAIN MONEY AND FOR ITS ECONOMIC SUPPORT; AND PROVIDING FOR BROAD CITIZEN PARTICIPATION IN THE UNDERTAKINGS OF THE COMMISSION, was read the first time and referred to the Committee on Rules.

S. B. No. 118 By Messrs. Bernhard, D. Taylor and B. Jenkins

AN ACT RELATING TO SCHOOL DISTRICTS AND AMENDING SECTIONS 53-4-2, 53-4-3 AND 53-4-6, UTAH CODE ANNOTATED 1953, PROVIDING FOR COUNTY SCHOOL DISTRICTS OF THE FIRST CLASS FOR THE INCREASE OF THE BOARD OF EDUCATION OF A COUNTY SCHOOL DISTRICT OF THE FIRST CLASS AND FOR THE ELECTION OF THE MEMBERS OF THE BOARD OF EDUCATION OF A COUNTY SCHOOL DISTRICT OF THE FIRST CLASS, was read the first time and referred to the Committee on Rules.

On motion of Senator Hafen, the Senate voted to have the matter concerning H. J. R. No. 5 passed by the 37th Session of the Idaho Legislature, referred to the committee on Revenue and Taxation. It was further moved that these like committees confer and then report back to their respective houses.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 29 was read the third time and placed on its final passage.

S. B. 29 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, S. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, Memmott and D. Taylor.

S. B. No. 29 was transmitted to the House.

On motion of Senator Hafen, the rules were suspended and the Senate voted to now consider bills on the Second Reading Calendar, then the rules were further suspended and House Bills were placed at the head of the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Kerr the rules were suspended and H. B. No. 17 was read the third time and placed on its final passage.

H. B. No. 17 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, M. Jenkins and Memmott.

H. B. No. 17 was returned to the House.

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

Committee report read and adopted.

On motion of Senator Kerr the rules were suspended and H. B. No. 10 was read the third time and placed on its final passage.

H. B. No. 10 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond and Miller.

H. B. No. 10 was returned to the House.

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

Committee report read and adopted.

H. B. No. 8 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were Senators Brockbank and Hammond.

On motion of Senator Kerr, S. B. No. 9 retained its position on the Second Reading Calendar.

On motion of Senator D. Taylor, S. B. No. 16 retained its position on the Second Reading Calendar.

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

Committee report read and adopted.

On motion of Senator D. Taylor, S. J. R. No. 3 retained its position on the Second Reading Calendar.

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

Committee report read and adopted.

On motion of Senator Hafen, S. B. No. 4 was amended as follows:

Page 2, line 26, after the word "set" insert the words "or any replacement volumes."

On motion of Senator Bernhard, S. B. No. 4 was amended as follows:

Page 1, line 18, after the word "Utah," insert "Utah State University,".

S. B. No. 4 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 15; Nays, 8; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Grover, Hafen, Harmston, Holman, Hunter (explained vote), Kerr, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller (explained vote), Rees and Sowards.

Absent and not voting were Senators Gardner and Hammond.

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.

Yeas, 22; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Holman.

Absent and not voting were: Senators Hafen and Hammond.

On motion of Senator Memmott, a member of the "Lon Hopkin" day committee, the Senate voted to have the special tribute presented to Mrs. Alonzo F. Hopkin, spread upon the pages of today's journal.

A TRIBUTE

Alonzo F. Hopkin, rancher, churchman, Dean of Utah Legislators, died on December 15, 1961, after having served two years in the Utah House

of Representatives and 26 years in the Utah State Senate, a record unequalled in our State. This service included being President of the Senate for two separate terms and being the first chairman of the Legislative Council. He was a Democratic nominee for United States Senator in 1956 and a candidate for the governor nomination in 1960.

In his 60 years, "Lon" demonstrated to an unusual degree a combination of qualities too seldom found in men: a keen mind, tempered with humility and justice; sound judgment, common sense, honesty, fairness, integrity, frankness, modesty, courtesy, friendliness; respect for the opinions of others, courage to express his convictions regardless of consequences; a simple eloquence and the ability to explain his thoughts and the reasons for his conclusions; a desire to be of use to his fellowmen, a belief in the worthiness of his occupation, devotion to duty, love of family, pride in his state and community, a recognition of his work in the legislature as an opportunity for service, faith in his God and belief in a great destiny for man.

Lon's friends are legion. If he had enemies, we do not know of them. The good he has done, the contributions he has made, the beneficiaries of his work, can never be counted.

The 35th Legislature of the State of Utah, in a joint session assembled, with the Governor of the State of Utah concurring therein, pays tribute to a prince among men. We acknowledge his accomplishments, we revere his memory. We salute his wife and his son for the heritage he has left them and all men.

Done this 30th day of January, 1963.

REED BULLEN,
President of the Senate

CHARLES WELCH, JR.,
Speaker, House of Representatives

GEORGE D. CLYDE,
Governor, State of Utah

(SEAL)

On motion of Senator Kerr, the Senate recessed.

The Senate re-assembled.

On motion of Senator Kerr, the rules were suspended and the Senate voted to continue consideration of bills on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 38 was read the second time.

Committee report read and adopted.

S. B. No. 38 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott (passed), Rees, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Hafen, Hammond, B. Jenkins Sowards and G. Taylor.

S. B. No. 39 was read the second time.

Committee report read and adopted.

S. B. No. 39 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 18; Nays, 5; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Holman, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Grover, Harmston, B. Jenkins, Miller and G. Taylor.

Absent and not voting were: Senators Hammond and Hunter.

On motion of Senator Kerr, the Senate adjourned until Thursday, January 31, 1963, at 11:00 A.M.

EIGHTEENTH DAY

MORNING SESSION

The Senate was called to order at 11:00 A.M. President Bullen in the chair.

Roll Call – All Senators present.

Prayer by the Chaplain.

January 31, 1963

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,

JOHN T. BERNHARD,
Chairman

Report adopted and filed.

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

Mr. Lewis H. Lloyd, Chairman of the Legislative Council, appeared before the Committee of the Whole.

Mr. Elton McQuery, representing the Council of State Governments, from San Francisco, appeared before the Committee of the Whole.

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

COMMUNICATIONS FROM THE HOUSE

January 29, 1963

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. 18, STATE MUSEUM OF NATURAL HISTORY, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 18 was referred to the Committee on Rules to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

January 31, 1963

Mr. President:

Your Rules Committee, to which were referred

S. B. No. 43 (Business & Commerce)

S. B. No. 76 (Political Subdivisions)

S. B. No. 77 (Political Subdivisions)
S. B. No. 92 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 93 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 94 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 95 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 95 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 97 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 99 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 101 (Agriculture and Irrigation)
S. B. No. 103 (Business and Commerce)
S. B. No. 104 (Judiciary)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

January 31, 1963

Mr. President:

Your Committee on Rules to which was referred S. B. No. 3, by Mr. Hafen, entitled, AN ACT AMENDING SECTION 30-1-2, UTAH CODE ANNOTATED 1953, RELATING TO MARRIAGES PROHIBITED AND VOID; PROVIDING THAT EPILEPTICS MAY MARRY, to be engrossed, has been examined by this Committee who has carefully compared the Senate Bill as passed with the enrolled and engrossed copy and find it correct and return the same for the signature of the President.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

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

January 31, 1963

Mr. President:

Your Committee on Business and Commerce, to which was referred H. B. No. 19, by Messrs Sonntag, Hodgson and F. E. Peterson, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

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

January 31, 1963

Mr. President:

Your Committee on Business and Commerce, to which was referred S. B. No. 5, by Messrs. Hafen, B. Jenkins and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

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

January 31, 1963

Mr. President:

Your Committee on Business and Commerce, to which was referred S. B. No. 42, by Messrs. Hafen and B. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 42 was placed on the Second Reading Calendar.

January 31, 1963

Mr. President:

Your Committee on State and Federal Affairs, to which was referred S. B. No. 47, by Messrs. Waddingham and Brockbank, has carefully con-

sidered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 47 was placed on the Second Reading Calendar.

January 31, 1963

Mr. President:

Your Committee on State and Federal Affairs, to which was referred S. B. No. 49, by Messrs. Waddingham and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 49 was placed on the Second Reading Calendar.

January 31, 1963

Mr. President:

Your Committee on State and Federal Affairs, to which was referred S. B. No. 50, by Messrs. Waddingham and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 50 was placed on the Second Reading Calendar.

January 31, 1963

Mr. President:

Your Committee on State and Federal Affairs, to which was referred S. B. No. 51, by Messrs. Waddingham and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 51 was placed on the Second Reading Calendar.

Mr. President: January 31, 1963

Your Committee on State and Federal Affairs, to which was referred S. B. No. 52, by Messrs. Waddingham and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 52 was placed on the Second Reading Calendar.

Mr. President: January 31, 1963

Your Committee on State and Federal Affairs, to which was referred S. B. No. 53, by Messrs. Waddingham and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 53 was placed on the Second Reading Calendar.

Mr. President: January 31, 1963

Your Committee on State and Federal Affairs, to which was referred S. B. No. 54, by Messrs. Waddingham and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 54 was placed one Second Reading Calendar.

Mr. President: January 31, 1963

Your Committee on State and Federal Affairs, to which was referred S. B. No. 55, by Messrs. Waddingham and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 55 was placed on the Second Reading Calendar.

Mr. President: January 31, 1963

Your Committee on State and Federal Affairs, to which was referred S. B. No. 56, by Messrs Waddingham and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 56 was placed on the Second Reading Calendar.

Mr. President: January 31, 1963

Your Committee on State and Federal Affairs, to which was referred S. B. No. 57, by Messrs. Waddingham and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 57 was placed on the Second Reading Calendar.

Mr. President: January 31, 1963

Your Committee on State and Federal Affairs, to which was referred S. B. No. 58, by Messrs. Waddingham and Brockbank, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 58 was placed on the Second Reading Calendar.

Mr. President: January 31, 1963

Your Committee on State and Federal Affairs, to which was referred S. B. No. 59, by Messrs. Waddingham and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 59 was placed on the Second Reading Calendar.

January 31, 1963

Mr. President:

Your Committee on State and Federal Affairs, to which was referred S. J. R. No. 7, by Messrs. Kerr and Rees, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

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

January 31, 1963

Mr. President:

Your Committee on Political Subdivisions, to which was referred H. B. No. 13, by Messrs. Sheffield, Clyde and Gunnell, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

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

January 31, 1963

Mr. President:

Your Committee on Political Subdivisions, to which was referred S. B. No. 63, by Messrs Hafen and Barlow, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 63 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 119 By Messrs S. Taylor and D. Taylor

AN ACT AMENDING SECTION 51-4-1, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 86, LAWS OF UTAH 1955,

RELATING TO THE DEPOSIT OF COLLECTIONS BY STATE AGENCIES, PROVIDING THAT STATE OFFICERS OR EMPLOYEES WHO HAVE POSSESSION OR CONTROL OF FUNDS BY VIRTUE OF THEIR STATE STATUS MUST DEPOSIT SAID FUNDS WITH THE STATE TREASURER, was read the first time and referred to the Committee on Rules.

S. B. No. 120 By Messrs. S. Taylor and D. Taylor

AN ACT RELATING TO STATE BUDGETS, PROVIDING A COMMITTEE TO ESTIMATE THE POSSIBLE REVENUE FOR THE STATE OF UTAH FOR EACH BIENNIUM, was read the first time and referred to the Committee on Rules.

S. B. No. 121 By Messrs. S. Taylor and D. Taylor

AN ACT AMENDING SECTION 51-2-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 88, LAWS OF UTAH 1957, RELATING TO BIENNIAL AUDITS OF CITIES, COUNTIES, AND SCHOOL DISTRICTS, REQUIRING ALL TAXING UNITS HAVING THE POWER TO TAX AND EXPEND PUBLIC FUNDS TO FILE BIENNIAL AUDITS, was read the first time and referred to the Committee on Rules.

S. B. No. 122 By Messrs. S. Taylor and D. Taylor

AN ACT AMENDING SECTIONS 78-44-7, 78-44-8, AND 78-44-9, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 6, LAWS OF UTAH 1957, PROVIDING THE TIME WHEN HOLDERS SHOULD DELIVER ABANDONED PROPERTY TO THE STATE, was read the first time and referred to the Committee on Rules.

S. B. No. 123 By Messrs. S. Taylor and D. Taylor

AN ACT AMENDING SECTION 10-10-75, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 24, LAWS OF UTAH 1961, RELATING TO PUBLICATION OF FINANCIAL STATEMENT OF CITIES, PROVIDING THAT CITIES SHALL FILE A FINANCIAL STATEMENT, TOGETHER WITH PROOF OF PUBLICATION IN THE STATE AUDITOR'S OFFICE, was read the first time and referred to the Committee on Rules.

S. B. No. 124 By Messrs. Harmston, B. Jenkins and Bernhard

AN ACT AMENDING SECTIONS 35-4-7, 35-4-17, 35-4-22, AND 35-4-26, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 60, LAWS OF UTAH 1955, CHAPTER 64, LAWS OF UTAH 1957,

CHAPTER 57, LAWS OF UTAH 1959, AND CHAPTER 73, LAWS OF UTAH 1961, RELATING TO EXTENDING THE UNEMPLOYMENT COMPENSATION ACT TO COVER THE STATE AND ITS POLITICAL SUBDIVISIONS AS EMPLOYERS AND APPROPRIATING $250,000 TO FINANCE SUCH COVERAGE, was read the first time and referred to the Committee on Rules.

S. B. No. 125 By Messrs. D. Taylor, Kerr and Memmott

AN ACT AMENDING THE PUBLIC ASSISTANCE ACT OF 1961 BY AMENDING SECTION 55-15-28, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 126, LAWS OF UTAH 1961, RELATING TO RESIDENCY REQUIREMENTS, was read the first time and referred to the Committee on Rules.

On motion of Senator D. Taylor, the rules were suspended and the Senate voted to place S. B. No. 1 as a Special Order of Business for today at 3:00 P.M.

On motion of Senator Hammond, the rules were suspended and the Senate voted to place S. B. No. 9 as a Special Order of Business for Monday, February 4, 1963 at 2:00 P.M.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 8 was read the third time and placed on its final passage.

On motion of Senator Hafen, H. B. No. 8 was amended as follows:

Page 1, line 10, after the word "confirmed" insert the words "after due notice to."

Page 1, line 11, delete "without objection of."

H. B. No. 8 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Grover, Mantes, Miller and G. Taylor.

H. B. No. 8 was returned to the House.

S. B. No. 4 was read the third time and placed on its final passage.

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

Yeas, 15; Nays, 7; Absent, 3.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Hunter, Kerr, Lambert, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Holman, B. Jenkins, M. Jenkins, Mantes, Memmott, Rees and Sowards.

Absent and not voting were: Senators Barlow, Hammond and Miller.

S. B. No. 4 was transmitted to the House.

S. B. No. 35 was read the third time and placed on its final passage.

On motion of Senator D. Taylor, S. B. No. 35 retained its position on the Third Reading Calendar.

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

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

CONSIDERATION OF BILLS ON THIRD READING

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:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, Hunter, Mantes and Miller.

S. B. No. 38 was transmitted to the House.

S. B. No. 39 was read the third time and placed on its final passage.

S. B. No. 39 then passed on the following roll call:

Yeas, 15; Nays, 9; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Hammond, Holman, Hunter, M. Jenkins, Lambert, Memmott, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Brockbank, Gardner, Grover, Hafen, Harmston, B. Jenkins, Kerr, Miller and D. Taylor.

Absent and not voting was Senator Mantes.

S. B. No. 39 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. J. R. No. 3, having retained its position, was before the Senate.

S. J. R. No. 3 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 22; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham (explained vote), and Mr. President.

Voting in the negative was Senator Lambert.

Absent and not voting were: Senators Holman and Mantes.

S. B. No. 65 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen, the rules were suspended and S. B. No. 65 was read the third time and placed on its final passage.

S. B. No. 65 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Holman, Mantes and D. Taylor.

S. B. No. 65 was transmitted to the House.

On motion of Senator Kerr, the Senate recessed.

The Senate re-assembled.

SPECIAL ORDER

S. B. No. 1, being a Special Order of Business, was before the Senate.

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

Committee report read and adopted.

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

Mr. Ben Rawlings and Mr. Donald B. Holbrook appeared before the Committee of the Whole.

On motion of Senator D. Taylor, the Committee of the Whole was dissolved.

On motion of Senator Hafen, S. B. No. 1 was amended as follows:

Page 2, Line 12: Change "Articles" to "articles"

Page 2, line 27: Change "mean" to "means"

Page 3, line 24: Correct spelling of "agricultural"

Page 5, line 10: After the word "trustee," change to read "director or officer of another corporation"

Page 9, line 16: Correct spelling of word "member"

Page 10, line 22: Change "affect" to "effect"

Page 11, line 1: Between words "office" and "trustee" insert words "of a"

Page 12, line 6: After word "mortgage" insert words "or pledge"

Page 12, line 8: After word "adopting" and before the comma insert the words "a plan for the distribution of the assets of the corporation on dissolution"

Page 13, line 15: Change "of" to "or"

Page 14, line 8: Correct spelling of "duly"

Page 14, line 28: Change "of" to "or"

Page 15, line 27: Correct spelling of "original"

Page 18, line 18: Change "condition" to "conditions"

Page 19, line 19: After word "each" and before word "corporation" add the word "such"

Page 24, line 4: Correct spelling of "dissolve"

Page 24, line 10: Correct spelling of "dissolution"

Page 25, line 15: Correct spelling of "having"

Page 26, line 30: Change "data" to "date"

Page 28, line 13: Change word "of" to "or"

Page 28, line 30: Change "purpose" to "purposes"

Page 34, line 4: Change "evidence" to "evidences"

Page 34, line 16: Change "purpose" to "purposes"

Page 35, line 26: Change "purposes" to "proposes"

Page 37, line 20: After the word "any" and before the word "or" add the word "one"

Page 38, line 23: Change "addresses" to "addressed"

Page 40, line 6: Correct spelling of "withdrawal"

Page 41, line 3: Correct spelling of "withdrawal"

Page 47, line 18: Change "of" to "or"

Page 49, line 1: Delete dash after word "in"

Page 50, line 7: Change "section 30" to "section 80"

Page 50, line 27: Change "corporation" to "corporations"

S. B. No. 1 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Mantes.

On motion of Senator Kerr, the Senate adjourned until Friday, February 1, 1963 at 10:00 A.M.

NINETEENTH DAY

MORNING SESSION

February 1, 1963

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

Roll Call – All Senators present.

Prayer by the Chaplain.

February 1, 1963

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,

JOHN T. BERNHARD,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

January 30, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 52 – RELATING TO QUALIFICATIONS OF DIRECTOR OF REGISTRATION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 52 was read the first time and referred to the Committee on Business and Commerce.

January 30, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, H. B. No. 18 – GRANTING ATTOR-

NEYS FEES TO ENFORCE PRIVATE CONTRACTS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 18 was read the first time and referred to the Committee on Judiciary.

Mr. President: January 30, 1963

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 53 – CONTINUITY OF TERMS IN OFFICE OF MUNICIPAL OFFICIALS WHEN TOWN OR CITY ADVANCES TO THIRD CLASS CITY, ETC., and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 53 was read the first time and referred to the Committee on Political Subdivisions.

Mr. President: February 1, 1963

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 3, entitled PROVIDING THAT EPILEPTICS MAY MARRY, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 3 was transmitted to the Governor.

Mr. President: February 1, 1963

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments and passed H. B. No. 8, entitled WIDOWS PROPERTY.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

REPORTS OF SPECIAL COMMITTEES

February 1, 1963

REPORT OF COMMITTEE ON JOINT RULES

Mr. President and Mr. Speaker:

Your Joint Committee on Rules recommends that Rules 38, 39 and 40 of the Joint Rules be amended to read as follows:

38. Certification. When a bill or resolution shall have passed both houses, 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, respectively, and the number of votes cast for and against it in each house, and the number of absentees.

39. Presiding Officers to Sign Bills. Every bill or resolution which has passed both houses and which has been certified and endorsed as provided in Rule 38 shall be signed first by the presiding officer of the house in which it was last voted upon, 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.

40. Enrollment. After a bill or resolution which has passed both houses has been signed as provided in Rule 39, it shall be enrolled and examined by the Rules Committee of the house where it originated. The committee shall carefully compare the enrollment with the bill or resolution as passed and correct any errors therein. The engrossed bill shall then be certified by the secretary or chief clerk to the governor or secretary of state.

After a bill or resolution has passed both houses and has been certified, endorsed, enrolled and engrossed as herein provided, 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. The secretary of the senate or chief clerk may distribute certified copies of such bills or resolutions.

Any bill or resolution which has passed both houses and which has not been enrolled or examined, as provided in the foregoing paragraph, by the time the legislature adjourns, shall thereafter be enrolled and shall be examined by the secretary or chief clerk of the house where it originated. The secretary or chief clerk, with the approval of his presiding officer, shall correct any errors and certify the engrossed bill to the governor or the secretary of state.

Respectfully submitted,

Senator Orval Haven,
Representative Franklin W. Gunnell
Co-Chairmen, Joint Committee on Rules

Committee report read and adopted.

REPORT OF SENATE COMMITTEE ON RULES

February 1, 1963

Mr. President:

Your committee on rules recommends that rule 99 of the senate rules be amended to read as follows:

99. Signed by President. After a bill or resolution has passed both houses and has been certified and endorsed as provided in Joint rule 38, it shall be signed by the president of the senate in the presence of the senate, after its title has been publicly read immediately before signing, and the fact of such signing shall be entered upon the journal.

Respectfully submitted,
ORVAL HAFEN,
KLEON KERR,
THORPE WADDINGHAM,

Senate Committee on Rules

Committee report read and adopted.

REPORTS OF STANDING COMMITTEES

January 31, 1963

Mr. President:

Your Committee on Rules to which was referred S. B. No. 18, by Messrs. G. D. Taylor, M. Jenkins and Kerr entitled, AN ACT RELATING TO THE CREATION OF A STATE MUSEUM OF NATURAL HISTORY; PROVIDING FOR THE ESTABLISHMENT OF THE MUSEUM AT THE UNIVERSITY OF UTAH, to be engrossed, has been examined by this Committee who has carefully compared the Senate Bill as passed with the enrolled and engrossed copy and find it correct and return the same for the signature of the President.

Respectfully submitted,

LELAND SOWARDS,

Chairman

Committee report read and adopted.

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.

February 1, 1963

Mr. President:

Your Rules Committee, to which were referred

S. B. No. 89 (Judiciary)

S. B. No. 96 (Education)

S. B. No. 98 (State, Federal & Military Affairs & Civil Defense)

S. B. No. 100 (Judiciary)

S. B. No. 102 (Revenue & Taxation)

S. B. No. 105 (Revenue & Taxation)

S. B. No. 107 (Highways and Aeronautics)

S. B. No. 110 (Revenue & Taxation)

S. B. No. 116 (Education)

S. B. No. 118 (Education)

S. B. No. 119 (State, Federal & Military Affairs & Civil Defense)

S. B. No. 120 (Revenue & Taxation)

S. B. No. 121 (State, Federal & Military Affairs & Civil Defense)

S. B. No. 122 (State, Federal & Military Affairs & Civil Defense)

S. B. No. 123 (State, Federal & Military Affairs & Civil Defense)

S. B. No. 125 (State, Federal & Military Affairs & Civil Defense)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,

Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

February 1, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 48, by Messrs. Waddingham and Brockbank, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. STANFORD REES,

Chairman

Report filed.

S. B. No. 48 was placed on the Second Reading Calendar.

February 1, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred S. B. No. 22, by Mr. Hafen, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,

Chairman

Report filed.

S. B. No. 22 was placed on the Second Reading Calendar.

February 1, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred S. B. No. 46, by Messrs. Waddingham and B. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,

Chairman

Report filed.

S. B. No. 46 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 10 By Messrs. Grover and Hafen

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE XIII, SECTION 2, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO HOMESTEAD EXEMPTIONS; PROVIDING FOR RAISING THE AMOUNTS ALLOWABLE FOR HOMESTEAD EXEMPTIONS, was read the first time and referred to the Committee on Rules.

INTRODUCTION OF BILLS

S. B. No. 126 By Messrs. Bernhard and Browning

AN ACT PROVIDING A PENALTY FOR OFFERING OR ACCEPTING BRIBES OR AIDING OR ABETTING IN BRIBES IN ATHLETIC CONTESTS; MAKING THE OFFENSE A FELONY AND PROVIDING A PENALTY, was read the first time and referred to the Committee on Rules.

S. B. No. 127 By Messrs. Stacey and Sowards

AN ACT PROVIDING FOR THE ELIMINATION OF DUPLICATION IN ACCOUNTING SYSTEMS MAINTAINED BY THE SEVERAL DEPARTMENTS, INSTITUTIONS AND AGENCIES OF STATE GOVERNMENT AND THE CENTRAL ACCOUNTING SYSTEM MAINTAINED BY THE COMMISSION OF FINANCE, was read the first time and referred to the Committee on Rules.

S. B. No. 128 By Messrs. Waddingham and Brockbank

AN ACT PROVIDING FOR THE CONTROL OF ALL FUNDS NOT SEPARATELY DEFINED TO BE MAINTAINED IN THE GENERAL FUND BY THE DEPARTMENT OF FINANCE FOR BUDGETARY PURPOSES, was read the first time and referred to the Committee on Rules.

S. B. No. 129 By Messrs. Bullen, Kerr and Browning

AN ACT AMENDING SECTION 23-2-11, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1953, RELATING TO COMMISSION POWERS, was read the first time and referred to the Committee on Rules.

S. B. No. 130 By Messrs. Bullen, Kerr and Browning

AN ACT RELATING TO THE UNLAWFUL INTRODUCTION OF WILDLIFE, was read the first time and referred to the Committee on Rules.

S. B. No. 131 By Messrs. Browning and Bernhard

AN ACT AMENDING SECTION 10-8-8, UTAH CODE ANNOTATED 1953, RELATING TO THE POWERS OF CITIES TO ESTABLISH AND MAINTAIN STREETS, ALLEYS, AND OTHER PUBLIC WAYS, PARKS, AIRPORTS, AND PUBLIC GROUNDS AND ENABLING CITIES TO ESTABLISH AND MAINTAIN OFF-STREET PARKING FACILITIES BY ORDINANCE, was read the first time and referred to the Committee on Rules.

S. B. No. 132 By Mr. Grover

AN ACT AMENDING SECTION 17-6-3.4, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 29, LAWS OF UTAH 1953, RELATING TO WATER AND SEWAGE DISTRICTS; PROVIDING FOR BORROWING OF MONEY ON TAX ANTICIPATION NOTES, was read the first time and referred to the Committee on Rules.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 35, having retained its position was before the Senate.

S. B. No. 35 then passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, and S. Taylor.

Voting in the negative were: Senators Brockbank, Holman, Miller, Waddingham and Mr. President.

Absent and not voting was Senator Kerr.

S. B. No. 35 was transmitted to the House.

S. J. R. No. 3 was read the third time and placed on its final passage.

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

Yeas, 17; Nays, 8; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Grover, Hafen, Hammond, Harmston, B. Jenkins, M. Jenkins, Kerr, Memmott, Miller, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Gardner, Holman, Hunter, Lambert, Mantes, Rees, Sowards and Stacey.

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

Senator Memmott served notice that on the next Legislative day he would ask the Senate to re-consider its action on S. J. R. No. 3.

S. B. No. 1 was read the third time and placed on its final passage.

On motion of Senator D. Taylor, S. B. No. 1 retained its position on the Third Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 16 having retained its position was before the Senate.

On motion of Senator D. Taylor S. B. No. 16 was amended as follows:

Page 1, lines 6 and 7 delete the words "in or about," then insert the word "of" in lieu thereof.

S. B. No. 16 failed to pass on Second Reading on the following roll call:

Yeas, 8; Nays, 16; Absent, 1.

Voting in the affirmative were: Senators Barlow, Hammond, B. Jenkins, M. Jenkins, Kerr, Miller, D. Taylor and Mr. President.

Voting in the negative were: Senators Bernhard, Browning, Gardner, Grover, Hafen,, Harmston, Holman, Hunter, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, S. Taylor and Waddingham.

Absent and not voting was Senator Brockbank.

S. B. No. 61 was read the second time.

Committee report read and adopted.

S. B. No. 61 was placed on the Third Reading Calendar on the following roll call:

Yeas, 25; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

On motion of Senator Grover the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

INTRODUCTION OF BILLS

S. B. No. 133 By Messrs. Bullen and M. Jenkins

AN ACT AMENDING SECTION 58-12-8, UTAH CODE ANNOTATED 1953, AS AMENDED, BY ENACTING REQUIREMENTS FOR THE RENEWAL OF LICENSES TO PRACTICE CHIROPRACTIC, was read the first time and referred to the Committee on Rules.

S. B. No. 134 By Messrs Browning, Barlow and Hafen

AN ACT AMENDING SECTIONS 31-1-7, 41-1-10, 31-2-3, 31-2-8, 31-3-2, 31-3-3, 31-3-6, UTAH CODE ANNOTATED 1953, 31-3-7, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 47, LAWS OF UTAH 1959, AND BY CHAPTER 2, LAWS OF UTAH 1959, FIRST SPECIAL SESSION, 31-4-4, 31-4-8, 31-4-9, 31-4-11, 31-5-2, 31-5-6, 31-5-7,

31-5-8, 31-5-9, 31-5-10, 31-5-11, 31-5-15, 31-5-16, 31-5-19, 31-5-20, 31-5-21, 31-6-9, 31-6-14, 31-6-17, UTAH CODE ANNOTATED 1953, 31-8-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 60, LAWS OF UTAH 1961, 31-9-23, 31-11-1, 31-11-6, 31-11-11, 31-11-12, 31-12-1, 31-12-2, 31-13-12, 31-13-20, 31-13-22, 31-14-4, 31-15-1, 31-15-2, 31-15-3, 31-15-4, 31-15-5, 31-15-7, 31-15-8, 31-15-14, 31-15-16, 31-16-2, 31-16-3, 31-16-5, 31-17-3, 31-17-6, 31-17-9, 31-17-10, 31-17-11, 31-17-13, 31-17-14, 31-17-15, 31-17-16, 31-17-20, 31-17-23, 31-17-24, 31-17-25, 31-17-26, 31-17-27, 31-17-28, 31-17-35, 31-17-44, 31-17-45, 31-17-47, 31-17-50, 31-18-1, 31-18-2, 31-18-3, 31-18-5, 31-19-2, 31-19-5, 31-19-7, 31-19-13, 31-19-29, 31-19-30, 31-19-31, 31-21-1, 31-21-18, 31-25-1, 31-25-2, 31-25-6, 31-25-10, 31-25-11, 31-25-13, 3-25-16, 31-26-1, 31-26-2, 31-27-1, 31-27-15, 31-27-22, 31-29-4, 31-31-2, 31-31-5, 31-31-15, UTAH CODE ANNOTATED 1953, 31-33-2, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 56, LAWS OF UTAH 1957, 31-33-6, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 56, LAWS OF UTAH 1957, RELATING TO THE INSURANCE CODE OF UTAH, INSURANCE CONTRACTS AND INSURANCE TRANSACTIONS; THE ORGANIZATION, LICENSING, EXAMINATION, REGULATION, AND SUPERVISION OF ALL STOCK, MUTUAL RECIPROCAL, FRATERNAL, TITLE, COUNTY MUTUAL FIRE AND LIGHTNING, MUTUAL BENEFIT, AND COOPERATIVE COMPANIES OR ASSOCIATIONS DOING AN INSURANCE BUSINESS IN THE STATE OF UTAH: THE INSURANCE DEPARTMENT OF THE STATE OF UTAH, ITS POWER, DUTIES, AND FUNCTIONS: THE REGULATION, SUPERVISION, AND LICENSING OF AGENTS, SOLICITORS, BROKERS, ADJUSTERS, AND SURPLUS LINE COMPANIES AND BROKERS ENGAGING IN INSURANCE TRANSACTIONS IN THIS STATE; THE REGULATION AND SUPERVISION OF RATING ORGANIZATIONS AND MAKING, FILING, AND APPROVAL OF INSURANCE RATES; HEARINGS BEFORE THE INSURANCE DEPARTMENT AND APPEALS THEREFROM; AND DECLARING AS UNFAIR, DISCRIMINATORY AND ILLEGAL CERTAIN METHODS AND PRACTICES OF DOING BUSINESS, AND ESTABLISHING PENALTIES THEREFOR; AND ENACTING NEW SECTIONS OF THE INSURANCE CODE TO BE KNOWN AS SECTIONS 31-2-3.1, 31-3-4.1, 31-3-8, 31-5-2.1, 31-5-3.1, 31-5-8.1, 31-14-1, 31-14-9, 31-15-17, 31-15-18, 31-15-19, 31-15-20, 3-17-10.1, 31-18-6, 31-19-8, 31-20-1 to 31-20-9 inclusive, 31-22-1 to 31-22-18 inclusive, 31-23-1 to 31-23-18 inclusive, 31-25-8, 31-27-2.1, 31-27-9, 31-27-14, 31-27-22, 31-29-35.1, 31-31-10, 31-35-1 to 31-35-6 inclusive, AND 31-36-1 to 31-36-7 inclusive, PROVIDING FOR THE ADOPTION OF REASONABLE RULES AND REGULATIONS BY THE INSURANCE COMMISSIONER, THE APPOINTMENT OF QUALIFIED EXAMINERS,

AND THE AUTHORITY TO CONDUCT HEARINGS AND PROCEDURE THEREOF; SPECIFYING THE DEPOSITS REQUIRED OF INSURERS AS A CONDITION TO ISSUANCE OF A CERTIFICATE OF AUTHORITY; PROVIDING FOR THE CONTINUATION OF CERTIFICATES OF AUTHORITY, AND GROUNDS FOR DENIAL, SUSPENSION, AND REVOCATION THEREOF; PROVIDING FOR RECIPROCITY AND COMITY BETWEEN UTAH AND OTHER STATES REGARDING CONDITIONS PRECEDENT TO THE TRANSACTION OF BUSINESS BY FOREIGN INSURERS; PROVIDING FOR SURPLUS LINES INSURANCE CONTRACTS, CONDITIONS OF VOIDABILITY THEREOF, EXEMPTIONS FROM THE STATUTES REGULATING SURPLUS LINES INSURERS AND CONTRACTS; PROVIDING FOR THE JURISDICTION OVER AND SERVICE UPON NON-ADMITTED INSURERS; AUTHORIZING THE APPOINTMENT OF CORPORATIONS AS AGENTS; ESTABLISHING FEES TO BE COLLECTED BY THE INSURANCE COMMISSIONER; DEFINING THE ALLOWABLE DEVIATIONS FROM RATING BUREAU FILINGS; SETTING FORTH CONDITIONS UNDER WHICH RECOVERY UNDER INSURANCE CONTRACTS IS PRECLUDED; PROVIDING FOR THE ISSUANCE AND REGULATION OF GROUP DISABILITY AND GROUP LIFE INSURANCE CONTRACTS; PROVIDING FOR THE REGULATION AND FILING OF INSURANCE CONTRACTS; PROVIDING FOR THE ISSUANCE AND REGULATION OF LIFE INSURANCE POLICIES; ESTABLISHING RESERVES REQUIRED OF TITLE INSURERS; PROVIDING FOR THE DEFINITION AND REGULATION OF, AND PUNISHMENT FOR, CERTAIN UNFAIR AND DECEPTIVE PRACTICES; PROVIDING FOR THE SUBJECTION OF AGENTS OF FRATERNAL BENEFIT SOCIETIES IN CERTAIN INSTANCES TO GENERAL STATUTES REGULATING AGENTS OF INSURERS; PROVIDING FOR THE APPLICATION OF STANDARD NONFORFEITURE LAW TO MUTUAL BENEFIT ASSOCIATION INSURANCE CONTRACTS; ADOPTING THE UNAUTHORIZED INSURERS PROCESS ACT AND THE UNIFORM UNAUTHORIZED INSURERS FALSE ADVERTISING PROCESS ACT. AND REPEALING SECTIONS 31-5-18, 31-7-15, 31-7-16, 31-7-17, 31-14-1, 31-14-9, 31-17-12, 31-18-6, 31-19-8, 31-20-1, UTAH CODE ANNOTATED 1953, 31-20-2, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 48, LAWS OF UTAH 1953, 31-20-3, UTAH CODE ANNOTATED 1953, 31-20-4, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 48, LAWS OF UTAH 1953, 31-20-5 to 31-20-8, UTAH CODE ANNOTATED 1953, 31-22-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 48, LAWS OF UTAH 1955, AND CHAPTER 63, LAWS OF UTAH 1961, 31-22-2, UTAH CODE ANNOTATED 1953, 31-22-3, UTAH CODE ANNOTATED 1953,

AS AMENDED BY CHAPTER 65, LAWS OF UTAH 1961, 31-22-4 to 31-22-11 INCLUSIVE, UTAH CODE ANNOTATED 1953, 31-23-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 58, LAWS OF UTAH 1957, AND CHAPTER 66, LAWS OF UTAH 1961, 31-23-2 to 31-23-4 INCLUSIVE, 31-25-8, 31-25-9, 31-27-9, 31-27-14, 31-27-17, 31-27-18, 31-31-6, 31-31-10, UTAH CODE ANNOTATED 1953; AND PROVIDING FOR A SEVERABILITY CLAUSE, was read the first time and referred to Committee on Rules.

On motion of Senator Bernhard, the rules were suspended and the Senate voted to lift S. B. No. 34 from the committee on Public Health, Welfare and Institutions and make re-assignment of same to the committee on Revenue and Taxation.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Kerr, S. B. No. 5 retained its position on the Second Reading Calendar.

On motion of Senator Kerr, S. B. No. 42 retained its position on the Second Reading Calendar.

S. B. No. 47 was read the second time.

Committee report read and adopted.

On motion of Senator Grover, the rules were suspended and the Senate voted to lift S. B. No. 48 from its present position on the Second Reading Calendar and place it in its sequence between S. B. No. 47 and S. B. No. 49.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to consider S. B. Nos. 47 through S. B. 55 inclusive, be considered as a package. It was further moved that each bill be read in according to their numerical order and then be considered as aforementioned.

Motion carried.

S. B. No. 48 was read the second time.

Committee report read and adopted.

S. B. No. 49 was read the second time.

Committee report read and adopted.

S. B. No. 50 was read the second time.

Committee report read and adopted.

S. B. No. 51 was read the second time.

Committee report read and adopted.

S. B. No. 52 was read the second time.

Committee report read and adopted.

S. B. No. 53 was read the second time.

Committee report read and adopted.

S. B. No. 54 was read the second time.

Committee report read and adopted.

S. B. No. 55 was read the second time.
Committee report read and adopted.

On motion of Senator Waddingham, S. B. Nos. 47 through 55 inclusive were made a Special Order of Business for Tuesday, February 5, 1963 at 2:30 P.M.

On motion of Senator Memmott, the Senate adjourned until Monday, February 4, 1963 at 11:00 A.M.

TWENTY-SECOND DAY

MORNING SESSION

February 4, 1963

The Senate was called to order at 11:00 A.M. President Bullen in the chair.

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

Prayer by the Chaplain.

February 4, 1963

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,

JOHN T. BERNHARD,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

January 31, 1963

The Honorable Reed Bullen,
President of the Utah State Senate
and
Members of the State Senate

Gentlemen:

It has come to my attention that the list of appointments submitted to your honorable body for confirmation on January 18, 1963, contained errors in connection with persons designated to serve on the State Board of Health. I am, therefore, submitting for your re-examination and confirmation the following names with dates that have now been corrected to conform with the records on file with the Secretary of State:

STATE BOARD OF HEALTH:

Dr. Wm. S. Moyes, Ogden; to fill unexpired term of Dr. Leslie Poulsen, expiring March 1, 1962.

Dr. Wm. S. Moyes, Ogden, appointed to a seven year term, expiring March 1, 1969.

Dr. Louis E. Viko, Salt Lake City; to fill unexpired term of Dr. J. Poulson Hunter, expiring March 1, 1963.

Mrs. Charles L. Walker, Salt Lake City, to fill unexpired term of Jack D. Heinz, expiring March 1, 1964.

Mrs. Thomas G. Judd, Salt Lake City, to fill unexpired term of J. R. Bachman, expiring March 1, 1966.

Dr. D. L. Bunderson, Brigham City, to fill unexpired term of Dr. R. O. Porter, expiring March 1, 1965.

Mr. O. DeVere Wooton, American Fork, appointed to a seven year term, expiring March 1, 1968.

Yours sincerely,

GEORGE D. CLYDE,
Governor

GDC/mw

On motion of Senator Hunter the Senate voted to advise and consent to the aforementioned list of names, and further concurred with the Governor's request that the names and dates be corrected to conform with the records on file with the Secretary of State.

COMMUNICATIONS FROM THE HOUSE

January 31, 1963

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. 24 – WATER AND SOIL CONSERVATION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 24 was read the first time and referred to the Committee on Agriculture and Irrigation.

January 31, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 38 – SALES TAX CREDITED TO GENERAL FUND, upon reconsideration, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 38 was read the first time and referred to the Committee on Revenue and Taxation.

January 31, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 51 – SMOKING IN ENCLOSED PUBLIC PLACES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 51 was read the first time and referred to the Committee on Public Health, Welfare & Institutions.

January 31, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 1 – ASSIGN LEGISLATIVE COUNCIL TO STUDY UTAH TAXATION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

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

January 31, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 3 – PROPOSING STUDY TO PROVIDE PROPER FACILITIES FOR JUVENILE OFFENDERS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. J. R. No. 3 was read the first time and referred to the Committee on Public Health, Welfare & Institutions.

February 1, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 10 – NOTICE TO CREDITORS OF ESTATE, and the same is transmitted herewith for the signature of the President.

Respectfully,

HENRY NYGAARD,
Chief Clerk

H. B. No. 10 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

February 1, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 17 – ASSIGNMENT OF DISTRICT JUDGES, and the same is transmitted herewith for the signature of the President.

Respectfully,

HENRY NYGAARD,
Chief Clerk

H. B. No. 17 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

REPORTS OF STANDING COMMITTEES

February 4, 1963

Mr. President:

Your Rules Committee, to which were referred

S. B. No. 81 (Industry)

S. B. No. 112 (State, Federal & Military Affairs & Civil Defense)

S. B. No. 113 (State, Federal & Military Affairs & Civil Defense)

S. B. No. 127 (Revenue & Taxation)

S. B. No. 128 (Revenue & Taxation)

S. B. No. 130 (State, Federal & Military Affairs & Civil Defense)

S. B. No. 131 (Political Subdivisions)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

February 4, 1963

Mr. President:

Your Committee on Agriculture and Irrigation, to which was recommitted S. B. No. 8, by Messrs. Sowards, Kerr and M. Jenkins, has carefully considered said bill and reports the same out favorably with attached amendments.

Respectfully,

KLEON KERR,
Chairman

Report filed.

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

February 4, 1963

Mr. President:

Your Committee on Judiciary, to which was referred H. B. No. 11, by Messrs. Hodgson, Watkins, Compton, Jorgensen and Sheffield, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

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

February 4, 1963

Mr. President:

Your Committee on Judiciary, to which was referred S. B. No. 20, by Messrs. Hunter and Sowards, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,

Chairman

Report filed.

S. B. No. 20 was placed on the Second Reading Calendar.

February 4, 1963

Mr. President:

Your Committee on Judiciary, to which was referred S. B. No. 25, by Messrs. Grover and Hafen, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

ORVAL HAFEN,

Chairman

Report filed.

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

February 4, 1963

Mr. President:

Your Committee on Judiciary, to which was referred S. B. No. 28, by Messrs. Brockbank, Holman and S. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,

Chairman

Report filed.

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

February 4, 1963

Mr. President:

Your Committee on Judiciary, to which was referred S. B. No. 80, by Mr. Grover, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 80 was placed on the Second Reading Calendar.

February 4, 1963

Mr. President:

Your Committee on Judiciary, to which was referred S. B. No. 88, by Mr. Hafen, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.
S. B. No. 88 was placed on the Second Reading Calendar.

February 4, 1963

Mr. President:

Your Committee on Education, to which was referred S. B. No. 66, by Mr. Hunter, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 66 was placed on the Second Reading Calendar.

February 4, 1963

Mr. President:

Your Committee on Education, to which was referred S. B. No. 69, by Messrs. Hafen, Bernhard and Sowards, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,

Chairman

Report filed.

S. B. No. 69 was placed on the Second Reading Calendar.

February 4, 1963

Mr. President:

Your Committee on Education, to which was referred S. B. No. 70, by Messrs. Hafen, Bernhard and Sowards, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JOHN T. BERNHARD,

Chairman

Report filed.

S. B. No. 70 was placed on the Second Reading Calendar.

February 4, 1963

Mr. President:

Your Committee on Education, to which was referred S. B. No. 83, by Messrs. Barlow and Browning, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,

Chairman

Report filed.

S. B. No. 83 was placed on the Second Reading Calendar.

February 4, 1963

Mr. President:

Your Committee on Education, to which was referred S. B. No. 85, by Messrs. Kerr and Memmott, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 85 was placed on the Second Reading Calendar.

February 4, 1963

Mr. President:

Your Committee on Education, to which was referred S. B. No. 87, by Messrs. Kerr and Memmott, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 87 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 135 By Messrs. Stacey and Sowards

AN ACT AMENDING SECTIONS 41-11-6, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 67, LAWS OF UTAH 1951, CHAPTER 67, LAWS OF UTAH 1953, CHAPTER 74, LAWS OF UTAH 1955, CHAPTER 83, LAWS OF UTAH 1957, AND CHAPTER 69, LAWS OF UTAH 1959, 41-11-65 AND 41-11-66, UTAH CODE ANNOTATED 1953, RELATING TO THE MOTOR FUELS TAX, DEFINING THE SCOPE OF THE IMPOSITION OF THE TAX AND PROVIDING FOR DEDUCTIONS FROM THE REFUND OF PARTS THEREOF; AND PROVIDING FOR THE COMPUTATION, IN CASE OF QUESTION OR FAILURE TO REPORT, BY THE STATE TAX COMMISSION OF MOTOR FUELS TAXES DUE AND OWING AND PENALTIES AND NOTICE RELATING THERETO, was read the first time and referred to the Committee on Rules.

S. B. No. 136 By Messrs. Bernhard, Harmston and Waddingham

AN ACT RELATING TO PUBLIC SCHOOL PERSONNEL PROVIDING FOR PERSONNEL EVALUATION, MERIT PAY PROGRAMS, ESTABLISHMENT OF STANDARDS AND APPROVAL OF PARTICIPATING DISTRICTS BY THE STATE BOARD OF EDUCATION, APPOINTMENT OF A STATE DIRECTOR AND APPROPRIATION OF $30,000 FOR STATE ADMINISTRATION, was read the first time and referred to the Committee on Rules.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 1, having retained its position, was before the Senate.

On motion of Senator D. Taylor, S. B. No. 1 continued to retain its position on the Third Reading Calendar.

S. B. No. 61 was read the third time and placed on its final passage.

S. B. No. 61 then passed on the following roll call:

Yeas, 21, Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Mantes, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Kerr, Lambert and Memmott.

S. B. No. 61 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 5, having retained its position, was before the Senate.

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

Committee report read and adopted.

On motion of Senator Hafen the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

UNFINISHED BUSINESS

S. B. No. 5 being Unfinished Business, was before the Senate.

On motion of Senator Grover, the rules were suspended and the Senate voted to now consider S. B. No. 42.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 42 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins, the rules were suspended and the Senate voted to now consider S. B. No. 5, previously being considered as Unfinished Business.

UNFINISHED BUSINESS

S. B. No. 5, being Unfinished Business, was now before the Senate for its consideration.

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

Yeas, 23; Nays,0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Kerr and Lambert.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 42, having been previously read was before the Senate for its consideration.

On motion of Senator Hunter, S. B. No. 42 was amended as follows:

Delete Section 2, line 19.

S. B. No. 42 was placed on the Third Reading Calendar on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Lambert.

SPECIAL ORDER

S. B. No. 9 being a Special Order of Business, was before the Senate.

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

Mr. Frank Sawyer, President of the Salt Lake Council of Boy Scouts, appeared before the Committee of the Whole.

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

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

Page 1, following line 10, insert the following two new sections, then renumber the present Section 2. to read "Section 4."

Section 2 – The Great Salt Lake Council, Boy Scouts of America, is hereby authorized to exchange a part of said land with the federal government for other land, as in the judgment of the Council is in its best interest.

Section 3. The land retained by the Council, after said exchange, and the land received in exchange, shall revert to the State of Utah if and when it is no longer used for the Boy Scout program.

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

Delete Section 4, "This act shall take effect upon approval."

On motion of Senator Hunter, the rules were suspended and S. B. No. 9 was read the third time and placed on its final passage.

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

Yeas, 23; Nays,0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Lambert and Memmott.

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

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 56 was read the second time.

Committee report read and adopted.

S. B. No. 56 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Mantes, Memmott, Miller, Rees, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Gardner, Grover, Lambert and Sowards.

S. B. No. 57 was read the second time.

Committee report read and adopted.

On motion of Senator Brockbank, S. B. No. 57 retained its position on the Second Reading Calendar.

S. B. No. 58 was read the second time.

Committee report read and adopted.

On motion of Senator Waddingham, the enacting clause of S. B. No. 58 was struck.

S. B. No. 59 was read the second time.

Committee report read and adopted.

On motion of Senator Brockbank, S. B. No. 59 was made a Special Order of Business for Tuesday, February 5, 1963 at 2:30 p.m. to be considered together with Senate Bill Nos. 47 through 55 inclusive.

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

Committee report read and adopted.

On motion of Senator Bernhard, S. J. R. No. 7 was amended as follows:

Page 2, line 6, after the word "steps" insert "including the possibility of initiating a constitutional amendment."

S. J. R. No. 7 was placed on the Third Reading Calendar on the following roll call:

Yeas, 17; Nays, 7; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Hunter, Kerr, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Browning, Grover, Holman, B. Jenkins, M. Jenkins, Mantes, and Miller.

Absent and not voting was Senator Lambert.

S. B. No. 63 was read the second time.

Committee report read and adopted.

On motion of Senator Grover, S. B. No. 63 retained its position on the Second Reading Calendar.

On motion of Senator Grover, the Senate adjourned until Tuesday, February 5, 1963 at 11:00 A.M.

TWENTY-THIRD DAY

MORNING SESSION

February 5, 1963

The Senate was called to order at 11:00 A.M. President Bullen in the chair.

Roll Call – All Senators present except Senator Bruce Jenkins, excused.

Prayer by the Chaplain.

February 5, 1963

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,

JOHN T. BERNHARD,
Chairman

Report adopted and filed.

H. J. R. No. 3, passed by the 37th session of the Idaho Legislature was read and then filed.

President Bullen announced that he would acknowledge receipt of H. J. R. No. 3 and that same would be available to any member of this body for further study or consideration at any time.

COMMUNICATIONS FROM THE HOUSE

February 1, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 28 – EXEMPTIONS FROM LIVESTOCK MARKETING ACT, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 28 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 1, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 30 – AMENDMENTS TO REFUNDING OF EXCESS INHERITANCE TAX, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 30 was read the first time and referred to the Committee on Judiciary.

January 31, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 56 – RELATING TO REDUCTION OF COST IN COLLECTION OF DELINQUENT TAXES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 56 was read the first time and referred to the Committee on Judiciary.

February 4, 1963

Mr. President:

I am directed 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, entitled STATE MUSEUM OF NATURAL HISTORY, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 18 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

February 5, 1963

Mr. President:

Your Rules Committee, to which were referred

S. B. No. 114 (Fish and Game)

S. B. No. 115 (Judiciary)

S. B. No. 129 (Fish and Game)

S. B. No. 132 (Revenue & Taxation)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

February 5, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred H. B. No. 53, by Messrs. Sheffield and Rockwood, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

H. B. No. 53 was placed on the Second Reading Calendar.

February 5, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 68, by Messrs. Grover and Kerr, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 68 was placed on the Second Reading Calendar.

February 5, 1963

Mr. President:

Your Committee on Public Health, Welfare and Institutions, to which was referred S. B. No. 37, by Messrs. Memmott, Kerr and Miller, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

S. B. No. 37 was placed on the Second Reading Calendar.

February 5, 1963

Mr. President:

Your Committee on Judiciary to which was referred S. B. No. 67, by Messrs Hafen, D. Taylor and Harmston, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 67 was placed on the Second Reading Calendar.

February 5, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred H. B. No. 52, by Mr. Kasteler, Mrs. Vance, Messrs. Hodgson, Dean and Wilkinson, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 52 was placed on the Second Reading Calendar.

February 5, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred S. B. No. 60, by Messrs. Holman and Harmston, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 60 was placed on the Second Reading Calendar.

February 5, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred S. B. No. 90, by Messrs. Hunter and Mantes, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 90 was placed on the Second Reading Calendar.

February 5, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 91, by Mr. Hunter, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 91 was placed on the Second Reading Calendar.

On motion of Senator Hammond, the Senate voted that the President direct the Secretary of the Senate to officially acknowledge in writing to the many groups and organizations, expressions of thanks for the many courtesies extended to members of the Senate.

INTRODUCTION OF BILLS

S. B. No. 137 By Messrs. Bernhard and Gardner

AN ACT RELATING TO JUVENILE COURTS; PROVIDING STATE FUNDS TO MATCH COUNTY FUNDS ALREADY BEING EXPENDED FOR THE OPERATION OF AN INTENSIVE PROBATION GROUP

THERAPY PROJECT FOR THE REHABILITATION OF SERIOUS OR REPEAT JUVENILE DELINQUENTS; APPROPRIATING $12,000 FROM THE GENERAL FUND TO THE STATE DEPARTMENT OF PUBLIC WELFARE TO HELP SUPPORT SAID PROJECT, was read the first time and referred to the Committee on Rules.

S. B. No. 138 By Messrs. Rees and Memmott

AN ACT AMENDING SECTIONS 39-1-1, 39-1-2, 39-1-4, 39-1-13, 39-1-18, 39-1-24, 39-1-25, 39-1-28, 39-1-30, 39-1-31, 39-1-32, 39-1-33, 39-1-34, 39-1-40, 39-1-51, 39-1-52, 39-1-53, and 39-1-61, UTAH CODE ANNOTATED 1953, AND SECTION 39-1-18, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 77, LAWS OF UTAH 1961, RELATING TO THE NATIONAL GUARD OF THE STATE OF UTAH AND MAKING SAID SECTIONS CONSISTENT WITH THE STRUCTURE OF THE UNITED STATES MILITARY SERVICES, was read the first time and referred to the Committee on Rules.

S. B. No. 139 By Messrs. Mantes, Brockbank and M. Jenkins

AN ACT FIXING THE SALARIES OF STATE OFFICERS; PROVIDING GROUPINGS OF OFFICIALS FOR SALARY PURPOSES; ESTABLISHING SALARY CLASSIFICATIONS AND POLICIES; AND REPEALING SECTIONS 67-8-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 163, LAWS OF UTAH 1961, 67-8-3, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 165, LAWS OF UTAH 1961, 67-8-5, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 166, LAWS OF UTAH 1961, AND 67-8-9, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 167, LAWS OF UTAH 1961, was read the first time and referred to the Committee on Rules.

S. B. No. 140 By Messrs. Mantes, Brockbank and M. Jenkins

AN ACT AMENDING SECTION 67-8-2, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 164, LAWS OF UTAH 1961, RELATING TO SALARIES OF THE CLERK AND EMPLOYEES OF THE SUPREME COURT, was read the first time and referred to the Committee on Rules.

S. B. 141 By Messrs. Mantes, Brockbank and M. Jenkins

AN ACT AMENDING SECTION 67-7-14, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 162, LAWS OF UTAH 1961, RELATING TO SALARIES OF DEPUTY DISTRICT ATTORNEYS, was read the first time and referred to the Committee on Rules.

S. B. No. 142 By Messrs. Mantes, Brockbank and M. Jenkins

AN ACT AMENDING SECTION 59-5-38, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 144, LAWS OF UTAH 1961, RELATING TO SALARIES OF MEMBERS OF THE STATE TAX COMMISSION, was read the first time and referred to the Committee on Rules.

S. B. No. 143 By Messrs. Mantes, Brockbank and M. Jenkins

AN ACT AMENDING SECTION 67-8-4, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 165, LAWS OF UTAH 1961, RELATING TO DISTRICT JUDGES TERM OF OFFICE, SALARY AND MILEAGE EXPENSES, was read the first time and referred to the Committee on Rules.

S. B. No. 144 By Messrs. Mantes, M. Jenkins and Brockbank

AN ACT AMENDING SECTION 78-56-3, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 53, LAWS OF UTAH 1955, BY CHAPTER 176, LAWS OF UTAH 1957, AND BY CHAPTER 182, LAWS OF UTAH 1961, RELATING TO SALARIES OF COURT REPORTERS, was read the first time and referred to the Committee on Rules.

S. B. No. 145 By Messrs. Mantes, Brockbank and M. Jenkins

AN ACT AMENDING SECTION 73-2-3, UTAH CODE ANNOTATED 1953, RELATING TO THE SALARY OF THE STATE ENGINEER, was read the first time and referred to the Committee on Rules.

S. B. No. 146 By Messrs. Mantes, Brockbank and M. Jenkins

AN ACT AMENDING SECTIONS 39-1-18 AND 39-1-21, UTAH CODE ANNOTATED 1953, RELATING TO THE SALARY OF THE ADJUTANT GENERAL AND ASSISTANT ADJUTANT GENERAL, was read the first time and referred to the Committee on Rules.

UNFINISHED BUSINESS

S. B. No. 22 being Unfinished Business, was before the Senate.

S. B. No. 22 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen S. B. No. 22 was amended as follows:

On Page 2, line 27, insert a semi-colon to replace comma after the word raising and then add the following:
any construction or operation incidental to the exploration for or production of oil and gas.

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

Mr. John H. Chase, Administrator for the Department of Contractors, appeared before the Committee of the Whole.

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

On motion of Senator Kerr the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

COMMUNICATION FROM THE GOVERNOR

February 5, 1963

The Honorable Reed Bullen, President and Members of the Utah State Senate

The Honorable Charles Welch, Jr., Speaker and Members of the Utah House of Representatives

Capitol Building

Dear President Bullen:

I am sending you this special message to recommend an action which I believe will result in increasing the return to the Uniform School Fund from mineral, grazing, water, and other allied developments on Federal lands within the State.

Section 53-7-4, Utah Code Annotated, 1953, provides for the apportionment of moneys received from the United States under provisions of the Act of Congress of February 25, 1920, known as "The Leasing Act" (41 Stat. 450); and of all moneys received from sales, royalties, bonuses, leases and rentals of minerals of all kinds in lands acquired through tax sales to the counties, together with all sums paid for fees, forfeitures and all penalties received in connection therewith; and also including grazing fees and all forfeitures and penalties received in connection therewith, on Federal lands in Utah. All of these moneys go into the Uniform School Fund, where approximately one-half of the total remains to contribute to the basic support of the public school program. Fifty per cent of the total is transferred from the Uniform School Fund to the state-supported post-high school institutions, and the amounts apportioned to the University of Utah and to Utah State University are specifically reserved for research. The 34th Utah Legislature amended Section 52-7-4 to provide that 5% of the total amount, before any division is made, be transferred to the Utah State Board of Education for education research.

At the present time, approximately $2,600,000 a year, or $5,200,000 a biennium, is being turned into the Uniform School Fund from the sources listed in Section 53-7-4. In fiscal 1963, receipts from these sources are approximately $5,200,000, or about double the average annual receipt, due to an unusually large petroleum lease made in this fiscal period. This sudden large increase is non-recurring; however, it does dramatically illustrate the possibility of increasing this important source of revenue to the School Fund.

I strongly feel that we should plan and carry out a sound program designed to increase the rents, royalties, leases, and other income which contribute to the support of our schools. Investment in basic and applied research and study to this end may justifiably be regarded as "seed corn," from which a many-fold return may be expected in the future.

To promote this type of long-range program, I propose that the 35th Legislature amend Section 53-7-4 to provide that 10% of the total moneys from the sources listed therein be set aside for special research, in lieu of the 5% now allocated to the Utah State Board of Education; and that this 10% be divided equally between the State Board of Education for education research, the Utah Geological and Mineralogical Survey at the University of Utah, and the Water Research Laboratory at Utah State University. Moneys thus apportioned to the Geological and Mineralogical Survey and to the Water Research Laboratory would be in addition to funds set up in the regular budgets of these institutions, and would be specifically reserved for research activities relating directly to the expansion of mineral, grazing, water and other developments which provide the moneys which go into this fund.

This new apportionment will somewhat reduce the amount going to the State Board of Education, and to a lesser degree affect all other participants in the fund. However, I make this recommendation because the research done by the Geological and Mineralogical Survey and by the Water Research Laboratory is specifically aimed at increasing the return to the basic fund, and therefore would benefit every participant in the basic fund.

I recommend your early and favorable action on this recommendation as a matter of sound business investment in the future of this State.

Yours sincerely,

GEORGE DEWEY CLYDE,
Governor

Communication Filed.

On motion of Senator Waddingham the Senate voted to spread the Governor's communication upon the pages of the journal.

UNFINISHED BUSINESS

S. B. No. 22 being Unfinished Business, was before the Senate.

On motion of Senator Barlow, S. B. No. 22 was amended as follows:

Page 3, line 8, after the word "which," delete the words "for labor, materials and".

Delete line 9 on page 3.

Page 3, line 8, after the word "which," insert the following: "for labor and materials used in the actual installation of an item, but excluding the price of the item itself for which the installation is being made, is less than two hundred fifty dollars, such".

S. B. No. 22 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 18; Nays, 4; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Memmott, Rees, Stacey, G. Taylor, and Mr. President.

Voting in the negative were: Senators Miller, Sowards, S. Taylor and Waddingham.

Absent and not voting were: Senators Brockbank, B. Jenkins and Mantes.

CONSIDERATION OF BILLS ON THIRD READING

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

On motion of Senator Hafen, S. B. No. 5 was amended as follows:

On page 2, line 22, delete the word "from" and insert the words "for in".

On page 3, line 4, between declaration and period add "and in the record of survey map."

On page 4, line 9, the spelling of "declineation" is "delineation".

On page 4, line 14, the spelling of the word "mortus" is "mortis".

On page 4, line 26, the word "The" at the beginning of the sentence must be "Such" in order to relate to preceeding sentence, only.

On page 5, line 9, the word "Section" should be plural, "Sections".

On page 5, line 27, between "laws" and "house" eliminate "comma" and add the words "and/or".

On page 5, line 27, between "and" and "administrative", add the words "with the".

On page 5, line 28, after the word "pursuant", delete the words "to the declaration or dead, as each" and replace them with the words "thereto, as either of the same".

On page 6, line 30, after the word "process", add the words "in the cases hereinafter provided".

On page 7, line 13, after book, delete "comma", insert the word "and".

After "page", delete "comma", and insert the word "or".

On page 7, line 24, after the word "amendment", add the word "thereof".

On page 8, line 11, after the word "including", insert the words "its identifying number or symbol".

On page 8, line 12, after the word "finished," insert the words "or unfinished" in both places.

On page 8, line 28, after the word "as", insert the words "designated in the declaration or as".

On page 10, line 10 and 12, after the word "shall," strike word "be" and insert the words "have been" in both places.

On page 11, line 7, before the word "Individual", insert the word "Such" and make the "I" on individual a small letter.

On page 13, line 22, the figure "24" should be "22".

On page 15, line 31, change "period" to "colon".

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

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank,

Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators B. Jenkins and Mantes.

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

On motion of Senator Hafen, S. B. No. 42 retained its position on the Third Reading Calendar.

S. B. No. 56 was read the third time and placed on its final passage.

S. B. No. 56 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators B. Jenkins and Mantes.

S. B. No. 56 was transmitted to the House.

SPECIAL ORDER

S. B. No. 47 being a Special Order of Business, was before the Senate.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to place S. B. No. 48, also a Special Order of Business, preceding S. B. No. 47.

S. B. No. 48 being a Special Order of Business, was before the Senate.

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

Dr. Karl N. Snow, Mr. Lewis H. Lloyd and Mr. Melburn M. Coombs appeared before the Committee of the Whole.

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

On motion of Senator Waddingham, the rules were suspended and the Senate voted to now consider bills on the Third Reading Calendar and defer action on Special Orders until after re-convening following an anticipated recess.

CONSIDERATION OF BILLS ON THIRD READING

S. J. R. No. 7 was read the third time and placed on its final passage.

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

Yeas, 17; Nays, 7; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Hunter, Kerr, Lambert, Rees, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Browning, Grover, Holman, M. Jenkins, Mantes, Memmott and Miller.

Absent and not voting was: Senator B. Jenkins.

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

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 46 was read the second time.

Committee report read and adopted.

On motion of Senator Waddingham, the rules were suspended and S. B. No. 46 was read the third time and placed on its final passage.

S. B. No. 46 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hafen, B. Jenkins and Sowards.

S. B. No. 46 was transmitted to the House.

On motion of Senator Kerr, 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. 8 having been previously read was before the Senate.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

On motion of Senator Kerr, S. B. No. 8 retained its position on the Third Reading Calendar.

SPECIAL ORDER

S. B. Nos. 48, 47, 49, 50, 51, 52, 53, 54, 55 and 59 being a Special Order of Business, were before the Senate.

On motion of Senator Grover, S. B. No. 48 was tabled.

On motion of Senator Waddingham, S. B. Nos. 47, 49, 50, 51, 52, 53, 54, 55 and 59 were tabled.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 20 was read the second time.

Committee report read and adopted.

On motion of Senator Hunter, S. B. No. 20 was amended as follows:

Line 3, insert a comma (,) after the figure $20,000.00 strike brackets around figure $20,000.00 then strike the figure $100,000.00, and add the following:

"if the gross receipts from the sale, issuance, transfer, or delivery, in this State, of Trading Stamps during the last fiscal year of the person furnishing such bond as principal was $200,000.00 or less; $40,000.00 if such gross income exceeded $200,000.00, but was not in excess of $400,000.00; $60,000.00 if such gross income exceeded $400,000.00, but was not in excess of $600,000.00; $80,000.00 if such gross income exceeded $600,00.00. Said bond shall be"

On motion of Senator Waddingham the rules were suspended and S. B. No. 20 was read the third time and placed on its final passage.

S. B. No. 20 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Grover, Hafen, Hammond, Harmston,, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Gardner, B. Jenkins, and G. Taylor.

S. B. No. 20 was transmitted to the House.

On motion of Senator Grover, the enacting clause of S. B. No. 25 was struck.

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

Committee report read and adopted.

On motion of Senator Brockbank, S. B. No. 28 was amended as follows:

Page 2, delete line 20, Section 2.

On motion of Senator Harmston the rules were suspended and S. B. No. 28 was read the third time and placed on its final passage.

S. B. No. 28 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Gardner, B. Jenkins, and G. Taylor.

S. B. No. 28 was transmitted to the House.

On motion of Senator Kerr, the Senate adjourned until Wednesday, February 6, 1963 at 10:00 A.M.

TWENTY-FOURTH DAY

MORNING SESSION

February 6, 1963

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

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

Prayer by the Chaplain.

February 6, 1963

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,

JOHN T. BERNHARD,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 5, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, H. B. No. 8 – WIDOW'S PROPERTY, and the same is transmitted herewith for the signature of the President.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 8 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

February 4, 1963

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 – EMPLOYMENT OF MINORS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 23 was read the first time and referred to the Committee on Labor.

February 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 2 – TERM OF HOUSE OF REPRESENTATIVES CHANGED TO 4 YEARS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. J. R. No. 2 was read the first time and referred to the Committee on Industry.

February 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 34 – UNEMPLOYMENT COMPENSATION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 34 was read the first time and referred to the Committee on Industry.

February 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 46 – DISCHARGE OF MORTGAGES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 46 was read the first time and referred to the Committee on Judiciary.

February 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 47 – USE OF SPECIAL BOOKS BY COUNTY RECORDER, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 47 was read the first time and referred to the Committee on State, Federal & Military Affairs & Civil Defense.

REPORTS OF STANDING COMMITTEES

February 6, 1963

Mr. President:

Your Rules Committee, to which were referred

S. B. No. 106 (Political Subdivisions)
S. B. No. 109 (Political Subdivisions)
S. B. No. 111 (Fish and Game)
S. B. No. 117 (Industry)
S. B. No. 126 (Judiciary)
S. B. No. 133 (Public Health, Welfare and Institutions)
S. B. No. 136 (Education)
S. B. No. 137 (Public Health, Welfare and Institutions)
S. B. No. 140 (Industry)
S. B. No. 141 (Industry)
S. B. No. 142 (Industry)
S. B. No. 143 (Industry)
S. B. No. 144 (Industry)
S. B. No. 145 (Industry)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

February 6, 1963

Mr. President:

Your Rules Committee to which was referred S. B. No. 108 reports the same back with no changes and recommends the same be not printed, the authors will immediately furnish 250 copies.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

S. B. No. 108 was assigned to the Committee on Highways and Aeronautics.

February 6, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 31, by Messrs Browning, Bernhard and Barlow, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

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

February 6, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 32, by Messrs. Browning, Bernhard and Barlow, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 32 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 33, by Messrs. Browning, Barlow and Bernhard, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,

Chairman

Report filed.

S. B. No. 33 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 34, by Messrs. Browning, Bernhard and Barlow, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,

Chairman

Report filed.

S. B. No. 34 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 36, by Messrs. Browning, Barlow and Bernhard, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,

Chairman

Report filed.

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

On motion of Senator Bernhard, S. B. Nos. 31, 32, 33, 34 and 36 were made a Special Order of Business for Tuesday, February 12, 1963 at 2:30 p.m.

February 6, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 79, by Messrs. Barlow and M. Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CHARLES R. HUNTER,

Chairman

Report filed.

S. B. No. 79 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 93, by Messrs. Waddingham, Lambert and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,

Chairman

Report filed.

S. B. No. 93 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 92, by Messrs. Rees and G. D. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,

Chairman

Report filed.

S. B. No. 92 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 71, by Messrs. G. D. Taylor and Rees, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 71 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 84, by Messrs. B. Jenkins, M. Jenkins, and S. J. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 84 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 147 By Messrs. Hafen and Browning

AN ACT AMENDING SECTIONS 53-40-1, 53-40-2, and 53-40-3, UTAH CODE ANNOTATED 1953, AS ENACTED BY LAWS OF UTAH 1959, CHAPTER 75, PROVIDING FOR THE INCLUSION OF WEBER STATE COLLEGE IN THE COORDINATING FUNCTIONS OF THE COORDINATING COUNCIL OF HIGHER EDUCATION AND PROVIDING THAT A MEMBER OF THE BOARD OF TRUSTEES OF WEBER STATE COLLEGE SHALL BE A MEMBER OF THE COORDINATING COUNCIL OF HIGHER EDUCATION, was read the first time and referred to the Committee on Rules.

S. B. No. 148 By Messrs. Waddingham, Harmston, Rees and D. Taylor

AN ACT RELATING TO THE POWERS OF THE BOARD OF COUNTY COMMISSIONERS: AUTHORIZING SAID BOARD TO AID IN THE CREATION AND DEVELOPMENT OF JOB OPPORTUNITIES WITHIN THE COUNTY AND AUTHORIZING THE ROAD BOARD TO ENTER INTO AGREEMENTS TO ACCOMPLISH THESE PURPOSES, was read the first time and referred to the Committee on Rules.

S. B. No. 149 By Messrs. Grover and Kerr

AN ACT ESTABLISHING FOR THE STATE OF UTAH A SYSTEM OF ADMINISTRATION BASED ON MERIT PRINCIPLES AND SCIENTIFIC METHODS GOVERNING THE QUALIFICATION, APPOINTMENT, PROMOTION, DEMOTION, TRANSFER, TENURE OF OFFICE, REMOVAL AND DISCIPLINE OF ITS EMPLOYEES, RECOGNIZING THE RIGHTS OF ALL CITIZENS TO COMPETE FOR JOBS, GIVING STATUTORY AUTHORITY TO THE JOINT UTAH STATE MERIT SYSTEM AND ITS REGULATIONS, AND ACHIEVING MORE EFFICIENT AND ECONOMICAL ADMINISTRATION IN STATE GOVERNMENT, was read the first time and referred to the Committee on Rules.

S. B. No. 150 By Messrs. Waddingham and Hafen

AN ACT RELATING TO THE RETIREMENT OF SUPREME COURT JUSTICES AND JUDGES OF THE DISTRICT COURTS; AMENDING SECTIONS 49-7-4 AND 49-7-5, UTAH CODE ANNOTATED 1953, VOLUME 5 REPLACEMENT, AND ENACTING NEW SECTIONS TO BE KNOWN AS 49-7-5.1 AND 49-7-5.2, VOLUME 5 REPLACEMENT, AND REPEALING SECTION 49-7-6, UTAH CODE ANNOTATED 1953; VOLUME 5 REPLACEMENT, PROVIDING FOR A JUDGES RETIREMENT FUND, FOR CONTRIBUTIONS TO SUCH FUND, FOR RETIREMENT PAY TO JUDGES AND THEIR WIDOWS AND FOR SERVICE BY A JUDGE AFTER RETIREMENT, was read the first time and referred to the Committee on Rules.

S. B. No. 151 By Messrs. Memmott, Bernhard and Gardner

AN ACT RELATING TO DISSEMINATION BY CREDIT REPORTING SERVICES OF CREDIT INFORMATION; PROVIDING CREDIT

SUBJECTS WITH RIGHT TO INSPECT CREDIT FILES AND TO MAKE STATEMENT FOR INCLUSION IN CREDIT REPORTS; REQUIRING NOTICE TO CREDIT SUBJECT OF DISSEMINATION; RELIEVING CREDIT SUBJECT OF BURDEN OF PROVING MALICE IN ANY SUBSEQUENT ACTION FOR DEFAMATION WHERE THIS ACT NOT COMPLIED WITH, was read the first time and referred to the Committee on Rules.

S. B. No. 152 By Mr. Miller

AN ACT RELATING TO THE NATIONAL CHARTERED VETERANS ORGANIZATIONS APPROPRIATING $30,000 FROM THE STATE PUBLIC WELFARE FUND TO THE STATE DEPARTMENT OF PUBLIC WELFARE FOR THE PURPOSE OF MAINTAINING ACCREDITED SERVICE OFFICERS STATIONED AT THE VETERANS ADMINISTRATION FOR UTAH'S VETERANS OF THE WARS OF THE UNITED STATES, was read the first time and referred to the Committee on Rules.

On motion of Senator Grover, the Senate's action on S. B. No. 25 was reconsidered. The Senate voted that the rules be suspended and S. B. No. 25 be restored to its original place on the Second Reading Calendar.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 22 was read the third time and placed on its final passage.

On motion of Senator B. Jenkins, S. B. No. 22 retained its position on the Third Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

H. B. No. 19 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Hammond, Hunter, D. Taylor and Waddingham.

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:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, Hunter, Miller, D. Taylor and S. Taylor.

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

Committee report read and adopted.

On motion of Senator Hafen, H. B. No. 11 was amended as follows:

Page 1, line 14, delete the bracket.

Page 1, line 16, delete the figure "$300.00" insert "$299.00" in lieu thereof, then delete the bracket and insert a period.

Page 1, line 16, delete the words "a fine of not more".

Page 1, delete lines 17 and 18.

H. B. No. 11 was placed on the Third Reading Calendar on the following roll call:

Yeas, 18; Nays, 5; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Sowards, Stacey and D. Taylor

Voting in the negative were: Senators Gardner, Rees, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond and Miller.

H. B. No. 53 was read the second time.

Committee report read and adopted.

H. B. No. 53 was placed on the Third Reading Calendar on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Hammond and B. Jenkins.

H. B. No. 52 was read the second time.

Committee report read and adopted.

On motion of Senator Gardner, the rules were suspended and H. B. No. 52 was read the third time and placed on its final passage.

H. B. No. 52 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond and Rees.

H. B. No. 52 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

S. B. No. 25 was read the second time.

Committee report read and adopted.

On motion of Senator Hunter, S. B. No. 25 was amended as follows:

Page 1, line 6, delete "$10,000" insert in lieu thereof "$7,000".

Page 1, line 7, delete "$3,000" insert in lieu thereof "$2,000". Also on the same line delete "1,000" insert in lieu thereof "$700".

S. B. No. 25 was placed on the Third Reading Calendar on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond and D. Taylor.

S. B. No. 80 was read the second time.

Committee report read and adopted.

On motion of Senator Grover, S. B. No. 80 was amended as follows:

Page 1, line 4, delete the comma insert a period, then delete lines 5, 6 and 7.

S. B. No. 80 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 3; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, D. Taylor, S. Taylor and Waddingham.

Voting in the negative were: Senators Holman, Stacey and Mr. President.

Absent and not voting were: Senators Hammond, M. Jenkins and Memmott.

S. B. No. 88 was read the second time.

Committee report read and adopted.

On motion of Senator Rees the rules were suspended and 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:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Hammond, M. Jenkins and Memmott.

S. B. No. 88 was transmitted to the House.

S. B. No. 66 was read the second time.

Committee report read and adopted.

S. B. No. 66 was placed on the Third Reading Calendar on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Hammond.

On motion of Senator Kerr the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

REPORTS OF STANDING COMMITTEES

February 6, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred S. B. No. 15, by Messrs. Browning, Gardner and Hafen, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

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

February 6, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred S. B. No. 40, by Messrs. Hafen and B. Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 40 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred S. B. No. 41, by Messrs. Hafen and B. Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 41 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred S. B. No. 43, by Messrs. Waddingham and B. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,

Chairman

Report filed.

S. B. No. 43 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred S. B. No. 44, by Messrs. Waddingham and B. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,

Chairman

Report filed.

S. B. No. 44 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Fish and Game to which was referred S. B. No. 114, by Messrs. Bullen, Kerr and Browning, has carefully considered said bill and reports the same out favorably.

Respectfully,

FRANK M. BROWNING,

Chairman

Report filed.

S. B. No. 114 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Fish and Game to which was referred S. B. No. 129, by Messrs. Bullen, Kerr and Browning, has carefully considered said bill and reports the same out favorably.

Respectfully,

FRANK M. BROWNING,
Chairman

Report filed.

S. B. No. 129 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Judiciary to which was referred S. J. R. No. 9, by Messrs. Miller, Kerr and Mennott, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

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

February 6, 1963

Mr. President:

Your Committee on Judiciary to which was referred H. B. No. 18, by Messrs. Sheffield, Hodgson and Harding, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

H. B. No. 18 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Judiciary to which was referred H. B. No. 30, by Messrs. Watkins and Anderson, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

H. B. No. 30 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Judiciary to which was referred H. B. No. 56, by Messrs. McKay, Bott, J. W. Monroe and Evans, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

H. B. No. 56 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Judiciary to which was referred S. B. No. 17, by Messrs. Grover and Browning, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

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

February 6, 1963

Mr. President:

Your Committee on Judiciary to which was referred S. B. No. 26, by Messrs. Hunter and Gardner, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,

Chairman

Report filed.

S. B. No. 26 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Judiciary to which was referred S. B. No. 73, by Messrs. Hafen and G. D. Taylor, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,

Chairman

Report filed.

S. B. No. 73 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Judiciary to which was referred S. B. No. 104, by Mr. Kerr, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,

Chairman

Report filed.

S. B. No. 104 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred H. J. R. No. 1, by Messrs. Harding and Lomax, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

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

February 6, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred H. B. No. 12, by Mr. Harding, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

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

February 6, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred H. B. No. 22, by Messrs. Squire, Sheffield, L. R. Monroe, Green and Warren, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

H. B. No. 22 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 102, by Mr. Stacey, has carefully considered said bill and reports the same out without recommndation.

Respectfully,

CHARLES R. HUNTER,

Chairman

Report filed.

S. B. No. 102 was placd on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 105, by Messrs. G. D. Taylor, Gardner and Hunter, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,

Chairman

Report filed.

S. B. No. 105 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 110, by Messrs. Kerr, Bullen and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,

Chairman

Report filed.

S. B. No. 110 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 120, by Messrs. S. J. Taylor and G. D. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 120 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Highways and Aeronautics to which was referred H. B. No. 3, by Messrs. Sonntag, Squire and Leavitt, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JAMES N. STACEY,
Chairman

Report filed.

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

February 6, 1963

Mr. President:

Your Committee on Highways and Aeronautics to which was referred S. B. No. 74, by Messrs. Hunter and G. D. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

JAMES N. STACEY,
Chairman

Report filed.

S. B. No. 74 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Highways and Aeronautics to which was referred S. B. No. 75, by Messrs. Hunter, Gardner and Browning, has carefully considered said bill and reports the same out favorably.

Respectfully,

JAMES N. STACEY,
Chairman

Report filed.

S. B. No. 75 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Education to which was referred S. B. No. 96, by Mantes, Waddingham and M. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 96 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Education to which was referred S. B. No. 116, by Mr. Kerr, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 116 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Education to which was referred S. B. No. 118, by Messrs. Bernhard, G. D. Taylor and B. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 118 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Agriculture and Irrigation to which was referred H. B. No. 24, by Messrs. Green, Stuart, Seegmiller, S. A. Smith and Dean, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

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

February 6, 1963

Mr. President:

Your Committee on Agriculture and Irrigation to which was referred S. B. No. 86, by Messrs. Hunter, Kerr and Sowards, has carefully considered said bill and reports the same out favorably.

Respectfully,

KLEON KERR,
Chairman

Report filed.

S. B. No. 86 was placed on the Second Reading Calendar.

February 6, 1963

Mr. President:

Your Committee on Agriculture and Irrigation to which was referred S. B. No. 101, by Messrs. Kerr and Sowards, has carefully considered said bill and reports the same out favorably with amendments.

Respectfully,

KLEON KERR,
Chairman

Report filed.

S. B. No. 101 was placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 69 was read the second time.

Committee report read and adopted.

On motion of Senator Waddingham, S. B. No. 69 was amended as follows:

Page 1, line 7, delete the bracket after the word "instruction".

Page 1, line 8, delete the bracket.

Page 1, line 9, delete the bracket after the word "years".

S. B. No. 69 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Hammond, B. Jenkins, Mantes and Miller.

S. B. No. 70 was read the second time.

Committee report read and adopted.

On motion of Senator D. Taylor, S. B. No. 70 was referred to the Appropriations Committee for its consideration.

S. B. No. 83 was read the second time.

Committee report read and adopted.

On motion of Senator Hunter, S. B. No. 83 was referred to the Appropriations Committee for its consideration.

S. B. No. 85 was read the second time.

Committee report read and adopted.

S. B. No. 85 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Hafen, Hammond, B. Jenkins and Miller.

S. B. No. 87 was read the second time.

Committee report read and adopted.

S. B. No. 87 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Hafen, Hammond, B. Jenkins and Miller.

S. B. No. 68 was read the second time.

Committee report read and adopted.

S. B. No. 68 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Barlow, Hammond, B. Jenkins, Memmott, Miller and Waddingham.

S. B. No. 37 was read the second time.

Committee report read and adopted.

S. B. No. 37 was placed on the Third Reading Calendar on the following roll call:

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

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Waddingham.

Voting in the negative were: Senator Mantes and Mr. President.

Absent and not voting were: Senators Barlow and Hammond.

S. B. No. 67 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins, the Senate recessed.

The Senate re-assembled.

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

Mr. Glen Hatch appeared before the Committee of the Whole.

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

UNFINISHED BUSINESS

S. B. No. 67 being Unfinished Business, was before the Senate.

On motion of Senator B. Jenkins, S. B. No. 67 was tabled.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Grover, S. B. No. 48 was lifted from the table, and having been previously read was before the Senate on Second Reading.

Senator Grover, together with the aid of five Senators, requested a roll call vote on proposed amendments to S. B. No. 48.

Proposed amendments to S. B. No. 48 failed on the following roll call:

Yeas, 3; Nays, 21; Absent, 1.

Voting in the affirmative were: Senators Grover, Kerr and Mantes.

Voting in the negative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Hammond.

On motion of Senator Hafen, S. B. No. 48 was amended as follows:

Page 2, line 16, after the word "finance" and before the word "shall" insert a bracket.

S. B. No. 48 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 4; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Memmott, Rees, Stacey, D. Taylor, S. Taylor and Waddingham.

Voting in the negative were: Senators Kerr, Mantes, Miller and Sowards.

Absent and not voting were Senator Hammond and Mr. President.

On motion of Senator Hunter, the rules were suspended and S. B. No. 26 was removed from the Second Reading Calendar and placed as a Special Order of Business for Monday, February 18, 1963 at 10:30 a.m.

On motion of Senator Hafen, the Senate adjourned until Thursday, February 7, 1963 at 11:00 A.M.

TWENTY-FIFTH DAY

MORNING SESSION

February 7, 1963

The Senate was called to order at 11:00 A.M. President Bullen in the chair.

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

Prayer by the Chaplain.

February 7, 1963

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,

JOHN T. BERNHARD,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 4, 1963

Honorable Reed Bullen,

President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bill, which has been forwarded to the Secretary of State for filing.

S. B. No. 3

Yours sincerely,

ROLAND G. ROBISON, JR.

Administrative Assistant

cc. Secretary of State
Speaker House of Representatives

Communication filed.

House notified of Governor's action.

February 6, 1963

Honorable Reed Bullen,

President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bill, which has been forwarded to the Secretary of State for filing.

S. B. No. 18

Yours sincerely,

ROLAND G. ROBISON, JR.

Administrative Assistant

cc. Secretary of State
Speaker House of Representatives

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

February 7, 1963

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. 14, that the Speaker of the House has this day signed in open session, in the presence of the House, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 14 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

February 5, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 2 – TO PERMIT LEASING OF PUBLIC AIRPORT PROPERTY, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 2 was read the first time and referred to the Committee on State and Federal Affairs.

February 5, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, H. B. No. 15 – NATIONAL DEFENSE

EDUCATION ACT–MATCHING FUNDS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 15 was read the first time and referred to the Committee on Education.

February 5, 1963

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 – COMMERCIAL FERTILIZER, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 32 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 6, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 62 – NATIONAL GUARD–INSURANCE GROUP, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 62 was read the first time and referred to the Committee on Business and Commerce.

February 6, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 7 – GUARDIANSHIP, and the same is transmitted herewith for your action.

Respectfully,
HENRY NYGAARD,
Chief Clerk

Communication filed.

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

February 6, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 20 – REGULATING MEAT INSPECTION AND ELIMINATING INSPECTION FEES, and the same is transmitted herewith for your action.

Respectfully,
HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 20 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 6, 1963

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. 21 – MEAT INSPECTION FUNDS, and the same is transmitted herewith for your action.

Respectfully,
HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 21 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 6, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 25 – INCREASING BAR COMMISSION FROM SEVEN TO NINE MEMBERS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 25 was read the first time and referred to the Committee on Judiciary.

INTRODUCTION OF BILLS

S. B. No. 153 By Messrs. Grover and Memmott

AN ACT AMENDING CHAPTER 34-10-2, UTAH CODE ANNOTATED 1953, RELATING TO PAYMENT OF WAGES; TO PROVIDE THAT BANKS AND MERCANTILE INSTITUTIONS SHALL BE SUBJECT TO THE PROVISIONS OF THE ACT, was read the first time and referred to the Committee on Rules.

S. B. No. 154 By Messrs. Grover, Brockbank and Bernhard

AN ACT PROVIDING FOR AUTOMOBILE LIABILITY INSURANCE FOR STATE EMPLOYEES, was read the first time and referred to the Committee on Rules.

S. B. No. 155 By Messrs. Memmott, Hunter and B. Jenkins

AN ACT AMENDING SECTION 78-34-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 174, LAWS OF UTAH 1957, RELATING TO EMINENT DOMAIN; PROVIDING FOR EMINENT DOMAIN REGARDING COAL PIPE LINES, was read the first time and referred to the Committee on Rules.

S. B. No. 156 By Mr. Hafen

AN ACT ENACTING SECTION 66-1-2.1, UTAH CODE ANNOTATED 1953, GRANTING THE STATE BOARD OF LOAN COMMISSIONERS AUTHORITY TO BORROW MONEY FOR BUILDING PROJECTS, LIMITING AMOUNTS THAT MAY BE BORROWED, AND FIXING TIME FOR REPAYMENT, was read the first time and referred to the Committee on Rules.

S. B. No. 157 By Messrs. Sowards, Miller and Bernhard

AN ACT AMENDING SECTION 53-8-1, UTAH CODE ANNOTATED 1953, RELATING TO INTOXICATING LIQUOR, PROVIDING AN INCREASE IN SCHOOL LUNCH TAX ON WINE AND DISTILLED LIQUOR, was read the first time and referred to the Committee on Rules.

S. B. No. 158 By Mr. Grover

AN ACT RELATING TO THE RETIREMENT OF SUPREME COURT JUSTICES AND JUDGES OF THE DISTRICT COURTS; REPEALING SECTION 49-7-6, UTAH CODE ANNOTATED 1953, VOLUME 5 REPLACEMENT, was read the first time and referred to the Committee on Rules.

S. B. No. 159 By Messrs. Hunter and Memmott

AN ACT AMENDING SECTIONS 11-9-7 AND 11-9-10, UTAH CODE ANNOTATED 1953, VOLUME 2 REPLACEMENT; PROVIDING FOR DISTRIBUTION OF LOCAL SALES AND USE TAXES ON A PER CAPITA BASIS AND PROVIDING EFFECTIVE DATE; AND REPEALING SECTIONS 11-9-8 AND 11-9-9, UTAH CODE ANNOTATED 1953, VOLUME 2 REPLACEMENT, was read the first time and referred to the Committee on Rules.

S. B. No. 160 By Mr. Barlow

AN ACT AMENDING SECTION 53-29-12, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 20, LAWS OF UTAH 1953

(1st S. S.), AND BY CHAPTERS 110 AND 112, LAWS OF UTAH 1961, RELATING TO THE UTAH SCHOOL EMPLOYEES' RETIREMENT ACT, FOR THE PURPOSE OF EXTENDING THE TIME TO PURCHASE 1937-47 SERVICE CREDITS, AND TO MAKE REDEPOSIT OF WITHDRAWN CONTRIBUTIONS, was read the first time and referred to the Committee on Rules.

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

A delegation of Senators and members from the House of Representatives, from the great state of Idaho, were introduced and appeared before the Committee of the Whole.

On motion of Senator D. Taylor the Committee of the Whole was dissolved.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to lift S. B. Nos. 47, 49, 50, 51, 52, 53, 54, 55 and 59 from the table and then place them on the Second Reading Calendar to be considered at this time.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 47 having been previously read was before the Senate.

S. B. No. 47 was placed on the Third Reading Calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Holman, B. Jenkins, M. Jenkins, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Hammond, Harmston, Hunter, Kerr and Lambert.

S. B. No. 49 having been previously read was before the Senate.

S. B. No. 49 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Hammond, Hunter, Kerr and Lambert.

S. B. No. 50 having been previously read was before the Senate.

S. B. No. 50 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Hammond, Hunter, Kerr and Lambert.

S. B. No. 51 having been previously read was before the Senate.

S. B. No. 51 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Hammond, Hunter, Kerr and Lambert.

S. B. No. 52 having been previously read was before the Senate.

S. B. No. 52 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Hammond, Hunter, Kerr and Lambert.

S. B. No. 53 having been previously read was before the Senate.

S. B. No. 53 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Hammond, Hunter, Kerr and Lambert.

S. B. No. 54 having been previously read was before the Senate.

S. B. No. 54 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Hammond, Hunter, Kerr and Lambert.

S. B. No. 55 having been previously read was before the Senate.

S. B. No. 55 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Hammond, Hunter, Kerr and Lambert.

S. B. No. 59 having been previously read was before the Senate.

S. B. No. 59 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Hammond, Hunter, Kerr and Lambert.

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

CONSIDERATION OF BILLS ON THIRD READING

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:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Mantes, Memmott,

Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Hammond, Hunter, Kerr and Lambert.

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 further action.

H. B. No. 13 was read the third time and placed on its final passage.

On motion of Senator Grover, H. B. No. 13 was tabled.

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:

Yeas, 17; Nays, 2; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Mantes, Memmott, Miller, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Rees and S. Taylor.

Absent and not voting were: Senators Barlow, Brockbank, Hammond, Hunter, Kerr and Lambert.

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 further action.

H. B. No. 53 was read the third time and placed on its final passage.

On motion of Senator Sowards, H. B. No. 53 was tabled.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 18 was read the second time.

Committee report read and adopted.

H. B. No. 18 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Hammond, Hunter and Kerr.

On motion of Senator D. Taylor the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

COMMUNICATIONS FROM THE HOUSE

February 6, 1963

Mr. President:

I am directed to infrom your Honorable Body that the House has this day passed S. B. No. 12 – PROVIDING FOR THE EFFICIENT AND ECONOMICAL MANAGEMENT OF PUBLIC RECORDS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 12, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 12 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

H. B. No. 30 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Browning, Hammond and Mantes.

On motion of Senator Harmston, the rules were suspended and the Senate voted to now consider S. B. No. 60.

S. B. No. 60 was read the second time.

Committee report read and adopted.

Senator Harmston, with the aid of five senators, requested a call of the senate.

On motion of Senator Waddingham, the call of the senate was lifted.

Senator Grover, with the aid of five senators, requested a call of the senate.

On motion of Senator Kerr, the call of the senate was lifted.

S. B. No. 60 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees (explained vote), Sowards, Stacey, G. Taylor, S. Taylor, Waddingham, Mr. President.

Absent and not voting were: Senators Browning and Hammond.

On motion of Senator Grover, the rules were suspended and the senate voted to return to their regular order of business, that of considering House Bills.

H. B. No. 56 was read the second time.

Committee report read and adopted.

H. B. No. 56 failed to pass on Second Reading on the following roll call:

Yeas, 1; Nays, 17; Absent,7.

Voting in the affirmative was: Senator Grover.

Voting in the negative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Holman, Hunter, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor and S. Taylor.

Absent and not voting were: Senators Browning, Hammond, Harmston, B. Jenkins, M. Jenkins, Waddingham and Mr. President.

H. B. No. 56 was returned to the House.

On motion of Senator Kerr the senate recessed.

The Senate re-assembled.

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

Committee report read and adopted.

On motion of Senator Hafen, H. J. R. No. 1 was tabled.

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

Committee report read and adopted.

On motion of Senator Brockbank, H. B. No. 12 retained its position on the Second Reading Calendar.

H. B. No. 22 was read the second time.

Committee report read and adopted.

On motion of Senator Brockbank, H. B. No. 22 was amended as follows:

Page 2, line 11, delete "10,000" insert in lieu thereof "9,000".

H. B. No. 22 was placed in the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 7; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Grover, Hafen, Harmston, Hunter, M. Jenkins, Kerr, Lambert, Rees, G. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators Brockbank, Gardner, Holman, Mantes, Memmott, Sowards and Stacey.

Absent and not voting were: Senators Browning, Hammond, B. Jenkins, Miller and Waddingham.

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

Committee report read and adopted.

On motion of Senator Hafen, H. B. No. 3 retained its position on the Second Reading Calendar.

H. B. No. 24 was read the second time.

Committee report read and adopted.

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

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

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Hafen, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, G. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hammond, B. Jenkins, Miller and Waddingham.

H. B. No. 24 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Kerr, the Senate adjourned until Friday, February 8, 1963 at 10:00 A.M.

TWENTY-SIXTH DAY

MORNING SESSION

February 8, 1963

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

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

Prayer by the Chaplain.

February 8, 1963

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,

JOHN T. BERNHARD,
Chairman

Report adopted and filed.

On motion of Senator Bernhard the Senate voted to change the Special Order of Business on S. B. Nos. 31, 32, 33, 34 and 36 and they further be made a Special Order of Business for Wednesday, February 13, 1963 at 2:30 P.M.

On motion of Senator Kerr, the Senate recessed to meet with the House in Joint Convention. The Senate further voted that when the Joint Convention is dissolved the Senate re-assemble.

JOINT CONVENTION

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

Prayer was given by the Chaplain of the Senate.

On motion of Representative Hansen, the Senate and the House resolved itself into a Joint Committee of the Whole.

Major D. C. Gordon appeared before and introduced a group of 72 students from the College of Southern Utah, Cedar City, together with their director, Dr. Blaine Johnson.

The musical program that followed was presented under the direction of Dr. Blaine Johnson and the accompanists were Nancy Clair Johnson and Marsha Rasmussen.

On motion of Representative Hansen, the Joint Committee of the Whole was dissolved.

On motion of Representative Hansen, the President of the Senate announced the Joint Convention dissolved.

The Senate re-assembled.

COMMUNICATIONS FROM THE HOUSE

February 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 24, entitled PRE-FILING OF BILLS WITH THE UTAH LEGISLATIVE COUNCIL, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 24, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 24 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

February 8, 1963

Mr. President:

Your Rules Committee, to which were referred

S. B. No. 124 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 135 (Revenue & Taxation)
S. B. No. 138 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 139 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 146 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 148 (Political Subdivisions)
S. B. No. 151 (Industry)
S. B. No. 153 (Judiciary)
S. B. No. 154 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 155 (Industry)
S. B. No. 156 (Revenue & Taxation)
S. B. No. 157 (Education)
S. B. No. 158 (Judiciary)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

February 8, 1963

Mr. President:

Your Rules Committee, to which was referred S. J. R. No. 10, reports the same back, and upon recommendation of its author, recommends the same not be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

February 8, 1963

Mr. President:

Your Committee on Industry to which was referred H. J. R. No. 2, by Messrs. Gunnell, Clyde, Dean and Green, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

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

February 8, 1963

Mr. President:

Your Committee on Industry to which was referred H. B. No. 34, by Messrs. Sheffield, Dean, Tanner and Pettersson, has carefully considered said bill and reports the same out favorably.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

H. B. No. 34 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on Industry to which was referred S. B. No. 81, by Messsr. Barlow and M. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

S. B. No. 81 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 21, by Messrs. Bernhard, M. Jenkins and Browning, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 21 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 23, by Messrs. Bernhard, M. Jenkins and Browning, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 23 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 30, by Messrs. Hafen, G. D. Taylor and Browning, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 30 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 76, by Messrs. Grover and B. Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 76 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 77, by Messrs. Grover and B. Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 77 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 131, by Messrs. Bernhard and Browning, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 131 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred H. B. No. 47, by Mr. L. L. Peterson, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

H. B. No. 47 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 94, by Messrs. Mantes, M. Jenkins and Waddingham, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 94 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 95, by Messrs. Mantes, Waddingham and M. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 95 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 97, by Messrs. Mantes, Waddingham and M. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 97 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 98, by Messrs. Mantes, Waddingham and Barlow, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 98 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 99, by Messrs. Mantes, Waddingham and Barlow, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 99 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 112, by Messrs. Kerr, Bullen and G. D. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 112 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 113, by Messrs. Bullen, Kerr and Browning, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 113 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 119, by Messrs. S. J. Taylor and G. D. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 119 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 130, by Messrs. Bullen, Kerr and Browning, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 130 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 123, by Messrs. S. J. Taylor and G. D. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 123 was placed on the Second Reading Calendar.

February 8, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 125, by Messrs. G. D. Taylor, Kerr and Memmott, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 125 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 161 By Mr. Hunter

AN ACT AMENDING SECTION 78-44-1, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 6, LAWS OF UTAH 1957, RELATING TO THE DISPOSITION OF UNCLAIMED PROPERTY; PROVIDING FOR TRADING STAMPS AS UNCLAIMED PROPERTY, was read the first time and referred to the Committee on Rules.

S. B. No. 162 By Messrs. B. Jenkins and Grover

AN ACT AMENDING SECTIONS 36-1-1 AND 36-1-2, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 61, LAWS OF UTAH 1955; PROVIDING FOR REAPPORTIONMENT OF THE LEGISLATURE OF THE STATE OF UTAH, ESTABLISHING THE GEOGRAPHICAL BOUNDARIES OF SENATORIAL AND REPRESENTATIVE DISTRICTS; ESTABLISHING THE BASIS OF APPORTIONMENT OF SENATORS AND REPRESENTATIVES AMONG THE VARIOUS DISTRICTS, AND APPORTIONING THE SENATORS AND REPRESENTATIVES AMONG THE VARIOUS DISTRICTS, was read the first time and referred to the Committee on Rules.

S. B. No. 163 By Messrs. Bernhard and S. Taylor

AN ACT AMENDING SECTIONS 53-36-1, 53-36-3, AND 53-36-4, UTAH CODE ANNOTATED 1953, RELATING TO THE GEOLOGICAL AND MINERALOGICAL SURVEY; PROVIDING FOR THE TRANSFER OF THE SURVEY TO THE STATE LAND BOARD; AND CONTINUING AND PERPETUATING THE CONTRACTS AND ASSETS OF THE SURVEY WITH THE STATE LAND BOARD, was read the first time and referred to the Committee on Rules.

S. B. No. 164 By Messrs. Memmott and Bernhard

AN ACT ENACTING A NEW SECTION TO THE UTAH CODE ANNOTATED 1953, TO BE KNOWN AS SECTION 53-14-13.5, ALLOWING PUPILS OF REGULARLY ESTABLISHED PRIVATE SCHOOLS TO ENROLL IN PUBLIC SCHOOLS FOR THE PURPOSE OF RECEIVING DRIVER EDUCATION, was read the first time and referred to the Committee on Rules.

SPECIAL ORDER

S. J. R. No. 5 being a Special Order of Business, was before the Senate.

On motion of Senator Barlow, S. J. R. No. 5 was amended as follows:

Page 1, line 10, after the word "taxation" delete the remainder of the line. Also delete lines 11, 12, 13, 14 inclusive and part of line 15, down to include the word "state", then insert in lieu thereof the following:

All tangible personal property present in Utah on January 1, m. which is shipped to final destination outside this state within the succeeding ten months is deemed to have acquired no situs in Utah for purposes of ad valorem taxation and shall be exempt whether manufactured, processed or produced or otherwise originating within or without the State.

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

Mr. George Horsley, Mr. Wayne Winegar, Mr. Arden Engebretsen and Mr. E. H. Azbill appeared before the Committee of the Whole.

On motion of Senator Barlow, the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

The Senate continued as a Committee of the Whole.

Mr. Frank K. Stuart, Mr. Randle E. Theabold, Mr. Dillworth S. Woolley, Mr. Herbert Smart, appeared before the Committee of the Whole.

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

On motion of Senator Jenkins, S. J. R. No. 5 and S. B. No. 27 were made a Special Order of Business for Tuesday, February 12, 1963 at 2:30 P.M.

On motion of Senator Kerr, the Senate adjourned until Monday, February 11, 1963 at 1:00 P.M.

TWENTY NINTH DAY

AFTERNOON SESSION

February 11, 1963

The Senate was called to order at 1 P.M. President Bullen in the chair.

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

Prayer by the Chaplain.

February 11, 1963

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,

JOHN T. BERNHARD,
Chairman

Report filed.

The President appointed Senators Memmott, Grover and Mantes to read and revise the Journal for the two weeks commencing February 12, 1963.

COMMUNICATIONS FROM THE HOUSE

February 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8th day of February 1963, approve and transmit to the Secretary of State, H. B. No. 17, entitled ASSIGNMENT OF DISTRICT JUDGES.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8th day of February 1963, approve and transmit to the Secretary of State, H. B. No. 10, entitled NOTICE TO CREDITORS OF ESTATE.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 8, entitled WIDOW'S PROPERTY.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 61 WITHHOLDING CERTAIN STATE LANDS FROM OIL AND GAS LEASING that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 61, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 61 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

February 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 52, entitled DIRECTOR OF REGISTRATION.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, S. B. No. 6 RELATING TO TRUSTEES OF A TRUST DEED that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 6, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 6, was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

February 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, H. B. No. 58 FIXING AND COLLECTING FEES OF DEPARTMENT OF REGISTRATION and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 58 was read the first time and referred to the Committee on Revenue and Taxation.

February 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 68–FEES FOR PRACTICE OF OPTOMETRY, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 68 was read the first time and referred to the Committee on Business and Commerce.

February 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 69–FEES–BARBERS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 69 was read the first time and referred to the Committee on Business and Commerce.

February 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 70–FEES–PLUMBERS and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 70 was read the first time and referred to the Committee on Busiiness and Commerce.

February 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. 72–FEES–CHIROPODY, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 72 was read the first time and referred to the Committee on Business and Commerce.

February 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 73–APPLICATION FOR NURSING–MATERNITY HOME and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 73 was read the first time and referred to the Committee on Public Health, Welfare and Institutions.

February 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 76–FEES–PHARMACY, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 76 was read the first time and referred to the Committee on Business and Commerce.

February 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 78–DENTAL HYGIENIST, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 78 was read the first time and referred to the Committee on Industry.

February 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 26–RAISE SALARY OF JUDGE PROTEMPORE FROM $10 TO $50, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 26 was read the first time and referred to the Committee on Political Subdivisions.

February 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 93–TO INCREASE THE INACTIVE BAR MEMBERSHIP FEE, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 93 was read the first time and referred to the Committee on Judiciary.

February 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 104–PERMANENT FISHING LICENSES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 104 was read the first time and referred to the Committee on Fish and Game.

February 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 10–TO INFORM THE LEGISLATURE ABOUT A ROADS NEEDS STUDY IN PROGRESS AND SEEK THE LEGISLATURE'S CONCURRENCE AND SUPPORT FOR SUCH STUDY; WITHOUT BINDING THE LEGISLATURE TO ACCEPT THE RESULTS OF THE STUDY, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. J. R. No. 10 was read the first time and referred to the Committee on Highways and Aeronautics.

February 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. C. R. No. 1–ELECTORAL COLLEGE, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

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

REPORTS OF STANDING COMMITTEES

Mr. President: February 11, 1963

Your Committee on Highways and Aeronautics to which was referred S. B. No. 108, by Messrs. Stacey and C. Miller has carefully considered said bill and reports the same out favorably.

Respectfully,
JAMES N. STACEY,
Chairman

Report filed.

S. B. No. 108 was placed on the Second Reading Calendar.

Mr. President: February 11, 1963

Your Committee on Labor to which was referred H. B. No. 23, by Messrs. Squire, Mrs. Vance, Sheffield, and L. R. Monroe has carefully considered said bill and reports the same out favorably.

Respectfully,
WALLACE H. GARDNER,
Chairman

Report filed.

H. B. No. 23 was placed on the Second Reading Calendar.

Mr. President: February 11, 1963

Your Committee on Agriculture and Irrigation to which was referred H. B. No. 28, by Messrs. Hamilton, L. R. Monroe and Lambert has carefully considered said bill and reports the same out favorably.

Respectfully,
KLEON KERR,
Chairman

Report filed.

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

Mr. President: February 11, 1963

Your Committee on Judiciary to which was referred S. B. No. 115, by Mr. Kerr has carefully considered said bill and reports the same out favorably.

Respectfully,
ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 115 was placed on the Second Reading Calendar.

February 11, 1963

Mr. President:

Your Committee on Education to which was referred H. B. No. 15, by Messrs. Harward and Mrs. Vance has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

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

February 11, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 82, by Messrs. Kerr, Gardner and Holman has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 82 was placed on the Second Reading Calendar.

February 11, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 128, by Messrs. Waddingham and Brockbank has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 128 was placed on the Second Reading Calendar.

February 11, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. J. R. No. 8, by Messrs. Kerr, Gardner and Holman has carefully considered said

bill and reports the same out without recommendation.

Respectfully,

CHARLES R. HUNTER
Chairman

Report filed.

S. J. R. No. 8 was placed on the Second Reading Calendar.

INTRODUCTION OF BILLS

S. B. No. 165 By Messrs. Brockbank and S. Taylor

AN ACT TO AMEND SECTION 65-1-13, UTAH CODE ANNOTATED 1953, AS AMENDED BY LAWS OF UTAH 1959, CHAPTER 131, SECTION 1, TO PROVIDE THAT THE LAND BOARD, WITH THE CONSENT OF THE BOARD OF EXAMINERS, MAY EXPEND MONIES OF THE MAINTENANCE FUND FOR RESEARCH PROGRAMS TO BE CARRIED OUT BY ANY COLLEGE OR UNIVERSITY IN THE STATE, OR PRIVATE RESEARCH INSTITUTION, was read the first time and referred to the Committee on Rules.

S. B. No. 166 By Messrs. Mantes, Brockbank and M. Jenkins

AN ACT PROVIDING FOR THE FIXING OF SALARIES OF COUNTY OFFICERS BY THE BOARD OF COUNTY COMMISSIONERS; AND REPEALING SECTIONS 17-16-13, 17-16-14, 17-16-15, 17-16-16 AND 17-16-17, UTAH CODE ANNOTATED 1953, VOLUME 2 REPLACEMENT, was read the first time and referred to the Committee on Rules.

S. B. No. 167 By Mr. Lambert

AN ACT AMENDING SECTION 4-21-23, UTAH CODE ANNOTATED 1953, RELATING TO THE SALE OF RAW MILK, MODIFYING DEFINITIONS AND GRANTING JURISDICTION AND INJUNCTIVE POWERS TO DISTRICT COURTS IN CONNECTION THEREWITH, was read the first time and referred to the Committee on Rules.

S. B. No. 168 By Messrs. Brockbank and S. Taylor

AN ACT AMENDING SECTION 65-1-44, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 132, LAWS OF UTAH 1959, DISPENSING WITH THE 20-YEAR LIMITATION ON LEASES OF STATE LANDS OTHER THAN LEASES ON GRAZING AND ARID LANDS AND LANDS CONTAINING MINERAL INTERESTS OR DEPOSITS, AND REMOVING THE 640 ACRE LIMITATION ON LEASES OF SUCH LANDS, was read the first time and referred to the Committee on Rules.

S. B. No. 169 By Messrs. Brockbank and S. Taylor

AN ACT AMENDING SECTION 65-1-9, UTAH CODE ANNOTATED 1953, AND ESTABLISHING A PERIOD OF LIMITATION WITHIN WHICH LAND CLAIMANTS SHALL BE REQUIRED TO CONTEST THE VALIDITY OF ANY ACTION OF THE LAND BOARD, EITHER BEFORE THE BOARD OR IN COURT, EXCLUSIVE OF TITLE DISPUTES, was read the first time and referred to the Committee on Rules.

S. B. No. 170 By Mr. Barlow

AN ACT AMENDING SECTION 64-6-15, UTAH CODE ANNOTATED 1953, RELATING TO ASSESSING CHARGES TO BE PAID BY CHILDREN OR PARENTS OF CHILDREN COMMITTED TO THE STATE INDUSTRIAL SCHOOL, was read the first time and referred to the Committee on Rules.

S. B. No. 171 By Messrs. Brockbank and S. Taylor

AN ACT ALLOWING THE STATE LAND BOARD TO ISSUE SPECIAL USE LEASES OTHER THAN GRAZING, MINING, OR OIL AND GAS LEASES FOR PERIODS OF UP TO 49 YEARS, was read the first time and referred to the Committee on Rules.

S. B. No. 172 By Messrs. Brockbank and S. Taylor

AN ACT AMENDING SECTION 65-1-45, UTAH CODE ANNOTATED 1953, AS AMENDED, TO PROVIDE THAT THE STATE LAND BOARD MAY ISSUE MINERAL LEASES OTHER THAN OIL AND GAS AT PUBLIC AUCTION AS WELL AS SEALED BIDS, was read the first time and referred to the Committee on Rules.

S. B. No. 173 By Messrs. Hafen and Bernhard

AN ACT AMENDING SECTION 20-10-4, UTAH CODE ANNOTATED, 1953, RELATING TO CONGRESSIONAL DISTRICTS, was read the first time and referred to the Committee on Rules.

S. B. No. 174 By Messrs. Lambert, Grover and Kerr

AN ACT APPROPRIATING $500 TO VERA F. HOPKIN, WIDOW OF SENATOR ALONZO F. HOPKIN, FOR LEGISLATIVE SALARY FOR 1962, was read the first time and referred to the Committee on Rules.

S. B. No. 175 By Messrs. Hunter and Bernhard

AN ACT RELATING TO PUBLIC UTILITIES; PROVIDING FOR A BILLING PERIOD; AND PROVIDING FOR A MAXIMUM INTEREST AND SERVICE CHARGE, was read the first time and referred to the Committee on Rules.

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:

Yeas, 22; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Miller, Rees, Sowards, Stacey, G. Tayylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, Mantes, and Memmott.

S. B. No. 25 was transmitted to the House.

S. B. No. 8 having retained its position was before the Senate.

On motion of Senator Waddingham, S. B. No. 8 was amended as follows:

Page 3, line 20—after word "the" delete words "claim for refund" and insert words "application for a permit".

Page 3, line 22, after word "fuel" insert a period and delete remainder of line.

Page 3, line 23, delete all words up to word "This".

Page 3, line 33, delete the semi-colon then insert period after word "therefore."

Page 3, line 33, delete the words "the applicant shall further support".

Page 4, delete lines 1, 2, 3, 4, 5, 6, 7, 8, 9, and part of line 10 to include "sary.)

Page 4, following line 11, delete the new paragraph that was inserted on the 15th day which reads: "Provided, however, that in the event the applicant for a refund under this Act has filed a Federal Gas Request for Refund Return, a verified copy of such Return with the statement of the applicant filed certifying that the original thereof together with all supporting documents filed therewith has been duly filed will be a sufficient filing under this act."

On motion of Senator Stacey, S. B. No. 8 was amended as follows:

Page 2, line 26. Insert front bracket after word "government" to signify deleted materials.

Line 27. Insert end bracket to signify deleted material after word "agencies"

Line 28. Bracket "period" to show deletion and add as new material the following: provided, however that the government of the United States, its divisions and agencies, shall be exempt from the imposition of this tax.

On motion of Senator Waddingham, S. B. No. 8 retained its position on the Third Reading Calendar.

S. B. No. 80 was read the third time and placed on its final passage.

S. B. No. 80 then passed on the following roll call:

Yeas, 17; Nays, 7; Absent, 1.

Those voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, S. Taylor and Waddingham.

Those voting in the negative were: Senators Barlow, Brockbank, Holman, Sowards, Stacey, G. Taylor and Mr. President.

Absent and not voting was Senator Hammond.

S. B. No. 80 was transmitted to the House.

On motion of Senator Kerr, the Senate recessed to meet with the House in Joint Convention, the Senate voted to re-assemble immediately following the Joint Convention.

JOINT CONVENTION

The Roll Call showed a quorum of Senate and House members present.

The Prayer was given by the Senate Chaplain.

The President of the Senate appointed a Joint Committee consisting of Representatives Lomax, Plant, Compton and Senators Brockbank, Holman and M. Jenkins, to notify the Governor that the Legislature was in Joint Convention and ready to hear his revised budget recommendations.

The Joint Committee returned escorting His Excellency, Governor George D. Clyde, who was presented to the Joint Convention by President Bullen.

The Governor then delivered the following revised budget recommendation.

Governor's Message–

SPECIAL BUDGET MESSAGE BY GOVERNOR GEORGE D. CLYDE TO THE 35TH UTAH LEGISLATURE

Mr. President, Mr. Speaker, Ladies and Gentlemen of the 35th Utah Legislature:

Some two weeks ago, I appeared before you and presented my official budget recommendations. At that time, I emphasized the fact, which becomes more and more obvious the longer one studies the situation with which we are confronted, that the core of the problem lies in the financing of education. It is further obvious that this educational problem is four-fold: We have the problem of financing our elementary and high schools, which draw their operational support from the uniform school fund and also the post-high-school institutions which are financed from the general fund; and in each of these areas we have the double problem of providing operation and maintenance and also necessary capital construction. It should be noted in passing that capital construction for elementary and high schools has traditionally been regarded as the responsibility of local school districts in Utah, but that emergency conditions exist, and have existed for approximately a decade, which make it imperative to provide emergency state aid to certain areas where local residents have reached the limit of their own practical and legal capabilities.

The budget which I presented on January 23 had two major objectives:

1. To provide adequately for the truly essential needs of education and of all other areas of state government; and

2. To do so without placing the state in long-term bonded debt. I had hoped to accomplish this without a major tax increase, and I offered a financing program which included some minor tax increases, but no permanent increase in the rates of any of our three major tax sources–sales, income or property. It did envisage a probable small increase, of about 2.9 mills, in the automatic property levy to balance the uniform school fund, but this would not have been a permanent increase. Indeed, it might not have been necessary to apply at all, if revenues for 1963-65 should exceed estimates as they have in each of the last ten or 12 fiscal periods.

I urged speedy and effective action to implement a program which I was convinced–and which I am still convinced–was sound and in the best

interests of the State of Utah. However, action has not been forthcoming, due to opposition on the part of some legislators, undoubtedly honestly reflecting the opinions of the people they represent, to certain aspects of the program which I proposed. Two of the three minor taxes which I proposed have met opposition for various reasons; this, alone, would not have been serious, as substitutes might have been found to produce comparable revenue. More serious has been the strong opposition to permitting the automatic property levy to be raised, even a small amount. This, combined with the loss of the two minor tax sources to which I have just referred, meant that revenues under my original proposal would fall some $14 million short of meeting the requirements.

Let me here state that I am still of the opinion that my original budget proposal was sound, and that a temporary increase of three mills or less in the property levy would not have been a severe burden to the taxpayers of this state. However, I am not here today to argue this point, or to attempt to impose my will on the Legislature. If my first proposal is unacceptable to the Legislature, and to the people whom you represent, then I shall accept that fact and present an alternative proposal aimed at meeting the principal objections which have been raised against the first. Obviously, any alternative must include provisions for raising substantial amounts of revenue, or else it must provide substantial cuts in expenditure. Either of these courses of action will be objected to in some quarters, and I do not pretend to have a program which will meet the desires of everyone. What I do have to offer is a proposal which will realistically meet our needs and still keep within the two major objectives which have bounded my thinking from the beginning. The change in financing which has become necessary will offer certain advantages, in permitting more money to be provided in two specific areas. But let us proceed to a detailed consideration of my revised proposals.

In my regular budget message to the 35th Legislature, it was noted that there would be available in the uniform school fund, from various sources including the beginning surplus, receipts from regular sources of revenue and the transfer of available money from the general fund. A total of $116,893,000 for the 1963-65 biennium. This would be $2,837,000 more than would be necessary to carry on the present school equalization program for the next two years, allowing for the growth factor but for no other change. I then made various proposals which would raise the total amount available for upgrading the school support program to $17,437,000, an amount which would permit us to increase the basic state support program by $775 per distribution unit.

My present proposal for the school support program is unchanged. That is to say, I recommend that the basic state support program be raised from the present $5,400 per distribution unit to $6,175 per distribution unit, for which school districts must impose a 12-mill local levy to qualify; and that the supplemental program be continued at $775 against a 4-mill local effort. This makes a total basic state-supported program of $6,950 per distribution unit for 16 mills local effort. As I said two weeks ago, I consider this an extraordinary effort, justified only by the special nature of the need with which we are faced. I consider it the maximum effort which we can reasonably ask

the people of the state to make at this time, particularly in view of the urgent needs which exist in other areas. I do not think it can, or that it should, be increased. There are those who feel this proposed increase in state support of the uniform school program is too large and that it should be reduced. I do not recommend any reduction, but reiterate my proposal that we set the state support program, basic plus supplemental, at $6,950 per distribution unit, with no change in the existing requirement for a 16-mill local effort.

This means that we must find $14,600,000 in new revenues.

Of the revenue proposals which I previously presented, one has met with widespread agreement. This is the proposal for a two-cent-a-pack increase in the tax on cigarettes. Original estimates were that this increase would bring the state $2,500,000 in the next biennium. Since I made this proposal, a bill has been drawn and introduced which would provide not only an increase from 4 to 6 cents per package on cigarettes, but also a tax equivalent to 4 cents a pack to be applied to other tobacco products. This additional feature would provide an estimated $1,100,000 in the biennium. I recommend that the complete increase be enacted, giving us $3,600,000 toward meeting our objective.

This, however, still leaves us $11,000,000 short of meeting our requirements, and brings us face to face with the central issue: that of considering a major tax increase. This amount of revenue cannot be satisfactorily raised by minor adjustments to our tax structure. Inasmuch as the idea of permitting any part of this burden to fall, even temporarily, on real property, has been rejected, this means that we are restricted to a choice between the sales tax and the individual income tax.

The income tax might at first appear to be preferable, if only because the sales tax rate was increased by the 34th Legislature, and also by the 33rd Legislature on a local-option basis for the use of counties and municipalities.

However, tax authorities point out that the state income tax cannot be considered apart from the Federal Income Tax, as the two form a package, so to speak, with a single impact on the taxpayer. Over the past 30 years since our sales tax was first enacted, the Utah sales tax rate has increased only 50 per cent, and half of this amount is imposed only in certain counties and is turned to local government units and not to state purposes. Over the same period of time, the total personal income tax paid by the average Utahn, including Federal as well as State levies, has shot up several hundred per cent and is a far greater burden than the sales tax at this time.

This and other considerations urged on me by tax authorities who have made long and careful studies of the basic questions involved, have brought me to my present decision, which is to recommend that the sales tax be raised ½ of one per cent, bringing the total state sales tax levy to 3 per cent. The one/half per cent local option levy, where applied, would be in addition to this.

I made this recommendation with considerable reluctance, as I had hoped to avoid such a tax increase. I did make vigorous efforts to do so, but in

the face of the rejection of my original proposals I consider this the least objectionable of the options which remain for our consideration.

An increase of ½ per cent in the sales tax would bring a return, according to official estimates of the Utah State Tax Commission, of $18,000,000 in the 1963-65 biennium. However, it is probable that collections for the first quarter, under the proposed increase, estimated at $2,000,000, would not be available until after the end of this quarter and that the total collected by the end of the 1963-65 biennium would be this much short of the total yield of the tax increase. I therefore consider it prudent to base further calculations on estimated total collections of $16,000,000 rather than on the total anticipated yield of $18,000,000 for the biennium. Subtracting from this amount the $11,000,000 required to balance the school program, we have a remainder of $5,000,000.

I am convinced that it would be disastrous to use any part of this sum to launch new continuing programs in any area of state government, or to increase the continuing operation and maintenance levels of existing programs. To do so would serve to raise our standard of living, so to speak, increasing the financial load which will have to be carried in the next and all future fiscal periods. Fortunately, we have specific needs in capital construction to which this money can be applied. If we act in this manner, we shall not only avoid the dangerous pitfall which I have just outlined, but we shall also help materially in liquidating the accumulated capital construction needs which, once met, will not be recurring.

One area which I felt was inadequately provided for in my original budget proposals was that of emergency aid for construction of elementary and high schools in a few critical school districts. I had seriously considered recommending more money for this purpose, and perhaps less for the uniform school support program I adopted the course which I did adopt at least partly because I was afraid that money appropriated for emergency school construction might be dissipated over wide areas, instead of being concentrated in the few districts where need is truly critical. I still feel this concern, but with the added funds now at our disposal, I recommend that an additional $2,000,000, or $6,100,000 in all, be appropriated for emergency state aid for public school construction; and I renew my earnest plea that a formula be carefully worked out to insure that this money will be spent where it is most needed and not be spread over wider areas where less urgent needs exist.

The remaining $3,000,000 I proposed be added to the transfer to the state building board for the capital construction program at state institutions. I am not at this time making specific recommendation as to where this money shall be spent, leaving it to the Legislature to appropriate the money among the various state institutions.

This additional money will raise to nearly $18,000,000 the money to be transferred to the state building board and should make it apparent to all concerned that we can adequately meet our capital construction needs on a pas-as-you-go-basis, without going into long-term bonded debt.

There is one problem in the pay-as-you-go approach, however, which I feel we must recognize and for which I am not proposing a remedy. A

valid objection to the pay-as-you-go approach is that moneys appropriated are not always moneys available. That is to say, when the Legislature appropriates money for capital construction, it is immediately available in theory, but in practice it is not available until it has been collected in the form of taxes and until higher priority requirements have been met. There are delays of from a few weeks to 18 months or more in putting appropriated money actually to work, and some approved projects have to wait until almost the end of the biennium in which the appropriation was made before a start can be made on actual construction.

To meet this situation, I propose that the board of loan commissioners be authorized to issue tax anticipation notes as needed, the total never to exceed the appropriation for capital construction projects and with the provision that the money thus borrowed must be paid in full before the end of the biennial fiscal period in which it is borrowed.

I recognize, of course, that this will place the state in debt but it will be short-term debt and for comparatively small amounts—only enough to provide for authorized construction in a single biennium until tax collections are sufficient to make the cash transfers authorized by current appropriations. The cost would be very much less than that of floating a multi-million-dollar bond over a period of 10 years or more, and would have the further advantage that a substantial portion of the state's legal borrowing limit would not be tied up for an extended period.

Even though the cost of servicing tax anticipation notes would be very much less than that of bonding, the cost would have to be met. I call this obvious fact to your attention, and recommend that details be carefully worked out by fiscal experts and that money from the additional $3 million which I have just proposed be added to the transfer to the building board be used for this purpose.

Some proponents of bonding have advanced the argument that if we resorted to bonding it would not be necessary to raise taxes at this time. Let me point out the fallacy of this argument.

If we should bond for $40 million over a ten-year period, the terms most frequently discussed, it would cost approximately $9.6 million a biennium, beginning with the first biennium, to service the bond, including interest and service charges and payment on the principal. This is almost the total amount which was budgeted for capital construction in my original proposal, if we deduct the amount needed to repay the advance loans authorized by the 33rd Legislature, and which would not be affected by a bonding program, from the recommended transfer to the building board.

The net effect of a bonding program, in the sense of freeing pay-as-you-go construction money for other purposes, would be less than $1 million. This would not materially affect the need for $11 million in the school support program, as discussed previously, and it would still be necessary to increase taxes for this purpose, in addition to placing the state in heavy, long-term debt.

This concludes my revised budget recommendations. In all matters not dealt with specifically in this special message, my recommendations as presented in my original budget message, delivered to the Legislature on January 23, remain unaltered.

Let me summarize the aims and proposals of this special message as follows:

That we maintain the uniform school support program at the level at which I originally recommended it, a basic $6,175 per distribution unit for 12 mills local effort plus a supplemental state supported program of $775 per distribution unit for 4 mills additional local effort.

That we enact an increase of ¼ of 1% in the sales tax in order to support the school program without need for any increase in the levy against real property; and also in order to provide more money for emergency state aid for public school construction and for the regular capital construction program at state institutions as carried out by the state building board.

That we provide for tax anticipation notes in order to make available moneys appropriated for capital construction to all state institutions as soon as Legislative appropriations take effect and thus end the necessity to wait until tax collections are completed to begin construction projects.

That, with the exception of short-term borrowing on tax anticipation notes, we refrain from placing the state in debt; specifically that we do not go into a bonding program.

I feel that the adjustments which have been made to my budget proposals are those dictated by the desires of a majority of our people, and that Utah citizens, through their Legislative representatives, have indicated their preference to accept an increase in the sales tax in order to eliminate the need for an increase in the levy on real property and to accomplish the specific purposes outlined above.

I urge your prompt and favorable action on this revised program.

The Joint Committee then escorted Governor Clyde to his chamber.

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

The Senate re-assembled.

REPORTS OF STANDING COMMITTEES

February 11, 1963

Mr. President:

Your Rules Committee, to which were referred

S. B. No. 152 (State and Federal Affairs)

S. B. No. 162 (Political Subdivisions)

S. B. No. 164 (Education)

S. B. No. 166 (Political Subdivisions)

S. B. No. 171 (Judiciary)

S. B. No. 174 (State and Federal Affairs)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

On motion of Senator B. Jenkins the Senate resolved itself into a Committee of the Whole.

The distinguished Senator from the State of Utah, Senator Frank E. Moss, appeared before the Committee of the Whole.

On motion of Senator B. Jenkins the Committee of the Whole was dissolved.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 1 having retained its position was before the Senate.

On motion of Senator D. Taylor, S. B. No. 1 was made a special order of business for Thursday, February 14, 1963 at 2:00 P.M.

S. B. No. 66 was read the third time and placed on its final passage.

On motion of Senator Hunter, S. B. No. 66 retained its position on the Third Reading Calendar.

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:

Yeas, 23; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond and Hunter.

S. B. No. 69 was transmitted to the House.

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:

Yeas, 23; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond and Hunter.

S. B. No. 85 was transmitted to the House.

S. B. No. 87 was read the third time and placed on its final passage.

On motion of Senator Kerr, the title of S. B. No. 87 was amended as follows:

Line 4 of the title following the word "COLLEGES" insert the words "AND OF THE UTAH STATE UNIVERSITY".

On motion of Senator Kerr, S. B. No. 87 was amended as follows:

Page 1, line 8, after the word "college" and prior to the period insert the words "and of the Utah State University".

Page 1, line 16, after the word "college" insert the words "and of the Utah State University".

S. B. No. 87 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Those voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, G. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, Miller and S. Taylor.

S. B. No. 87 was transmitted to the House.

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:

Yeas, 23; Nays, 0; Absent, 2.

Those voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond and Rees.

S. B. No. 68 was transmitted to the House.

S. B. No. 37 was read the third time and placed on its final passage.

On motion of Senator B. Jenkins, the Senate adjourned until Tuesday, February 12, 1963 at 11:00 A.M.

THIRTIETH DAY

MORNING SESSION

February 12, 1963

The Senate was called to order at 11:00 A.M. President Bullen in the chair.

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

Prayer by the Chaplain.

February 12, 1963

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,

ERNEST G. MANTES,
Acting Chairman

Report adopted and filed.

REPORTS OF SPECIAL COMMITTEES

February 12, 1963

Mr. President:

REPORT OF YOUR COMMITTEE ON THE IDAHO LEGISLATURE JOINT MEMORIAL No. 5 – February 11, 1963

1. Your Committee on Revenue and Taxation report that the general proceedings and acts of the conference have been written and filed with the Senate Clerk.

2. Agreement was made that a 9 man committee would be set up to further study the problem discussed in Memorial No. 5, consisting of 3 senators, bipartisan, 3 representatives, bipartisan, Chairman of the Tax Commission, Head of the Public Safety Commission and the Attorney General; also, that the President of the Senate and Speaker of the House shall choose members from each House.

3. The Idaho Legislature to set up a like committee.

4. The committee should act immediately on the complaints in the Joint Memorial No. 5 and that the complaints may be disposed of, if possible, before the close of the Legislative Session.

5. That the two bills – the Driver's License Compact and the Vehicle Equipment Safety Compact, be passed by the Idaho Legislature and likewise by the Utah State Legislature.

Respectfully,

CHARLES R. HUNTER,
Chairman

Committee report read and adopted.

REPORTS OF STANDING COMMITTEES

February 12, 1963

Mr. President:

Your Rules Committee, to which were referred

S. B. No. 147 (Education)

S. B. No. 149 (State, Federal & Military Affairs & Civil Defense)

S. B. No. 150 (Judiciary)

S. B. No. 160 (Business and Commerce)

S. B. No. 161 (Judiciary)

S. B. No. 163 (State, Federal & Military Affairs & Civil Defense)

S. B. No. 167 (Agriculture and Irrigation)

S. B. No. 168 (Industry)

B. B. No. 170 (Education)

S. B. No. 172 (Industry)

S. B. No. 173 (Political Subdivisions)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

COMMUNICATIONS FROM THE GOVERNOR

February 11, 1963

Honorable Reed Bullen
President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bills, which have been forwarded to the Secretary of State for filing.

S. B. No. 12 S. B. No. 14

Yours Sincerely,

ROLAND G. ROBISON, JR.,
Administrative Asst.

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

February 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 83 – PURCHASES FOR POLITICAL SUBDIVISIONS,

and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 83 was read the first time and referred to the Committee on Political Subdivisions.

February 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, H. B. No. 89 – DEFINITION OF APPRENTICE, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 89 was read the first time and referred to the Committee on Labor.

February 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 88 – UTAH TECHNICAL INSTITUTE AT PROVO, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 88 was read the first time and referred to the Committee on Education.

February 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 66 – ASSESSMENT OF MINES, and the same is trans-

mitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 66 was read the first time and referred to the Committee on Revenue and Taxation.

February 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 120 – MECHANIC'S LIENS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 120 was read the first time and referred to the Committee on Industry.

February 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 131 – MARRIAGE LICENSE FOR MINORS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 131 was read the first time and referred to the Committee on Judiciary.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 11 By Messrs. Brockbank and D. Taylor

A JOINT RESOLUTION PROPOSING TO ADD SECTION 32 TO ARTICLE VI OF THE CONSTITUTION OF THE STATE OF UTAH RELATING TO TEMPORARY SUCCESSION TO THE POWERS AND DUTIES OF PUBLIC OFFICES IN PERIODS OF EMERGENCY RESULTING FROM DISASTER CAUSED BY ENEMY ATTACK, was read the first time and referred to the Committee on Rules.

INTRODUCTION OF BILLS

S. B. No. 176 By Mr. Hunter

AN ACT RELATING TO THE ISSUANCE OF TAX ANTICIPATION NOTES BY STATE BUILDING BOARDS; PROVIDING AUTHORITY FOR THE ISSUANCE OF TAX ANTICIPATION NOTES AND FOR REPAYMENT OF SAME; AND FOR THE USE OF THE FUNDS OBTAINED, was read the first time and referred to the Committee on Rules.

S. B. No. 177 By Mr. Grover

AN ACT VALIDATING MARRIAGES BETWEEN PERSONS WHO ARE NEGRO AND WHITE AND BETWEEN MONGOLIANS, MEMBERS OF MALAY RACE OR MULATTOS, QUADROON, OR OCTOROON, AND A WHITE PERSON, was read the first time and referred to the Committee on Rules.

S. B. No. 178 By Mr. Stacey

AN ACT RELATING TO UNIFORM TESTING OF ELEMENTARY AND HIGH SCHOOL STUDENTS; REQUIRING THAT THE STATE BOARD OF EDUCATION PROMULGATE UNIFORM TEST QUESTIONS; PROVIDING FOR THE USE OF SUCH QUESTIONNAIRES IN GRADING THE PUPILS, TEACHERS, TEXTBOOKS, AND METHODS OF THE STATE SCHOOL SYSTEM, was read the first time and referred to the Committee on Rules.

S. B. No. 179 By Messrs. Brockbank and D. Taylor

AN ACT AMENDING SECTION 77-10-6, UTAH CODE ANNOTATED 1953, RELATING TO ENUMERATION OF PEACE OFFICERS, was read the first time and referred to the Committee on Rules.

S. B. No. 180 By Mr. Kerr

AN ACT AMENDING SECTION 26-15-3, UTAH CODE ANNOTATED, AS AMENDED BY CHAPTER 41, LAWS OF UTAH 1959, AND CHAPTER 163, LAWS OF UTAH 1961, RELATING TO THE STATE DIRECTOR OF PUBLIC HEALTH, PROVIDING FOR HIS APPOINTMENT, QUALIFICATIONS, SALARY AND TERM, WITH A PROVISION FOR VACANCY IN THE OFFICE AND THE APPOINTMENT OF AN INTERIM DIRECTOR AND AN APPOINTMENT OF A NEW DIRECTOR WHEN NECESSARY, was read the first time and referred to the Committee on Rules.

S. B. No. 181 By Messrs. Brockbank and D. Taylor

AN ACT AMENDING SECTION 13-5-9, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 19, LAWS OF UTAH 1955, RELATING TO THE UNFAIR PRACTICE ACT; PROVIDING FOR A LIMITATION ON THE QUANTITY OF ANY ARTICLE OR PRODUCT SOLD OR OFFERED FOR SALE TO ANY ONE CUSTOMER, was read the first time and referred to the Committee on Rules.

S. B. No. 182 By Messrs. Browning and Stacey

AN ACT AUTHORIZING THE STATE BUILDING BOARD TO CONSTRUCT A BUILDING FOR THE STATE ROAD COMMISSION TO HOUSE ITS MATERIALS TESTING LABORATORY AND SIGN DEPARTMENT AT A COST OF NOT TO EXCEED $450,000; PROVIDING THAT THE STATE BOARD OF LOAN COMMISSIONERS MAY NEGOTIATE A LOAN FOR SAID AMOUNT FROM THE STATE INSURANCE FUND, THE STATE LAND BOARD, THE STATE SCHOOL EMPLOYEES' RETIREMENT FUND, THE STATE TREASURER OR ANY OTHER STATE AGENCY OR INSTITUTION HAVING CONTROL OF PUBLIC FUNDS AND AUTHORIZED TO LOAN OR INVEST THE SAME; AND PROVIDING THAT THE STATE ROAD COMMISSION SHALL REPAY SAID LOAN IN ANNUAL INSTALLMENTS WITHIN TEN YEARS FROM FUNDS APPROPRIATED TO IT FOR ADMINISTRATION AND MAINTENANCE, was read the first time and referred to the Committee on Rules.

S. B. No. 183 By Messrs. Stacey and Holman

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 27-9-8, UTAH CODE ANNOTATED 1953, PROHIBITING THE LOCATION OF COMMERCIAL FACILITIES FOR SERVING MOTOR VEHICLE USERS ON PUBLICLY-CONTROLLED LAND ALONG LIMITED-ACCESS FACILITIES, was read the first time and referred to the Committee on Rules.

S. B. No. 184 By Messrs. B. Jenkins and Kerr

AN ACT AMENDING SECTION 53-29-9, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 100, LAWS OF UTAH (1st S. S.), AND AS AMENDED BY CHAPTER 110, LAWS OF UTAH 1961, RELATING TO THE UTAH STATE SCHOOL EMPLOYEES' RETIREMENT ACT, FOR THE PURPOSE OF SIMPLIFYING INVESTMENT PROCEDURES; AND ADDING BONDS OR NOTES OF U. S. GOVERNMENT AGENCIES TO LIST OF AUTHORIZED INVESTMENTS, was read the first time and referred to the Committee on Rules.

S. B. No. 185 By Messrs. Grover, B. Jenkins and Kerr

AN ACT AMENDING SECTIONS 17-7-12, 17-7-13, 17-7-14, 17-7-15, 17-7-18, 17-7-19, 17-7-20, 17-7-21, 17-7-22 and 17-7-27, UTAH CODE ANNOTATED 1953 AND ENACTING NEW SECTIONS TO BE KNOWN AS 17-7-12.5, 17-7-18.5, 17-7-18.6 and 17-7-19.5, UTAH CODE ANNOTATED 1953, RELATING TO COUNTY IMPROVEMENT DISTRICTS FOR THE MAKING OF LOCAL IMPROVEMENTS AND THE FINANCING THEREOF THROUGH THE LEVYING OF SPECIAL ASSESSMENTS ON BENEFITED PROPERTY AND THE ISSUANCE OF BONDS; PROVIDING FOR NOTICES TO PROPERTY OWNERS IN SUCH DISTRICTS AND THE CONTENTS OF SUCH NOTICES; PROVIDING THE TIME WITHIN WHICH PROTESTS MUST BE MADE TO THE MAKING OF IMPROVEMENTS, THE LEVY OF ASSESSMENTS AND THE ISSUANCE OF BONDS; PROVIDING THAT BONDS MAY BE ISSUED AT ANY TIME AFTER THE CONTRACT FOR THE IMPROVEMENTS HAS BEEN LET; SIMPLIFYING, CLARIFYING AND IMPROVING THE PROCEDURE TO BE FOLLOWED IN LEVYING SPECIAL AESSESSMENTS AND ISSUING BONDS PAYABLE THEREFROM, VALIDATING, RATIFYING AND APPROVING AND CONFIRMING ALL PROCEEDINGS HERETOFORE TAKEN IN CONNECTION WITH SUCH ASSESSMENTS AND BONDS, MAKING CERTAIN FINDINGS WITH RESPECT THERETO AND AUTHORIZING ALTERNATIVE METHODS OF PROCEDURE IN CERTAIN CASES, was read the first time and referred to the Committee on Rules.

UNFINISHED BUSINESS

S. B. No. 37 being Unfinished Business, was before the Senate.

S. B. No. 37 failed of passage on the following roll call:

Yeas, 12; Nays, 8; Absent, 5.

Voting in the affirmative were: Senators Barlow, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, and D. Taylor.

Voting in the negative were: Senators Brockbank, Gardner, Grover,, Mantes, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hafen, Hammond and Miller.

Senator Waddingham served notice that on the next Legislative day he would ask the Senate to re-consider its vote by which S. B. No. 37 failed of passage.

On motion of Senator Brockbank, 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. 90 was read the second time.

Committee report read and adopted.

S. B. No. 90 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Gardner, Hafen, Hammond and D. Taylor.

S. B. No. 91 was read the second time.

Committee report read and adopted.

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

Dr. ElRoy Nelson appeared before the Committee of the Whole.

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

On motion of Senator Hunter, S. B. No. 91 retained its position on the Second Reading Calendar.

On motion of Senator Kerr the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 79 was read the second time.

Committee report read and adopted.

On motion of Senator Brockbank S. B. No. 79 was amended as follows:

Page 2, following the word "apply" and after the period on line 27, delete remainder of the line.

Page 2, delete lines 28, 29, 30 and 31 inclusive.

S. B. No. 79 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Browning, Hammond, Memmott, D. Taylor and Waddingham.

On motion of Senator Brockbank, S. B. Nos. 93, 86 and 105 were lifted from the Second Reading Calendar and referred to the Appropriations Committee for consideration. After notation of appropriations have been made, S. B. Nos. 93, 86 and 105 are to be immediately referred back to take their place at the head of the Second Reading Calendar.

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

M. J. P. O'Keefe appeared before the Committee of the Whole and made a presentation of a copper gavel to Mr. President, in behalf of Kennecott Copper Corporation.

President Bullen acknowledged and thanked Mr. O'Keefe for the copper gavel.

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

S. B. No. 92 was read the second time.

Committee report read and adopted.

S. B. No. 92 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Gardner, Hammond, M. Jenkins and Memmott.

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

Mayor Anderson, from American Fork, appeared before the Committee of the Whole.

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

SPECIAL ORDER

S. J. R. No. 5 and S. B. No.. 27, being a Special Order of Business, were before the Senate.

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

On motion of Senator B. Jenkins, the call of the Senate was lifted.

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

Mr. Orville Gunther, Chairman of Utah State Tax Commission, appeared before the Committee of the Whole.

Mr. Norman Johnson, Dr. Osmond L. Harline and Mr. John Rockham, appeared before the Committee of the Whole.

On motion of Senator Kerr, the Senate recessed to meet with the House in a Joint Committee of the Whole.

On motion of Representative Rockwood, the Senate and the House resolved itself into a Joint Committee of the Whole.

Mr. Robert W. Tegeder, Superintendent, Utah Schools for the Deaf and Blind, appeared before the Joint Committee of the Whole.

Mr. R. Paul Thompson, Mr. Merlin J. Peterson, two students from the School for the Deaf and twenty-two students from the School for the Blind, appeared before the Joint Committee of the Whole and presented a fine program.

Representative Clyde acknowledged and made responsive appreciation to the students and to their instructors for the fine program presented on this memorable day, that of our great emancipator's birthday.

On motion of Representative Rockwood, the Joint Committee of the Whole was dissolved.

The Senate re-assembled.

The Senate continued as a Committee of the Whole, to discuss S. J. R. No. 5 and S. B. No. 27, which were before the Senate as a Special Order of Business.

Mr. Orville Gunther, Chairman of Utah State Tax Commission, further appeared before the Committee of the Whole.

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

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

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

On motion of Senator Barlow S. J. R. No. 5 was amended as follows:

Page 1, following line 10, the new paragraph should now read:

All tangible personal property held for sale which is present in Utah on January 1, m, and which is shipped to final destination outside this State within the succeeding ten months is deemed to have acquired no situs in Utah for purposes of ad valorem property taxation and shall be exempt whether manufactured, processed or produced or otherwise originating within or without the State.

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

Yeas, 18; Nays, 4; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Hafen, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President. Political Subdivisions.

Voting in the negative were: Senators Grover, Holman, Lambert and Mantes.

Absent and not voting were: Senators Browning, Gardner and Hammond.

On motion of Senator Barlow, S. B. No. 27 was tabled.

On motion of Senator Kerr, the Senate adjourned until Wednesday, February 13, 1963 at 10:00 A.M.

THIRTY-FIRST DAY

MORNING SESSION

February 13, 1963

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

Roll Call – All Senators present.

Prayer by Reverend Fred Venable, Pastor of Christ Methodist Church of Salt Lake.

February 13, 1963

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,

E. G. MANTES,
Acting Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 12, 1963

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 – DEFINING AIR POLLUTION AS A PUBLIC NUISANCE, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 4 was read the first time and referred to the Committee on Public Health, Welfare and Institutions.

Mr. President: February 12, 1963

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 5 – COMPANION TO H. B. No. 4 AUTHORIZING COUNTIES TO PASS AND ENFORCE AIR POLLUTION ORDINANCES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 5 was read the first time and referred to the Committee on Public Health, Welfare and Institutions.

February 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in the Senate amendments to H. B. No. 11 entitled PUBLIC SAFETY, and requests the Senate to recede from its amendments.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Hafen, the Senate refused to recede from its amendments and President Bullen appointed a Conference Committee consisting of Senators Hafen, B. Jenkins and Waddingham, to act with a like committee from the House to confer on H. B. No. 11.

February 12, 1963

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 – QUALIFICATION, LICENSING AND REGULATION OF OPTICIAN, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 35 was read the first time and referred to the Committee on Public Health, Welfare and Institutions.

REPORTS OF STANDING COMMITTEES

February 13, 1963

Mr. President:

Your Rules Committee, to which were referred

S. J. R. No. 11 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 175 (Industry)
S. B. No. 176 (Revenue & Taxation)
S. B. No. 177 (Judiciary)
S. B. No. 178 (Education)
S. B. No. 179 (Judiciary)
S. B. No. 180 (Public Health, Welfare and Institutions)
S. B. No. 182 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 183 (Highways)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were orderd printed and referred to the Committees indicated.

Mr. President: February 13, 1963

Your Committee on Agriculture and Irrigation to which was referred H. B. No. 32, by Messrs. L. R. Monroe, Hamilton, Jones and S. A. Smith, has carefully considered said bill and reports the same out favorably.

Respectfully,

KLEON KERR,

Chairman

Report filed.

H. B. No. 32 was placed on the Second Reading Calendar.

Mr. President: February 13, 1963

Your Committee on Agriculture and Irrigation to which was referred H. B. No. 21, by Mrs. Vance, Messrs. S. A. Smith, L. R. Monroe, Jorgensen and Green, has carefully considered said bill and reports the same out favorably.

Respectfully,

KLEON KERR,

Chairman

Report filed.

H. B. No. 21 was placed on the Second Reading Calendar.

Mr. President: February 13, 1963

Your Committee on Agriculture and Irrigation to which was referred H. B. No. 20, by Mrs. Vance, Messrs L. R. Monroe, Jorgensen, S. A. Smith and Green, has carefully considered said bill and reports the same out favorably.

Respectfully,

KLEON KERR,

Chairman

Report filed.

H. B. No. 20 was placed on the Second Reading Calendar.

Mr. President: February 13, 1963

Your Committee on Business and Commerce to which was referred H. B. No. 76, by Messrs. Harward and Kastler, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,

Chairman

Report filed.

H. B. No. 76 was placed on the Second Reading Calendar.

Mr. President: February 13, 1963

Your Committee on Business and Commerce to which was referred H. B. No. 72, by Messrs. Harward and Kastler, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 72 was placed on the Second Reading Calendar.

Mr. President: February 13, 1963

Your Committee on Business and Commerce to which was referred H. B. No. 70, by Messrs. Harward, Poulson, Kastler and Cooper, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 70 was placed on the Second Reading Calendar.

Mr. President: February 13, 1963

Your Committee on Business and Commerce to which was referred H. B. No. 69, by Messrs. Harward, Poulson, Kastler and Cooper, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 69 was placed on the Second Reading Calendar.

Mr. President: February 13, 1963

Your Committee on Business and Commerce to which was referred H. B. No. 68, by Messrs. Harward, Cooper and Kastler, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 68 was placed on the Second Reading Calendar.

February 13, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred S. B. No. 11, by Messrs. B. Jenkins, G. D. Taylor and Bullen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

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

February 13, 1963

Mr. President:

Your Committee on Fish and Game to which was referred S. B. No. 111, by Messrs. Bullen, Kerr and Browning, has carefully considered said bill and reports the same out favorably.

Respectfully,

FRANK M. BROWNING,
Chairman

Report filed.

S. B. No. 111 was placed on the Second Reading Calendar.

February 13, 1963

Mr. President:

Your Committee on Fish and Game to which was referred H. B. No. 104, by Messrs. Anderson, Warren, Tanner, Harward and Tracy, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

FRANK M. BROWNING,
Chairman

Report filed.

H. B. No. 104 was placed on the Second Reading Calendar.

February 13, 1963

Mr. President:

Your Committee on Public Health and Welfare to which was referred H. J. R. No. 3, by Mr. J. R. Smith, Mrs. Vance, Messrs. McKay and Hansen,

has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Acting Chairman

Report filed.

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

Mr. President: February 13, 1963

Your Committee on Public Health and Welfare to which was referred H. B. No. 51, by Mr. J. M. Smith, Mrs. Vance, Messrs. McKay and Hansen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Acting Chairman

Report filed.

H. B. No. 51 was placed on the Second Reading Calendar.

Mr. President: February 13, 1963

Your Committee on State and Federal Affairs to which was referred H. B. No. 2, by Messrs. Kastler, J. M. Smith and Darger, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

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

Mr. President: February 13, 1963

Your Committee on State and Federal Affairs to which was referred S. B. No. 138, by Messrs. Rees and Memmott, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 138 was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. C. R. No. 2 By Messrs. Bullen, S. Taylor and M. Jenkins

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE 35TH LEGISLATURE OF THE STATE OF UTAH, MEMORIALIZING CONGRESS TO RESTRICT THE AREA OF THE PROPOSED WILDERNESS SYSTEM, AND OF OTHER AREAS WITHDRAWN BY THE FEDERAL GOVERNMENT FROM STATE CONTROL AND FROM THE NORMAL DEVELOPMENT OF NATURAL RESOURCES BY STATE AND/OR PRIVATE AGENCIES, was read the first time and referred to the Committee on Rules.

INTRODUCTION OF BILLS

S. B. No. 186 By Messrs. B. Jenkins, Lambert and Waddingham

AN ACT AMENDING SECTION 77-57-18, UTAH CODE ANNOTATED 1953, RELATING TO QUALIFICATIONS, SUMMONING AND CHALLENGES OF JURORS IN JUSTICE COURTS, was read the first time and referred to the Committee on Rules.

S. B. No. 187 By Messrs. B. Jenkins and Waddingham

AN ACT AMENDING SECTION 78-51-21, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 175, LAWS OF UTAH 1957, RELATING TO ATTORNEYS, ELIMINATING MAINTENANCE OF FUNDS WITH THE STATE TREASURER AND DISBURSEMENTS THROUGH THE DEPARTMENT OF FINANCE AND PROVIDING FOR AN ANNUAL AUDIT TO BE FILED WITH THE STATE AUDITOR, was read the first time and referred to the Committee on Rules.

S. B. No. 188 By Messrs. Waddingham, Rees and B. Jenkins

AN ACT AMENDING SECTIONS 20-11-21, 20-11-22, 20-11-23, 20-11-24 AND 20-11-25, UTAH CODE ANNOTATED 1953, RELATING TO DIRECT LEGISLATION IN MUNICIPALITIES AND EXPANDING THEIR PROVISIONS TO PROVIDE FOR INITIATIVE AND REFERENDUM OF COUNTY LEGISLATION, was read the first time and referred to the Committee on Rules.

S. B. No. 189 By Messrs. B. Jenkins, Holman and Hunter

AN ACT AMENDING SECTION 14-2-2, UTAH CODE ANNOTATED 1953, RELATING TO THE DIRECT LIABILITY OF PERSONS FAILING TO FURNISH A BOND ON PRIVATE BUILDING CON-

TRACTS, AND PROVIDING THAT ACTIONS TO RECOVER AGAINST SUCH PERSONS MUST BE COMMENCED WITHIN ONE YEAR FROM THE DATE THE MATERIALS WERE FURNISHED OR THE LABOR PERFORMED, was read the first time and referred to the Committee on Rules.

S. B. No. 190 By Messrs. B. Jenkins, Miller and Brockbank

AN ACT PRESCRIBING REQUIREMENTS TO BE OBSERVED BY ANY COUNTY WHICH ISSUES BONDS FOR THE PURPOSE OF ACQUIRING, IMPROVING, EXTENDING, FURNISHING AND EQUIPPING AUDITORIUMS, SPORTS ARENAS, STADIUMS, CONVENTION CENTERS AND PROPERTIES AND FACILITIES CONSTITUTING A "CONVENTION COMPLEX", OR ANY PART OF THE FOREGOING, was read the first time and referred to the Committee on Rules.

S. B. No. 191 By Mr. Hafen

AN ACT AMENDING SECTION 7-7-9, UTAH CODE ANNOTATED 1953, RELATING TO RESERVES OF SAVINGS AND LOAN ASSOCIATIONS, was read the first time and referred to the Committee on Rules.

S. B. No. 192 By Mr. Hafen

AN ACT PROVIDING THAT FOREIGN SAVINGS AND LOAN ASSOCIATIONS AND FEDERAL CHARTERED SAVINGS AND LOAN ASSOCIATIONS MAY, WITHOUT BEING CONSIDERED TO BE DOING BUSINESS IN UTAH, ACQUIRE DEBTS SECURED BY MORTGAGES OR LIENS ON PROPERTY IN UTAH AND TAKE ACTION IN UTAH NECESSARY TO ENFORCE AND PROTECT THEIR RIGHTS AND INTEREST IN SUCH DEBTS AND THE SECURITY THEREFOR, was read the first time and referred to the Committee on Rules.

S. B. No. 193 By Messrs. Bernhard, Kerr and M. Jenkins

AN ACT AMENDING SECTION 53-29-25, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 20, LAWS OF UTAH 1953 (1st S. S.), AND AMENDED BY CHAPTER 110, LAWS OF UTAH 1961, RELATING TO THE UTAH SCHOOL EMPLOYEES' RETIREMENT ACT, FOR THE PURPOSE OF ALLOWING A MEMBER OF THE UTAH SCHOOL EMPLOYEES' RETIREMENT SYSTEM TO QUALITY FOR RETIREMENT AT AGE 65 WITH 10 YEARS OF SERVICE, was read the first time and referred to the Committee on Rules.

S. B. No. 194 By Messrs. D. Taylor, Barlow and M. Jenkins

AN ACT AMENDING SECTIONS 53-11-49 and 53-11-50, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 107, LAWS OF UTAH 1961, PROVIDING FOR APPROPRIATIONS FOR STATE AID TO QUALIFIED SCHOOL DISTRICTS AND DETERMINING METHOD OF DISTRIBUTION OF STATE FUNDS, was read the first time and referred to the Committee on Rules.

S. B. No. 195 By Messrs. Hafen and Waddingham

AN ACT RELATING TO THE RETIREMENT OF SUPREME COURT JUSTICES, JUDGES OF THE DISTRICT COURTS, AND JUDGES OF THE CITY COURTS; AMENDING SECTION 49-7-1, 49-7-4, AND 49-7-5, UTAH CODE ANNOTATED 1953, VOLUME 5 REPLACEMENT, AND ENACTING NEW SECTIONS TO BE KNOWN AS 49-7-5.1, 49-7-5.2, 49-7-5.3, 49-7-5.4, 49-7-5.5 AND 49-7-7.1, UTAH CODE ANNOTATED 1953, VOLUME 5 REPLACEMENT; AND REPEALING SECTION 49-7-6, UTAH CODE ANNOTATED 1953, VOLUME 5 REPLACEMENT; PROVIDING FOR A JUDGES' RETIREMENT FUND, ITS ADMINISTRATION AND INVESTMENT; FOR CONTRIBUTIONS AND TRANSFERS TO SUCH FUND; FOR TERMINATING CITY COURT JUDGES' PARTICIPATION IN THE UTAH PUBLIC EMPLOYEE'S RETIREMENT ACT; FOR RETIREMENT PAY TO JUDGES AND THEIR WIDOWS; PROVIDING A STANDARD FOR COMPUTING JUDGES AGE AND YEARS OF SERVICE; FOR SERVICE BY A JUDGE AFTER RETIREMENT AND PROVIDING AN EFFECTIVE DATE, was read the first time and referred to the Committee on Rules.

S. B. No. 196 By Messrs Browning and M. Jenkins

AN ACT AMENDING SECTION 53-38-6, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 109, LAWS OF UTAH 1955, AND BY CHAPTER 119, LAWS OF UTAH 1961 PERTAINING TO THE DISPOSITION AND USE OF INCOME DERIVED FROM OPERATION OF BUILDINGS AND CHANGING "WEBER COLLEGE" TO "WEBER STATE COLLEGE"; AND AMENDING SECTION 53-38-15, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 120, LAWS OF UTAH 1961 PERTAINING TO LOANS AUTHORIZED TO PAY FOR COST OF CONSTRUCTION, EQUIPMENT AND FURNISHINGS OF BUILDINGS, AND INCLUDING THE BOARD OF TRUSTEES OF WEBER STATE COLLEGE, was read the first time and referred to the Committee on Rules.

S. B. No. 197 By Messrs Miller and Hafen

AN ACT RELATING TO INTOXICATING LIQUOR PERMITS; PROVIDING FOR THE ISSUANCE OF TEMPORARY PERMITS UPON THE PAYMENT OF A TWENTY-FIVE CENT FEE, was read the first time and referred to the Committee on Rules.

S. B. No. 198 By Messrs. Harmston and Stacey

AN ACT AMENDING CHAPTER 14 OF TITLE 73, UTAH CODE ANNOTATED 1953, RELATING TO THE DUTIES AND POWERS OF THE STATE WATER POLLUTION CONTROL BOARD BY INSERTING A NEW SECTION 73-14-4.1, DEFINING THE POWERS OF THE BOARD WITH REFERENCE TO TREATMENT WORKS OF POLITICAL SUBDIVISIONS AND REQUIRING BOARD APPROVAL OF SYSTEMS WHICH DO NOT POLLUTE THE WATERS OF THE STATE, was read the first time and referred to the Committee on Rules.

S. B. No. 199 By Mr. Harmston

AN ACT ENACTING A NEW SECTION TO BE KNOWN AS SECTION 10-10-59.1, UTAH CODE ANNOTATED 1953, OF THE UNIFORM MUNICIPAL FISCAL PROCEDURES ACT, PROVIDING FOR A PUBLIC HEARING UPON THE ADOPTION OF CASH BUDGETS, was read the first time and referred to the Committee on Rules.

S. B. No. 200 By Mr. D. Taylor

AN ACT RELATING TO PUBLIC SECURITIES; PROVIDING DENOMINATIONS, MANNER OF EXECUTION; SALE AND ISSUANCE OF BONDS BY THE STATE OF UTAH AND OTHER PUBLIC AUTHORITIES OR MUNICIPALITIES IN THE STATE OF UTAH; AND PROVIDING A PENALTY FOR MISUSE OF FACSIMILE SEALS AND SIGNATURES, was read the first time and referred to the Committee on Rules.

S. B. No. 201 By Messrs. B. Jenkins and Kerr

AN ACT AMENDING SECTIONS 20-3-2(b), 20-3-5, 20-3-5(e), 20-3-8, 20-3-13, 20-3-23, 20-3-38, AS AMENDED BY LAWS OF UTAH 1957, CHAPTER 41, SECTION 1, 20-4-1(1), 20-4-1(4), 20-4-2(1), 20-4-3, 20-4-7(1), 20-4-7(2), 20-4-7(3), 20-4-9, AS AMENDED BY LAWS OF UTAH 1957, CHAPTER 42, SECTION 1, AND 20-4-7(1), UTAH CODE ANNOTATED 1953, RELATING TO DIRECT PRIMARIES AND PARTY CONVENTIONS, AND REPEALING SECTIONS 20-4-1(2) AND 20-4-1(3), UTAH CODE ANNOTATED, 1953, was read the first time and referred to the Committee on Rules.

S. B. No. 202 By Mr. D. Taylor

AN ACT PROVIDING FOR WITHDRAWAL OF TERRITORY FROM IMPROVEMENT DISTRICTS CREATED OR OPERATING UNDER AUTHORITY OF CHAPTER 6, TITLE 17, UTAH CODE ANNOTATED 1953, AS AMENDED AND EXTENDED BY CHAPTERS 26 AND 29, LAWS OF

UTAH 1953, AND CHAPTER 31, LAWS OF UTAH 1957, RELATING TO THE ESTABLISHMENT OF SYSTEMS FOR THE SUPPLY, TREATMENT AND DISTRIBUTION OF WATER AND SYSTEMS FOR COLLECTION, TREATMENT AND DISPOSITION OF SEWAGE, AND PROVIDING FOR THE HOLDING OF A DISTRICT COURT HEARING, THE GIVING OF NOTICE THEREOF, THE APPOINTMENT OF COMMSSIONERS TO ADJUST TERMS AND THE PAYMENT OF INDEBTEDNESS AND COSTS, was read the first time and referred to the Committee on Rules.

S. B. No. 203 By Messrs. Hunter and Gardner

AN ACT RELATING TO BUILDINGS OF UNIVERSITIES AND COLLEGES PROVIDING AUTHORITY FOR COLLEGES AND UNIVERSITIES TO PURCHASE EXISTING BUILDINGS AND LAND; AND AUTHORIZING THE ISSUANCE OF REVENUE BONDS FOR THE FINANCING OF THE PURCHASE OF SUCH BUILDINGS AND LAND, was read the first time and referred to the Committee on Rules.

S. B. No. 204 By Messrs. B. Jenkins and Grover

AN ACT AMENDING SECTION 78-11-10, UTAH CODE ANNOTATED 1953, RELATING TO ACTIONS AGAINST LAW ENFORCEMENT OFFICERS, was read the first time and referred to the Committee on Rules.

S. B. No. 205 By Mr. Brockbank

AN ACT RELATING TO INSTALLMENT SALE TRANSACTIONS; PROVIDING FOR THE FULL DISCLOSURE BETWEEN BUYER AND SELLER OF THE TERMS OF AN INSTALLMENT SALE OF PERSONAL PROPERTY OR SERVICES UNDER INSTALLMENT CONTRACTS OR RETAIL CHARGE AGREEMENT; PROVIDING FOR MAXIMUM CHARGES TO BE MADE IN CONNECTION THEREWITH AND REPEALING CHAPTER 24 OF THE SESSION LAWS OF 1953, was read the first time and referred to the Committee on Rules.

Upon the recommendation of Senator Hunter, Chairman of the Revenue and Taxation Committee, and in compliance with the report submitted on February 12, 1963 and adopted by members of the Senate, President Bullen appointed a Special Committee consisting of Senators Stacey, Bernhard and M. Jenkins to further study the problem discussed in the Idaho Legislature Joint Memorial No. 5.

This Committee will be a part of a nine man committee consisting of three Senators, bipartisan, three Representatives, bipartisan, Chairman of the Tax Commission, Chairman of the Public Safety Commission and the Attorney General.

On motion of Senator Browning, the rules were suspended and the Senate voted to make S. B. No. 114 a Special Order of Business for today at 3:00 P.M.

Senator Waddingham, having voted on the prevailing side moved that the Senate do re-consider its final action of S. B. No. 37.

Motion carried.

Senator Waddingham, with the aid of five senators requested a Call of the Senate.

On motion of Senator Grover, the Call of the Senate was lifted.

On motion of Senator Grover, S. B. No. 37 was placed at the head of the Third Reading Calendar until Senate Bills are considered, at which time the Senate's action on S. B. No. 37 will be reconsidered.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 18 was read the third time and placed on its final passage.

H. B. No. 18 then passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Memmott.

Absent and not voting was Senator Mantes.

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 further action.

H. B. No. 30 was read the third time and placed on its final passage.

H. B. No. 30 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Mantes.

H. B. No. 30 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 22 was read the third time and placed on its final passage.

On motion of Senator Brockbank H. B. No. 22 was amended as follows:

Page 2, line 11, delete "9,000" insert in lieu thereof "10,000".

H. B. No. 22 then passed on the following roll call.

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hafen, Hunter and Mantes.

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 further action.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 12 having retained its position was before the Senate.

H. B. No. 12 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Mantes and Sowards.

H. B. No. 3 having retained its position was before the Senate.

H. B. No. 3 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 12; Nays, 11; Absent, 2.

Voting in the affirmative were: Senators Barlow, Gardner, Grover, Hafen, Hammond B. Jenkins, Kerr, Miller, Sowards, G. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators Bernhard, Browning, Harmston, Holman, Hunter, M. Jenkins, Lambert, Memmott, Rees, Stacey and Waddingham.

Absent and not voting were: Senators Brockbank and Mantes.

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

Committee report read and adopted.

On motion of Senator Waddingham, H. B. No. 28 retained its position on the Second Reading Calendar.

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

Committee report read and adopted.

On motion of Senator Hunter, H. J. R. No. 2 retained its position on the Second Reading Calendar.

H. B. No. 34 was read the second time.

Committee report read and adopted.

H. B. No. 34 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Kerr, Memmott and Waddingham.

H. B. No. 47 was read the second time.

Committee report read and adopted.

H. B. No. 47 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Browning, Kerr, Memmott and Waddingham.

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

Committee report read and adopted.

On motion of Senator Holman, 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:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Hammond, Kerr, Memmott and Waddingham.

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 further action.

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

Committee report read and adopted.

On motion of Senator Grover 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:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Miller, Rees, Sowards, Stacey, G. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Hammond, Kerr, Memmott and S. Taylor.

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 further action.

On motion of Senator D. Taylor, the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

COMMUNICATIONS FROM THE HOUSE

February 13, 1963

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 Sheffield, Watkins, and Hodgson, to act with a like Committee from the Senate to consider H. B. No. 11, entitled PUBLIC SAFETY.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Hafen, the rules were suspended and the Senate voted to proceed to consider House Bills that were placed on the Second Reading Calendar today.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 32 was read the second time.

Committee report read and adopted.

H. B. No. 32 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Memmott, Miller, Rees, Sowards, G. Taylor, S. Taylor and Mr. President. President.

Absent and not voting were: Senators Barlow, Brockbank, Browning, Kerr, Miller and Waddingham.

H. B. No. 21 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins, H. B. No. 21 retained its position on the Second Reading Calendar.

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.

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Memmott, Miller, Rees, Sowards, G. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Hafen, Kerr, Mantes, Stacey and S. Taylor.

On motion of Senator B. Jenkins, the rules were suspended and the Senate voted to now consider H. B. No. 21.

H. B. No. 21 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Hafen, Kerr, Mantes and Waddingham.

H. B. No. 76 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins, H. B. No. 76 retained its position on the Second Reading Calendar together with H. B. Nos. 72, 70, 69 and 68 until H. B. No. 58 is reported out of the Second Reading Calendar at which time these bills will then be considered.

H. B. No. 104 was read the second time.

Committee report read and adopted.

On motion of Senator Harmston, the rules were suspended and H. B. No. 104 was read the third time and placed on its final passage.

H. B. No. 104 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor.

Absent and not voting were: Senators Hafen, M. Jenkins, Mantes, Waddingham and Mr. President.

Senator Brockbank served notice that on the next Legislative day he would ask the Senate to reconsider its final action on H. B. No. 104.

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

Mr. Merrill K. Davis and Mr. Russell L. Davis, appeared before the Committee of the Whole.

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

SPECIAL ORDER

S. B. Nos. 31, 32, 33, 34 and 36 being a Special Order of Business, were before the Senate.

S. B. No. 31 was read the second time.

Committee report read and adopted.

S. B. No. 31 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Memmott, Rees, Sowards, Stacey and S. Taylor.

Absent and not voting were: Senators Brockbank, Lambert, Mantes, Miller, G. Taylor, Waddingham and Mr. President.

S. B. No. 32 was read the second time.

Committee report read and adopted.

On motion of Senator Bernhard, S. B. No. 32 was amended as follows:

Page 1, line 16, after the word "act," delete the word "executive" so that the line reads, "shall act as secretary to the commission."

Page 1, line 18, after the word "allowance," as it first appears, delete the words "or pay allowance" so that the line will read, "pay, or unless a per diem allowance is now or hereafter . . ." etc.

S. B. No. 32 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Lambert and Mantes.

S. B. No. 33 was read the second time.

Committee report read and adopted.

On motion of Senator Rees, S. B. No. 33 was amended as follows:

Page 1, lines 7, 8, 9: Delete sentence reading "upon a petition for a county library signed by ten per cent of the registered voters of the county, the county commissioners shall establish and maintain a public library."

Page 4, lines 8, 9, 10: Delete new section 37-3-9, lines 8, 9, 10 of this bill, then renumber remaining sections accordingly.

S. B. No. 33 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Hammond, Hunter, and Mantes.

S. B. No. 34 was read the second time.

Committee report read and adopted.

On motion of Senator Bernhard, S. B. No. 34 was amended as follows:

Page 3, line 21, after the word "library," add the word "commission."

S. B. No. 34 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, M. Jenkins, Mantes, Memmott and G. Taylor.

S. B. No. 36 was read the second time.

Committee report read and adopted.

S. B. No. 36 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Grover, Hafen, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Mantes, Memmott, Miller, Rees, Sowards, G. Taylor, S. Taylor and Waddingham.

Absent and not voting were: Senators Gardner, Hammond, Holman, Lambert, Stacey and Mr. President.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

SPECIAL ORDER

S. B. No. 114 being a Special Order of Business, was before the Senate.

S. B. No. 114 was read the second time.

Committee report read and adopted.

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

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

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

Mr. Wesley Nelson, Mr. Harold Crane and Mr. Lamar Dastrup, appeared before the Committee of the Whole.

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

On motion of Senator Waddingham, S. B. No. 114 was amended as follows:

Page 2, line 20, delete the brackets also "12".

Page 2, line 22, delete the brackets before and after "[14]" then delete "12."

Page 2, line 24, delete the brackets and "12".

S. B. No. 114 was placed on the Third Reading Calendar on the following Roll Call.

Yeas, 18; Nays, 5; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Harmston, M. Jenkins, Kerr, Mantes, Memmott, Miller, Rees, Sowards, G. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Holman, Hunter, B. Jenkins, Lambert and Stacey.

Absent and not voting were: Senators Grover and Hammond.

On motion of Senator Kerr, the Senate adjourned until Thursday, February 14, 1963 at 11:00 A.M.

THIRTY-SECOND DAY

MORNING SESSION

February 14, 1963

The Senate was called to order at 11:00 A.M. President Bullen in the chair.

Roll Call – All Senators present.

Prayer by Reverend Fred Venable, Pastor of Christ Methodist Church of Salt Lake City, Utah.

February 14, 1963

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,

WENDELL GROVER,
Acting Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 13, 1963

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. 39: IDEALS OF THE U. S.– PRE-REQUISITES IN COLLEGES & UNIVERSITIES, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate voted to concur with the House amendments of S. B. No. 39 on the following roll call:

Yeas, 16; Nays, 7; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Hafen, Hammond, Holman, M. Jenkins, Kerr, Lambert, Mantes, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Voting in the negative were: Senators Grover, Harmston, B. Jenkins, Memmott, Miller, D. Taylor and Waddingham.

Absent and not voting were: Senators Brockbank and Hunter.

S. B. No. 39 was transmitted to the House for their further action.

Mr. President: February 12, 1963

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 96 – DENTIST FOR BASIC SCIENCE EXAMINING BOARD, and the same is transmitted herewith for yoyur action.

Respectfully,
HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 96 was read the first time and referred to the Committee on Business and Commerce.

REPORTS OF STANDING COMMITTEES

Mr. President: February 14, 1963

Your Rules Committee, to which were referred

S. C. R. No. 2 (State, Federal & Miliary Affairs & Civil Defense)

S. B. No. 186 (Judiciary)

S. B. No. 187 (Judiciary)

S. B. No. 190 (Political Subdivisions)

S. B. No. 192 (Business Commerce)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,
LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were orderd printed and referred to the Committees indicated.

Mr. President: February 14, 1963

Your committee on Joint Appropriations Committee to which was referred S. B. No. 105, by Messrs. G. D. Taylor, Gardner and Hunter, has carefully considered said bill and reports the same out favorably.

Respectfully,

W. HUGHES BROCKBANK,
Chairman

Report filed.

S. B. No. 105 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Industry to which was referred S. B. No. 117, by Messrs. Miller, Kerr and B. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

S. B. No. 117 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Industry to which was referred S. B. No. 155, by Messrs. Memmott, Hunter and B. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

S. B. No. 155 was placed on the Second Rading Calendar.

Mr. President: February 14, 1963

Your Committee on Industry to which was referred S. B. No. 141, by Messrs. Mantes, Brockbank and M. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

S. B. No. 141 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Industry to which was referred S. B. No. 140, by Messrs. Mantes, Brockbank and M. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,
S. J. TAYLOR,
Chairman

Report filed.

S. B. No. 140 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Industry to which was referred S. B. No. 142, by Messrs. Mantes, Brockbank and M. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,
S. J. TAYLOR,
Chairman

Report filed.

S. B. No. 142 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Industry to which was referred S. B. No. 143, by Messrs. Mantes, Brockbank and M. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,
S. J. TAYLOR,
Chairman

Report filed.

S. B. No. 143 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Cour Committee on Industry to which was referred S. B. No. 144, by Messrs. Mantes, M. Jenkins and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,
S. J. TAYLOR,
Chairman

Report filed.

S. B. No. 144 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Industry to which was referred S. B. No. 145, by Messrs. Mantes, Brockbank and M. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,
S. J. TAYLOR,
Chairman

Report filed.

S. B. No. 145 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Judiciary to which was referred S. B. No. 153, by Messrs. Grover and Memmott, has carefully considered said bill and reports the same out favorably.

Respectfully,
ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 153 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Judiciary to which was referred S. B. No. 89, by Mr. Hafen, has carefully considered said bill and reports the same out favorably.

Respectfully,
ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 89 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Judiciary to which was referred S. B. No. 100, by Messrs. Mantes, M. Jenkins and Barlow, has carefully considered said bill and reports the same out without recommendation.

Respectfully,
ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 100 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Judiciary to which was referred S. B. No. 158, by Mr. Grover, has carefully considered said bill and reports the same out without recommendation.

Respectfully,
ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 158 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Judiciary to which was referred S. B. No. 150, by Messrs. Waddingham and Hafen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,
ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 150 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Judiciary to which was referred S. B. No. 126, by Messrs. Bernhard and Browning, has carefully considered said bill and reports the same out without recommendation.

Respectfully,
ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 126 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Judiciary to which was referred H. C. R. No. 1, by Messrs. Darger, Evans, Bullock and Anderson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,
ORVAL HAFEN,
Chairman

Report filed.

H. C. R. No. 1 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Judiciary to which was referred H. B. No. 131, by Messrs. Sheffield and Gunnell, has carefully considered said bill and reports the same out favorably.

Respectfully,
ORVAL HAFEN,
Chairman

Report filed.

H. B. No. 131 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Judiciary to which was referred H. B. No. 93, by Mr. J. Robert Bullock, has carefully considered said bill and reports the same out favorably.

Respectfully,
ORVAL HAFEN,
Chairman

Report filed.

H. B. No. 93 was placed on the Second Reading Calendar.

February 14, 1963

Mr. President:

Your Committee on Judiciary to which was referred H. B. No. 46, by Mr. L. L. Peterson, has carefully considered said bill and reports the same out favorably.

Respectfully,
ORVAL HAFEN,
Chairman

Report filed.

H. B. No. 46 was placed on the Second Reading Calendar.

February 14, 1963

Mr. President:

Your Committee on Judiciary to which was referred H. B. No. 25, by Messrs. Hodgson, Dean and Kastler, has carefully considered said bill and reports the same out favorably.

Respectfully,
ORVAL HAFEN,
Chairman

Report filed.

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

Mr. President: February 14, 1963

Your Committee on Judiciary to which was referred H. B. No. 7, by Messrs. Bullock, Hansen and Thomas, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,

Chairman

Report filed.

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

Mr. President: February 14, 1963

Your Committee on Revenue and Taxation to which was referred S. B. No. 127, by Messrs. Stacey and Sowards, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,

Chairman

Report filed.

S. B. No. 127 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Revenue and Taxation to which was referred H. B. No. 58, by Messrs. Harward, Cooper, Mrs. Vance, Messrs. Kastler and Sheffield, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,

Chairman

Report filed.

H. B. No. 58 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Revenue and Taxation to which was referred H. B. No. 66, by Messrs. Reed, Mayhew, Aiken and Halladay, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,

Chairman

Report filed.

H. B. No. 66 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Education to which was referred H. B. No. 88, by Messrs. Bullock and Hansen, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

H. B. No. 88 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Education to which was referred S. B. No. 147, by Messrs. Hafen and Browning, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 147 was placed on the Second Reading Calendar.

Mr. President: February 14, 1963

Your Committee on Education to which was referred S. B. No. 10, by Messrs. Kerr, Bernhard and B. Jenkins, has carefully considered said bill and reports the same out without recommendation and for further referral to the Appropriations Committee.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report adopted and filed.

Mr. President: February 14, 1963

Your Committee on Education to which was referred S. B. No. 136, by Messrs. Bernhard, Harmston and Waddingham, has carefully considered said bill and reports the same out without recommendation and for further referral to the Appropriations Committee.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report adopted and filed.

February 14, 1963

Mr. President:

Your Committee on Education to which was referred S. B. No. 157, by Messrs. Sowards, Miller and Bernhard, has carefully considered said bill and reports the same out favorably and for further referral to the Appropriations Committee.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report adopted and filed.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 12 By Messrs. Rees and Waddingham

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH CALLING FOR COOPERATION AMONG THE VARIOUS LOCAL, STATE AND FEDERAL AGENCIES, AND ALL OTHER GROUPS CONCERNED, IN THE STUDY OF PROBLEMS INVOLVING THE BEST ALLOCATION OF USE OF OUR WATER RESOURCES, was read the first time and referred to the Committee on Rules.

INTRODUCTION OF BILLS

S. B. No. 206 By Messrs. B. Jenkins and Grover

AN ACT AMENDING SECTIONS 11-4-1, 11-4-2 AND 11-4-3, UTAH CODE ANNOTATED 1953, RELATING TO STANDARD FIRE-FIGHTING EQUIPMENT, was read the first time and referred to the Committee on Rules.

S. B. No. 207 By Messrs. Miller and B. Jenkins

AN ACT AMENDING SECTION 59-15-6, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 126, LAWS OF UTAH 1957, AND CHAPTER 127, LAWS OF UTAH 1957, RELATING TO SALES TAX; PROVIDING FOR AN EXEMPTION FROM SALES TAX FOR PRESCRIPTION MEDICINES AND DRUGS, was read the first time and referred to the Committee on Rules.

S. B. No. 208 By Mr. Waddingham

AN ACT RELATING TO REVENUE AND TAXATION REPEALING SECTIONS 59-21-1, 59-21-2, 59-21-3, 59-21,4, 59-21-5, 59-21-6, 59-21-7,

59-21-8, 59-21-9, 59-21-10, 59-21-11, 59-21-12, 59-21-13, 59-21-14, 59-21-15, 59-21-16, 59-21-17, UTAH CODE ANNOTATED 1953 AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1959, SPECIAL SESSION, REPEALING THE OLEOMARGARINE EXCISE TAX, was read the first time and referred to the Committee on Rules.

S. B. No. 209 By Messrs. B. Jenkins and Miller

AN ACT AMENDING SECTION 78-4-2, UTAH CODE ANNOTATED 1953, RELATING TO CITY JUDGES, PROVIDING FOR MORE JUDGES IN CERTAIN CITIES, was read the first time and referred to the Committee on Rules.

S. B. No. 210 By Messrs. Kerr and Miller

AN ACT AMENDING SECTION 78-46-16, UTAH CODE ANNOTATED 1953, RELATING TO JURY COMMISSIONERS; PROVIDING FOR AN INCREASE IN THE DAILY RATE OF PAY, was read the first time and referred to the Committee on Rules.

S. B. No. 211 By Messrs. Kerr and Miller

AN ACT AMENDING SECTION 75-7-2, UTAH CODE ANNOTATED 1953, RELATING TO APPRAISERS; PROVIDING FOR AN INCREASE IN THE DAILY RATE OF PAY, was read the first time and referred to the Committee on Rules.

S. B. No. 212 By Messrs. Miller and B. Jenkins

AN ACT AMENDING SECTION 59-15-4, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 113, LAWS OF UTAH 1959, AND CHAPTER 148, LAWS OF UTAH 1961, RELATING TO SALES TAX; PROVIDING FOR A REMOVAL FROM SALES TAX APPLICATION CERTAIN SERVICES, was read the first time and referred to the Committee on Rules.

S. B. No. 213 By Mr. Barlow

AN ACT RELATING TO THE TUBERCULOSIS HOSPITAL, AUTHORIZING THE PUBLIC WELFARE COMMISSION TO TAKE SUCH STEPS AS APPEAR ADVISABLE DURING THE NEXT BIENNIUM TO ADJUST THE OPERATIONS OF THIS INSTITUTION IN THE BEST INTEREST OF THE STATE OF UTAH; TO CONTRACT FOR CARE OF TUBERCULOSIS PATIENTS, AND TO PROVIDE FOR THE BENEFICIAL USE OF THE TUBERCULOSIS HOSPITAL, PLANT AND FACILITIES, was read the first time and referred to the Committee on Rules.

S. B. No. 214 By Messrs. Lambert, Kerr and Sowards

AN ACT RATIFYING THE COLUMBIA INTERSTATE COMPACT ENTERED INTO AT PORTLAND, OREGON, ON OCTOBER 8th, 1962, BY THOSE STATES OF THE COLUMBIA RIVER BASIN, NAMELY IDAHO, MONTANA, NEVADA, OREGON, UTAH, WASHINGTON, AND WYOMING BY THE REPRESENTATIVES OF THOSE STATES WITH THE APPROVAL OF THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA, was read the first time and referred to the Committee on Rules.

S. B. No. 215 By Mr. Hunter

AN ACT AMENDING SECTION 64-7-36, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 124, LAWS OF UTAH 1953, RELATING TO HOSPITALIZATION IN THE STATE HOSPITAL; PROVIDING PROTECTION FOR THE MENTALLY ILL, THE MENTALLY DEFICIENT, AND OTHER PERSONS COMING UNDER THIS ACT IN PROTECTING CIVIL RIGHTS WHEN THERE IS NO EMERGENCY COMMITMENT REQUIRED, was read the first time and referred to the Committee on Rules.

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:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hunter and Waddingham.

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 further action.

H. B. No. 3 was read the third time and placed on its final passage.

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

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Browning, Hunter and Waddingham.

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 further action.

On motion of Senator Kerr the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 34 was read the third time and placed on its final passage.

H. B. No. 34 then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Hunter.

Absent and not voting were: Senators Hammond and Miller.

H. B. No. 34 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

SPECIAL ORDER

S. B. No. 1 being a Special Order of Business, was before the Senate.

On motion of Senator D. Taylor the Senate resolved itself into a Committee of the Whole.

Mr. Hal Waldo appeared before the Committee of the Whole.

On motion of Senator D. Taylor, the Committee of the Whole was dissolved.

On motion of Senator D. Taylor, the title of S. B. No. 1 was amended as follows:

Page 1, line 1, insert after the word "CORPORATIONS" the words "AND COOPERATIVE ASSOCIATIONS".

Page 1, line 4, insert after the word "CORPORATION" the words "AND COOPERATIVE ASSOCIATIONS".

Page 1, line 6, insert before the word "AND" the words "AND CO-OPERATIVE ASSOCIATIONS".

Page 1, line 13, insert after the word "CORPORATIONS" the words "AND COOPERATIVE ASSOCIATIONS".

Page 1, line 16, insert before the word "AND" the words "AND CO-OPERATIVE ASSOCIATIONS".

On motion of Senator D. Taylor, the body of S. B. No. 1 was amended as follows:

Page 2, line 2, insert after the word "Corporation" the words "and Co-operative Association".

Page 2, following Line 28, insert a new subparagraph reading as follows:

(10) The words "cooperative association" means a corporation organized or existing under this act subject to the provisions of Section 91 hereof.

Page 3, line 28, insert after the word "insurance" the words "banking, savings and loan or credit union".

Page 48, delete lines 29 through 33, inclusive, and substitute the following:

(1) That no member shall have more than one vote regardless of the number or amount of stock or membership capital owned by him unless voting is based in whole or in part on the volume of patronage of the member with the cooperative association; and

Page 49, line 14, delete the words "any law of this state" and substitute "the Uniform Agricultural Cooperative Association Act".

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

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter,

B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator S. Taylor.

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

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

Mr. Don Walk, appeared before the Committee of the Whole.

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

Senator Brockbank, having voted on the prevailing side moved that the Senate do re-consider its final action on H. B. No. 104.

Motion Carried.

On motion of Senator Brockbank, H. B. No. 104 was amended as follows:

Page 1, line 6, after the word "fish" insert a period then delete remainder of the line also lines 7, 8, 9, 10, 11, 12, and 13 inclusive.

On motion of Senator Hafen, H. B. No. 104 was amended as follows:

Page 1, line 3, after the word "blind" insert the words "upon payment of the sum of five cents,".

On motion of Senator Brockbank, the title of H. B. No. 104 was amended as follows:

Line 3, delete the word "PERMANENT".

Line 5, after the word "YEARS" insert a period and delete the remainder of the line.

Delete line 6.

H. B. No. 104, upon reconsideration, then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Rees.

Absent and not voting were: Senators Browning and M. Jenkins.

H. B. No. 104 was returned to the House for their further action.

CONSIDERATION OF BILLS ON THIRD READING

H. 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:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr and G. Taylor.

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 further action.

H. B. No. 32 was read the third time and placed on its final passage.

On motion of Senator Hafen, H. B. No. 32 retained its position on the Third Reading Calendar.

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:

Yeas, 21 Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor Waddingham and Mr. President.

Absent and not voting were: Senators Hunter, B. Jenkins, Kerr, and G. Taylor.

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 further action.

H. B. No. 21 was read the third time and placed on its final passage.

H. B. No. 21 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hunter, B. Jenkins and Kerr.

H. B. No. 21 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 28 having retained its position was before the Senate.

On motion of Senator Waddingham, H. B. No. 28 was tabled.

H. J. R. No. 2 having retained its position was before the Senate.

H. J. R. No. 2 failed to pass on Second Reading on the following roll call:

Yeas, 5; Nays, 20.

Voting in the affirmative were: Senators Kerr, Lambert, Mantes, Memmott and S. Taylor.

Voting in the negative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Miller, Rees, Sowards, Stacey, G. Taylor, Waddingham and Mr. President.

Senator Brockbank served notice that on the next Legislative day he would ask the Senate to re-consider its vote by which H. J. R. No. 2 failed of passage.

On motion of Senator M. Jenkins the Senate recessed.

The Senate re-assembled.

On motion of Senator Hafen, the rules were suspended and the Senate voted to now consider H. B. No. 32 on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 32 having retained its position was before the Senate.

On motion of Senator Hafen, H. B. No. 32 was amended as follows:

On line 18, page 1, after the word "granted", insert the following: "Said application shall not be refused except for good and sufficient reason, and in the event of such refusal, the application fee shall be refunded".

H. B. No. 32 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Stacey, G. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Sowards and Waddingham.

H. B. No. 32 was returned to the House for their further action.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator B. Jenkins, the rules were suspended and the Senate voted to now lift H. B. No. 58 and place it at the head of the Second Reading Calendar.

H. B. No. 58 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins the rules were suspended and H. B. No. 58 was read the third time and placed on its final passage.

H. B. No. 58 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Barlow, M. Jenkins and Waddingham.

H. B. No. 58 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 76 having retained its position was before the Senate.

On motion of Senator B. Jenkins the rules were suspended and H. B. No. 76 was read the third time and placed on its final passage.

H. B. No. 76 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Barlow, Kerr and Waddingham.

H. B. No. 76 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 72 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins, the rules were suspended and H. B. No. 72 was read the third time and placed on its final passage.

H. B. No. 72 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Barlow, Kerr and Waddingham.

H. B. No. 72 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 70 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins the rules were suspended and H. B. No. 70 was read the third time and placed on its final passage.

H. B. No. 70 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Hammond, Kerr and G. Taylor.

H. B. No. 70 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 69 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins, the rules were suspended and H. B. No. 69 was read the third time and placed on its final passage.

H. B. No. 69 then passed on the following roll call:

Yeas, 16; Nays, 4; Absent, 5.

Voting in the affirmative were: Senators Bernhard, Gardner, Grover, Hafen,, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Mantes, Memmott, Miller, Rees, Sowards, S. Taylor and Mr. President.

Voting in the negative were: Senators Browning, Holman, Stacey and Waddingham.

Absent and not voting were: Senators Barlow, Brockbank, Kerr, Lambert and G. Taylor.

H. B. No. 69 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 68 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins, the rules were suspended and H. B. No. 68 was read the third time and placed on its final passage.

H. B. No. 68 then passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, G. Taylor and Mr. President.

Voting in the negative was Senator Waddingham.

Absent and not voting were: Senators Hammond, Hunter and S. Taylor.

H. B. No. 68 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Hafen, the rules were suspended and the Senate voted to place S. B. No. 105 as a Special Order of Business for Friday, February 15, 1963 at 10:00 a.m.

On motion of Senator Kerr, the Senate adjourned until Friday, February 15, 1963 at 9:30 a.m.

THIRTY-THIRD DAY

MORNING SESSION

February 15, 1963

The Senate was called to order at 9:30 A.M. President Bullen in the chair.

Roll Call – All Senators present.

Prayer by the Reverend John G. Berris, Holy Trinity Greek Orthodox Church.

February 15, 1963

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,

E. G. MANTES,
Acting Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 13, 1963

Honorable Reed Bullen
President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bill, which has been forwarded to the Secretary of State for filing.

S. B. No. 24

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker House of Representatives

Communication filed.
House notified of Governor's action.

February 14, 1963

Honorable Reed Bullen
President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bill, which has been forwarded to the Secretary of State for filing.

S. B. No. 61

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker House of Representatives

Communication filed.
House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

February 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 13th day of February, 1963, approve and transmit to the Secretary of State H. B. No. 19, entitled ATTORNEY FEES.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 15, 1963

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. 7: PROVIDE LEGISLATION TO PRESERVE STATES POWER, that the Speaker of the House has this day signed in open session in the presence of the House S. J. R. No. 7, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. J. R. No. 7 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

February 15, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, S. B. No. 13: SALARIES OF OFFICERS OF CITIES, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 13, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 13 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: February 15, 1963

I am directed to inform your Honorable Body that the House has this day passed, S. B. No. 56: FISH AND GAME FUND, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 56, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 56 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: February 15, 1963

I am directed to inform your Honorable Body that the House has this day passed, S. B. No. 65: CHANGING NAME OF WEBER STATE COLLEGE, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 65, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 65 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: February 14,1963

I am directed to inform your Honorable Body that the House has this day passed, S. B. No. 88: CHRONIC EPILEPTIC, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 88, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 88 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

February 15, 1963

Mr. President:

Your Rules Committee, to which were referred

S. B. No. 165 (Education)

S. B. No. 169 (State, Federal & Military Affairs & Civil Defense)

S. B. No. 188 (Political Subdivisions)

S. B. No. 189 (Judiciary)

S. B. No. 199 (Political Subdivisions)

S. B. No. 203 (Education)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were orderd printed and referred to the Committees indicated.

February 15, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 163, by Messrs. Bernhard and S. Taylor, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 163 was placed on the Second Reading Calendar.

February 15, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 146, by Messrs. Mantes, Brockbank and M. Jenkins, has carefully

considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 146 was placed on the Second Reading Calendar.

Mr. President: February 15, 1963

Your Committee on State and Federal Affairs to which was referred S. B. No. 124, by Messrs. Harmston, B. Jenkins and Bernhard, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 124 was placed on the Second Reading Calendar.

Mr. President: February 15, 1963

Your Committee on State and Federal Affairs to which was referred S. B. No. 152, by Mr. Miller, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 152 was placed on the Second Reading Calendar.

Mr. President: February 15, 1963

Your Committee on State and Federal Affairs to which was referred S. B. No. 149, by Messrs. Grover and Kerr, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 149 was placed on the Second Reading Calendar.

Mr. President: February 15, 1963

Your Committee on State and Federal Affairs to which was referred S. B. No. 154, by Messrs. Grover, Brockbank and Bernhard, has carefully considered said bill and reports the same out favorably and for further referral to the Appropriations Committee.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

Mr. President: February 15, 1963

Your Committee on State and Federal Affairs to which was referred S. B. No. 174, by Messrs. Lambert, Grover and Kerr, has carefully considered said bill and reports the same out favorably and for further referral to the Appopriations Commitee.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

Mr. President: February 15, 1963

Your Committee on State and Federal Affairs to which was referred S. B. No. 139, by Messrs. Mantes, Brockbank and M. Jenkins, has carefully considered said bill and reports the same out favorably and for further referral to the Appropriations Committee.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

Mr. President: February 15, 1963

Your Committee on Political Subdivisions to which was referred S. B. No. 148, by Messrs. Waddingham, Harmston, Rees, and G. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 148 was placed on the Second Reading Calendar.

Mr. President: February 15, 1963

Your Committee on Political Subdivisions to which was referred H. B. No. 83, by Messrs. Plant and Cooper, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

H. B. No. 83 was placed on the Second Reading Calendar.

Mr. President: February 15, 1963

Your Committee on Political Subdivisions to which was referred H. B. No. 26, by Messrs. Kastler and Hodgson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

H. B. No. 26 was placed on the Second Reading Calendar.

Mr. President: February 15, 1963

Your Committee on Political Subdivisions to which was referred S. B. No. 109, by Messrs. Barlow and Waddingham, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 109 was placed on the Second Reading Calendar.

Mr. President: February 15, 1963

Your Committee on Political Subdivisions to which was referred S. B. No. 106, by Messrs. Jenkins and Kerr, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 106 was placed on the Second Reading Calendar.

February 15, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 162, by Messrs. B. Jenkins and Grover, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 162 was placed on the Second Reading Calendar.

February 15, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 166, by Messrs. Mantes, Brockbank and M. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 166 was placed on the Second Reading Calendar.

On motion of Senator Grover, the Senate voted to suspend the rules and with unanimous consent, S. B. No. 216 was introduced.

INTRODUCTION OF BILLS

S. B. No. 216 By Mr. Grover

AN ACT AMENDING SECTION 35-1-99, UTAH CODE ANNOTATED 1953, AS AMENDED, RELATING TO NOTICE OF INJURY AND ACCIDENT, AND PROVIDING THAT NOTICE OF ACCIDENT AND INJURY OF RADIATION INJURY MAY BE FILED BY AN EMPLOYEE WHEN IN THE USE OF REASONABLE DILIGENCE HE ASCERTAINS THAT A DISABILITY WAS CAUSED BY HIS EMPLOYMENT AND IS COMPENSABLE, was read the first time and referred to the Committee on Rules.

On motion of Senator Kerr, the Senate voted that when this body adjourns it stand adjourned until Monday, February 18, 1963 at 1:00 P.M.

On motion of Senator Kerr, the President was authorized to appoint a Sifting Committee Monday February 18, 1963 consisting of five Senators to begin its function at the end of the thirty-sixth Legislative day.

On motion of Senator Kerr, the Senate further voted that all bills on the Second Reading Calendar at the end of adjournment on the thirty-sixth Legislative day and all bills subsequently reported thereafter by the standing and/or special committees are to be referred to the Sifting Committee with the understanding that bills on Third Reading, Special Orders and those on the table retain their position.

On motion of Senator Hunter, S. B. No. 26 was further made a Special Order of Business for Tuesday, February 19, 1963 at 10:30 A.M.

On motion of Senator Gardner, the rules were suspended and the Senate voted to lift S. B. No. 15 from the Second Reading Calendar and place it as a Special Order of Business for Tuesday, February 19, 1963 at 3:00 P.M.

On motion of Senator Grover, the rules were suspended and the Senate voted to lift S. B. No. 17 from the Second Reading Calendar and place it as a Special Order of Business for Tuesday, February 19, 1963 at 2:30 P.M.

On motion of Senator Grover, S. B. No. 67 was lifted from the table.

On motion of Senator Hafen, S. B. No. 67 was made a Special Order of Business for Tuesday, February 19, 1963 at 4:00 P.M.

SPECIAL ORDER

S. B. No. 105 being a Special Order of Business, was before the Senate.

S. B. No. 105 was read the second time.

Committee report read and adopted.

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

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

S. B. No. 105 was placed on the Third Reading Calendar on the following roll call:

Yeas, 25; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 37 was before the Senate for its re-consideration.

On motion of Senator Waddingham, S. B. No. 37 was amended as follows:

Page 1, line 12, delete "article or".

On motion of Senator Gardner, S. B. No. 37 was amended as follows:

Page 1, line 18, delete the words "article or".

Page 1, line 21, delete the words "article or."

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

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

S. B. No. 37, upon reconsideration, then passed on the following roll call:

Yeas, 16; Nays, 8; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Brockbank, Gardner, Grover, Hafen, Hammond, Mantes, Stacey and D. Taylor.

Absent and not voting was Senator Hunter.

S. B. No. 37 was transmitted to the House.

S. B. No. 42 having retained its position was before the Senate.

S. B. No. 42 was read the third time and placed on its final passage.

On motion of Senator Hafen, S. B. No. 42 retained its position on the Third Reading Calendar.

S. B. No. 8 having retained its position was before the Senate.

On motion of Senator Brockbank, S. B. No. 8 was amended as follows:

Page 3, line 33, delete the period insert a semi-colon and re-insert the words "the applicant shall further support."

Page 4, lines 1 and 2 should then read "his claim by submitting the original invoice or copy of the original invoice."

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

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning and S. Taylor.

S. B. No. 8 was transmitted to the House.

S. B. No. 66, having retained its position was before the Senate.

On motion of Senator Hunter, S. B. No. 66 further retained its position on the Third Reading Calendar.

S. B. No. 48 was read the third time and placed on its final passage.

S. B. No. 48 failed of passage on the following roll call:

Yeas, 9; Nays, 14; Absent, 2.

Voting in the affirmative were: Senators Barlow, Brockbank, Hafen, Hammond, Holman, Rees, D. Taylor, S. Taylor and Waddingham.

Voting in the negative were: Senators Browning, Gardner, Grover, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller (explained vote), Sowards, Stacey and Mr. President.

Absent and not voting were: Senators Bernhard and Harmston.

Senator Mantes served notice that on the next Legislative day he would ask the Senate to re-consider its vote by which S. B. No. 48 failed of passage.

On motion of Senator Waddingham, S. B. Nos. 47, 49, 50, 51, 52, 53, 54 and 55, retained their position on the Third Reading Calendar.

On motion of Senator Waddingham, S. B. No. 59 retained its position on the Third Reading Calendar.

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:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, D. Taylor and Waddingham.

S. B. No. 90 was transmitted to the House.

Senator Brockbank, having voted on the prevailing side moved that the Senate do re-consider its final action on H. J. R. No. 2.

Motion carried.

On motion of Senator Brockbank, H. J. R. No. 2 was tabled.

S. B. No. 79 was read the third time and placed on its final passage.

S. B. No. 79 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Hunter, D. Taylor and Waddingham.

S. B. No. 79 was transmitted to the House.

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:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Hunter, D. Taylor and Waddingham.

S. B. No. 92 was transmitted to the House.

On motion of Senator Kerr the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 22 having retained its position was before the Senate.

On motion of Senator B. Jenkins, S. B. No. 22 was amended as follows:

Page 5, line 32, after the word "power", insert "after notice and fair hearing."

Page 6, line 3, after the number "2", put "Unlawful" then make the large "D" small "d".

Page 6, line 9, strike the brackets around the word "fraudulent"; make the large "D" a small "d"

Page 6, line 14, strike the brackets; make the large "D" a small "d"

Page 6, line 17, strike the brackets; make the large "V" a small "v"

Page 6, following line 18, add a new Subsection 6. Any determination made by said Department of Contractors shall be reduced to writing and shall be reviewable by the District Court.

On motion of Senator Rees, S. B. No. 22 was amended as follows:

Page 3, line 8, of which new language was inserted, day 23, page 11, delete "two hundred fifty" then insert in lieu thereof "one thousand."

S. B. No. 22 then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, Waddingham and Mr. President.

Voting in the negative was Senator S. Taylor.

Absent and not voting were: Senators Brockbank and D. Taylor.

S. B. No. 22 was transmitted to the House.

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

Mr. Vernon Romney and Mr. John Lee appeared before the Committee of the Whole.

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

On motion of Senator Hafen, the rules were suspended and the Senate voted to now consider S. B. No. 40 on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 40 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen S. B. No. 40 was amended as follows:

Page 2, line 12, after the word "shares" insert "or saving accounts".

Page 5, delete line 19, Section 5.

On motion of Senator Browning, 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:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Hunter and Memmott.

S. B. No. 40 was transmitted to the House.

On motion of Senator Hafen, the rules were suspended and the Senate voted to now consider S. B. No. 41 on the Second Reading Calendar.

S. B. No. 41 was read the second time.

Committee report read and adopted.

S. B. No. 41 failed to pass on Second Reading on the following roll call:

Yeas, 11; Nays, 11; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Hafen, Hammond, Harmston, B. Jenkins, Kerr, Rees, D. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Browning, Gardner, Grover, Holman, M. Jenkins, Lambert, Mantes, Miller, Sowards, Stacey and S. Taylor.

Absent and not voting were: Senators Brockbank, Hunter and Memmott.

Senator S. Taylor served notice that on the next Legislative day he would ask the Senate to re-consider its vote by which S. B. No. 41 failed to pass on Second Reading.

On motion of Senator Hafen, the rules were suspended and the Senate voted to now consider S. B. No. 42 on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 42 having retained its position was before the Senate.

S. B. No. 42 failed of passage on the following roll call:

Yeas, 5; Nays, 17; Absent, 3.

Voting in the affirmative were: Senators Barlow, Hafen, Hammond, B. Jenkins and Kerr.

Voting in the negative were: Senators Bernhard, Browning, Gardner, Grover, Harmston, Holman, M. Jenkins, Lambert, Mantes, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Hunter and Memmott.

On motion of Senator Kerr, the Senate recessed.

The Senate re-assembled.

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

Senator D. Taylor, with the aid of five Senators, requested a Call of the Senate.

On motion of Senator Kerr, the Call of the Senate was lifted.

On motion of Senator Barlow, S. J. R. No. 5 was amended as follows:

Page 1, following line 10, after the word "sale" insert the words "or processing".

On motion of Senator Barlow, the title of S. J. R. No. 5 was amended as follows:

Line 6 of the title, delete the words "ONE YEAR" and insert in lieu thereof the words "TEN MONTHS".

S. J. R. No. 5 failed of passage on the following roll call:

Yeas, 13; Nays, 9; Absent, 3.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Hafen, Hammond, Hunter, M. Jenkins, Kerr, Rees, Sowards, Stacey, D. Taylor and S. Taylor.

Voting in the negative were: Senators Barlow, Grover, Harmston, Holman, B. Jenkins (explained vote), Mantes, Miller, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Lambert and Memmott.

Senator Barlow served notice that on the next Legislative day he would ask the Senate to re-consider its vote by which S. J. R. No. 5 failed of passage.

On motion of Senator Kerr, the Senate adjourned.

THIRTY-SIXTH DAY

AFTERNOON SESSION

February 18, 1963

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

Roll Call – All Senators present.

Prayer by the Reverend John G. Berris, Holy Trinity Greek Orthodox Church.

February 18, 1963

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,

FRANK G. MEMMOTT,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 15, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 39, entitled IDEALS OF THE U. S. – PREREQUISITES IN COLLEGE & UNIVERSITIES, and the same is forwarded herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 39 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

February 15, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 5, as amended by the Senate – CONDOMINIUM, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 5, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 5 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: February 14, 1963

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 35 – GENERAL LIBRARY BUILDINGS – ISSUE REVENUE BONDS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 35, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 35 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: February 14, 1963

I am directed to inform your Honorable Body that the House has this day passed, S. B. No. 28, as amended by the Senate – OIL AND GAS COMMISSION, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 28, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 28 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

February 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, S. B. No. 87, as amended by the Senate – LEAVES OF ABSENCE FOR HOLDERS OF NORMAL SCHOLARSHIPS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 87, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 87 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

February 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, S. B. No. 85: LEAVES OF ABSENCE TO SCHOLARSHIP HOLDERS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 85, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 85 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

February 15, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 43 – AMEND IRRIGATION DISTRICT LAW, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 43 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 15, 1963

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 – UNIFORM RECIPROCAL SUPPORT ACT, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 42 was read the first time and referred to the Committee on Judiciary.

February 15, 1963

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. 92 – COSMETOLOGISTS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 92 was read the first time and referred to the Committee on Industry.

REPORTS OF STANDING COMMITTEES

February 18, 1963

Mr. President:

Your Rules Committee, to which were referred

S. J. R. No. 12 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 159 (Revenue & Taxation)
S. B. No. 181 (Business and Commerce)
S. B. No. 184 (Education)
S. B. No. 185 (Political Subdivisions)
S. B. No. 193 (Education)
S. B. No. 195 (Judiciary)
S. B. No. 197 (Revenue and Taxation)
S. B. No. 198 (State, Federal & Military Affairs & Civil Defense)
S. B. No. 202 (Political Subdivisions)
S. B. No. 204 (Business and Commerce)
S. B. No. 207 (Revenue and Taxation)
S. B. No. 209 (Judiciary)
S. B. No. 210 (Judiciary)
S. B. No. 211 (Business and Commerce)
S. B. No. 212 (Revenue and Taxation)
S. B. No. 213 (Public Health, Welfare and Institutions)
S. B. No. 215 (Judiciary)

S. B. No. 216 (Industry)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

Mr. President: February 18, 1963

Your Committee on Agriculture and Irrigation, to which was referred S. B. No. 167, by Mr. Lambert, has carefully considered said bill and reports the same out favorably.

Respectfully,

KLEON KERR,
Chairman

Report filed.

S. B. No. 167 was placed on the Second Reading Calendar.

Mr. President: February 18, 1963

Your Committee on Education to which was referred S. B. No. 164, by Messrs. Memmott and Bernhard, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 164 was placed on the Second Reading Calendar.

Mr. President: February 18, 1963

Your Committee on Education to which was referred S. B. No. 170, by Mr. Barlow, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 170 was placed on the Second Reading Calendar.

Mr. President: February 18, 1963

Your Committee on Education to which was referred S. B. No. 178, by Mr. Stacey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 178 was placed on the Second Reading Calendar.

Mr. President: February 18, 1963

Your Committee on Revenue and Taxation to which was referred S. B. No. 176, by Mr. Hunter, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 176 was placed on the Second Reading Calendar.

Mr. President: February 18, 1963

Your Committee on Revenue and Taxation to which was referred S. B. No. 156, by Mr. Hafen, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 156 was placed on the Second Reading Calendar.

Mr. President: February 18, 1963

Your Committee on Judiciary, to which was referred S. B. No. 179, by Messrs. Brockbank and G. D. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 179 was placed on the Second Reading Calendar.

Mr. President: February 18, 1963

Your Committee on Judiciary to which was referred S. B. No. 171, by Messrs. Brockbank and S. J. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,

Chairman

Report filed.

S. B. No. 171 was placed on the Second Reading Calendar.

Mr. President: February 18, 1963

Your Committee on Judiciary to which was referred S. B. No. 177, by M. Grover, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,

Chairman

Report filed.

S. B. No. 177 was placed on the Second Reading Calendar.

Mr. President: February 18, 1963

Your Committee on Industry to which was referred S. B. No. 151, by Messrs. Memmott, Bernhard and Gardner, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

S. J. TAYLOR,

Chairman

Report filed.

S. B. No. 151 was placed on the Second Reading Calendar.

Mr. President: February 18, 1963

Your Committee on Labor to which was referred H. B. No. 89, by Messrs. McKay, Evans, Sonntag, Pettersson and Thurston, has carefully considered said bill and reports the same out favorably.

Respectfully,

WALLACE H. GARDNER,

Chairman

Report filed.

H. B. No. 89 was placed on the Second Reading Calendar.

President Bullen appointed Senators Kerr, Hafen, Barlow, Waddingham and Grover, to serve as the Sifting Committee.

Senator Barlow, having voted on the prevailing side moved that the Senate do re-consider its final action on S. J. R. No. 5.

Motion carried.

S. J. R. No. 5 was before the Senate for its reconsideration.

On motion of Senator Waddingham, S. J. R. No. 5 was amended as follows:

Page 1, 4th line of the new material delete the word "shall" insert the word "may"

On motion of Senator Waddingham the title of S. J. R. No. 5 was amended as follows:

Line 6 of the title delete the word "SHALL" insert in lieu thereof the word "MAY".

On motion of Senator Mantes the title of S. J. R. No. 5 was amended as follows:

Line 6 of the title delete "TEN MONTHS" insert in lieu thereof "ONE YEAR".

On motion of Senator Mantes, S. J. R. No. 5 was amended as follows:

Page 1, line 12, delete "ten months" insert in lieu thereof "a year".

On motion of Senator B. Jenkins, S. J. R. No. 5 was amended as follows:

At the beginning of the underlined material, delete the word "all" then capitalize the word "tangible" to read "Tangible".

On motion of Senator B. Jenkins, the title of S. J. R. No. 5 was amended as follows:

Line 4 of the title delete the word "ALL".

After incorporation of the series of amendments having been made, S. J. R. No. 5 should then read as follows:

S. J. R. No. 5 By Messrs. Barlow, Browning and G. D. Taylor

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE XIII, SECTION 2, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO AN AD VALOREM TAX EXEMP-

TION; PROVIDING THAT TANGIBLE PERSONAL PROPERTY WHICH IS SHIPPED BEYOND THE STATE OF UTAH WITHIN A PERIOD OF ONE YEAR MAY BE EXEMPT FROM AD VALOREM TAX.

Be it resolved by the Legislature of the State of Utah, two-thirds of all members elected by each of the two houses voting in favor thereof:

Section 1. It is proposed to amend Article XIII, Section 2 of the Constitution of the State of Utah to read as follows:

Section 2. All tangible property in the state, not exempt under the laws of the United States, or under this constitution, shall be taxed in proportion to its value, to be ascertained as provided by law. The property of the state, counties, cities, towns, school districts, municipal corporations and public libraries, lots with the buildings thereon used exclusively for either religious worship or charitable purposes, and places of burial not held or used for private or corporate benefit, shall be exempt from taxation. Tangible personal property held for sale or processing which is present in Utah on January 1, m, and which is shipped to final destination outside this state within a year is deemed to have acquired no situs in Utah for purposes of ad valorem property taxation and may be exempt from such taxation, whether manufactured, processed or produced or otherwise originating within or without the state. Water rights, ditches, canals, reservoirs, power plants, pumping plants, transmission lines, pipes and flumes owned and used by individuals or corporations for irrigating

land within the state owned by such individuals or corporations, or the individual members thereof, shall not be separately taxed as long as they shall be owned and used exclusively for such purposes. Power

plants, power transmission lines and other property used for generating and delivering electrical power, a portion of which is used for furnishing power for pumping water for irrigation purposes on lands in the state of Utah, may be exempted from taxation to the extent that such property is used for such purposes. These exemptions shall accrue to the benefit of the users of water so pumped under such regulations as the legislature may prescribe. The taxes of the indigent poor may be remitted or abated at such times and in such manner as may be provided by law. The legislature may provide for the exemption from taxation of homes, homesteads, and personal property, not to exceed $2,000 in value for homes and homesteads, and $300 for personal property. Property not to exceed $3,000 in value, owned by disabled persons who served in any war in the military service of the United States or of the state of Utah and by the unmarried widows and minor orphans of such persons may be exempted as the legislature may provide.

The legislature shall provide by law for an annual tax sufficient, with other sources of revenue, to defray the estimated ordinary expenses of the state for each fiscal year. For the purpose of paying the state debt, if any there be, the legislature shall provide for levying a tax annually, sufficient to pay the annual interest and to pay the principal of such debt, within twenty years from the final passage of the law creating the debt.

Section 3. The Secretary of State is directed to submit this proposed amendment to the electors of the State of Utah at the next general election in the manner provided by law.

Section 4. If adopted by the electors of this state, this amendment shall take effect upon January 1, 1965.

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

Yeas, 23; Nays, 1; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jen-

kins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Grover.

Absent and not voting was Senator Brockbank.

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

On motion of Senator Barlow, S. B. No. 27 was lifted from the table.

On motion of Senator Barlow, S. B. No. 27 was made a Special Order of Business for Wednesday, February 20, 1963 at 4:00 P.M.

Senator Mantes, having voted on the prevailing side moved that the Senate do re-consider its final action on S. B. No. 48.

Motion carried.

On motion of Senator Waddingham, S. B. No. 48 was made a Special Order of Business for Tuesday, February 19, 1963 at 2:00 P.M. for re-consideration.

Senator S. Taylor having voted on the prevailing side moved that the Senate do re-consider its action on S. B. No. 41.

Motion carried.

On motion of Senator Hafen, S. B. No. 41 was made a Special Order of Business for Wednesday, February 20, 1963 at 11:00 A.M. for re-consideration.

On motion of Senator Kerr, 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. 57 having retained its position was before the Senate.

On motion of Senator Harmston S. B. No. 57 was amended as follows:

Page 2, line 12: Insert as new sub-section (d), and as new lines beginning line 13, the following:

"(d) After the acquisition of any land by the commission under this act, the commission shall pay annually an amount of money in lieu of real

property taxes to the county within which such land is acquired, which payment shall be the same amount the regularly assessed real property taxes would have been if such land had remained in private ownership; provided, however, that any such amount paid in lieu of such taxes shall not include any amounts in lieu of taxes for improvements made, buildings, installations, and fixtures, constructed or installed by, or personal property belonging to, the commission and located upon such real property.

S. B. No. 57 was placed on the Third Reading Calendar on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Gardner, Hafen and M. Jenkins.

S. B. No. 63 having retained its position was before the Senate.

On motion of Senator Hafen, S. B. No. 63 was tabled.

S. B. No. 91 having retained its position was before the Senate.

S. B. No. 91 was placed on the Third Reading Calendar on the following roll call:

Yeas, 15; Nays, 4; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Hammond, Harmston, Hunter, Kerr, Mantes, Memmott, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Voting in the negative were: Senators Grover, Holman, Lambert and Miller.

Absent and not voting were: Senators Brockbank, Hafen, B. Jenkins, M. Jenkins, D. Taylor and Waddingham.

S. B. No. 71 was read the second time.

Committee report read and adopted.

On motion of Senator Grover, the rules were suspended and S. B. No. 71 was read the third time and placed on its final passage.

S. B. No. 71 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, B. Jenkins, D. Taylor and Waddingham.

S. B. No. 71 was transmitted to the House.

S. B. No. 84 was read the second time.

Committee report read and adopted.

S. B. No. 84 was placed on the Third Reading Calendar on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlew, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning and D. Taylor.

S. B. No. 43 was read the second time.

Committee report read and adopted.

Senator Harmston, with the aid of five senators, requested a call of the Senate.

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

S. B. No. 43 was placed on the Third Reading Calendar on the following roll call:

Yeas, 23; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank and Hunter.

On motion of Senator B. Jenkins, the rules were suspended and the Senate voted to now consider S. B. No. 11 by placing it at the head of the Second Reading Calendar.

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

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

Professor Wallace Bennett, appeared before the Committee of the Whole.

On motion of Senator B. Jenkins the Committee of the Whole was dissolved.

Committee report read and adopted.

On motion of Senator Harmston S. B. No. 11 was amended as follows:

Page 42, line 18 delete Section 2 in its entirety.

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

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond and Lambert.

S. B. No. 44 was read the second time.

Committee report read and adopted.

S. B. No. 44 was placed on the Third Reading Calendar on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond and M. Jenkins.

S. B. No. 129 was read the second time.

Committee report read and adopted.

S. B. No. 129 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Hammond, M. Jenkins, Mantes and Waddingham.

S. J. R. No. 9 was read the second time.

Committee report read and adopted.

On motion of Senator Miller, S. J. R. No. 9 was made a Special Order of Business for Wednesday, February 20, 1963 at 2:30 P.M.

S. B. No. 73 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen, the rules were suspended and the Senate voted to amend S. B. No. 73 by deleting all the body and the title of the original S. B. No. 73 and then inserting in lieu thereof the following:

Substitute S. B. No. 73 By Messrs. Hafen and G. D. Taylor

AN ACT MAKING IT A FELONY TO WILFULLY OR MALICIOUSLY DAMAGE CERTAIN TELEPHONE PROPERTY

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

Section 1. Every person who wilfully or maliciously displaces, removes, injures or destroys any public telephone instrument or any part thereof, or any equipment or facilities associated therewith, or who wilfully or maliciously breaks into any coin box associated therewith, is guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding $1,000 or by imprisonment in the state prison for not more than five years, or by both such fine and imprisonment.

S. B. No. 73 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 1; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, M. Jenkins, Kerr,

Lambert, Mantes, Memmott, Miller, Sowards, Stacey, S. Taylor and Mr. President.

Voting in the negative was Senator Rees.

Absent and not voting were: Senators Holman, Hunter, B. Jenkins, D. Taylor and Waddingham.

On motion of Senator Kerr, the Senate recessed to meet with the House in Joint Convention. The Senate further voted that when the Joint Convention is dissolved the Senate re-assemble.

JOINT CONVENTION

On motion of Representative Vance, the Senate and the House resolved itself into a Joint Committee of the Whole.

President Miller, President of the Weber State College, Mr. Glen L. Hansen, Director of the Madrigal Singers, the Madrigal Singers, composed of 26 students (3 trumpeters), appeared before the Joint Committee of the Whole, and presented a very outstanding musical program.

Former President of the then Weber Jr. College, Aaron Tracy, now Representative Tracy appeared before the Committee of the Whole.

President Bullen commended and thanked those who presented the excellent musical selections.

On motion of Representative Gunnell, the Joint Committee of the Whole was dissolved.

On motion of Representative Vance, the President of the Senate announced the Joint Convention dissolved.

The Senate re-assembled.

On motion of Senator Kerr, the rules were suspended and the Senate voted to now consider S. B. No. 105 on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Kerr, S. B. No. 105 was made a Special Order of Business for Wednesday, February 20, 1963 at 9:30 A.M.

Pursuant to a motion adopted by the Senate on the 33rd Legislative day the following bills were referred to the Sifting Committee:

S. B. Nos. 104, 102, 110, 120, 74, 75, 96, 116, 118, 101, 81, 21, 23, 30, 76, 77, 131, 94, 95, 97, 98, 99, 112, 113, 119, 130, 123, 125, 108, 115, 82, 128, S. J. R. No. 8, S. B. No. 111, H. J. R. No. 3, H. B. Nos. 51, 2, S. B. Nos. 138, 117, 155, 141, 140, 142, 143, 144, 145, 153, 89, 100, 158, 150, 126, H. C. R. No. 1, H. B. Nos. 131, 93, 46, 25, 7, S. B. No. 127, H. B. Nos. 66, 88, S. B. Nos. 147, 163, 146, 124, 152, 149, 148, H. B. Nos. 83, 26, S. B. Nos. 109, 106, 162, 166, 167, 164, 170, 178, 176, 156, 179, 171, 177, 151 and H. B. No. 89

On motion of Senator B. Jenkins, the Senate adjourned until Tuesday, February 19, 1963 at 10:00 A.M.

THIRTY-SEVENTH DAY

MORNING SESSION

February 19, 1963

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

Roll Call – All Senators present.

Prayer by the Reverend Horace McMullen, Holladay Community Church.

February 19, 1963

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,

FRANK C. MEMMOTT,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 18, 1963

Honorable Reed Bullen
President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bills, which have been forwarded to the Secretary of State for filing.

S. B. No. 65 S. B. No. 88 S. B. No. 13

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of House of Representatives

Communication filed.
House notified of Governor's action.

COMMUNICATIONS FORM THE HOUSE

Mr. President: February 18, 1963

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, H. B. No. 9 — PRACTICE OF LAW WITHOUT A LICENSE, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 9 was read the first time and referred to the Committee on Judiciary.

Mr. President: February 18, 1963

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 32, RELATING TO MIXING COMMERCIAL FERTILIZER, and the Speaker signed in open session in the presence of the House and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
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 further action.

REPORTS OF STANDING COMMITTEES

February 19, 1963

Mr. President:

Your Rules Committee, to which were referred

S. B. No. 191 (Business and Commerce)
S. B. No. 194 (Revenue and Taxation)
S. B. No. 196 (Education)
S. B. No. 200 (Business and Commerce)
S. B. No. 205 (Judiciary)
S. B. No. 206 (Political Subdivisions)
S. B. No. 208 (Revenue and Taxation)
S. B. No. 214 (State, Federal & Military Affairs & Civil Defense)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

February 19, 1963

Mr. President:

Your Committee on Highways and Aeronautics to which was referred H. J. R. No. 10, by Messrs. Thurston and Plant, has carefully considered said bill and reports the same out favorably.

Respectfully,

JAMES N. STACEY,
Chairman

Report filed.

H. J. R. No. 10 was referred to the Sifting Committee.

February 19, 1963

Mr. President:

Your Committee on Highways and Aeronautics to which was referred

S. B. No. 107, by Messrs. Stacey, Holman and Mantes, has carefully considered said bill and reports the same out favorably.

Respectfully,

JAMES N. STACEY,
Chairman

Report filed.

S. B. No. 107 was referred to the Sifting Committee.

Mr. President: February 19, 1963

Your Committee on Highways and Aeronautics to which was referred S. B. No. 183, by Messrs. Stacey and Holman, has carefully considered said bill and reports the same out favorably.

Respectfully,

JAMES N. STACEY,
Chairman

Report filed.

S. B. No. 183 was referred to the Sifting Committee.

Mr. President: February 19, 1963

Your Committee on Public Health, Welfare and Institutions, to which was referred H. B. No. 4, by Messrs. Clyde and Gunnell, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

H. B. No. 4 was referred to the Sifting Committee.

February 19, 1963

Mr. President:

Your Committee on Public Health, Welfare and Institutions, to which was referred H. B. No. 73, by Messrs. Harward, Poulson, Kastler and Cooper, has carefully considered said bill and reports the same out favorably.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

H. B. No. 73 was referred to the Sifting Committee.

Mr. President: February 19, 1963

Your Committee on Public Health, Welfare and Institutions, to which was referred H. B. No. 5, by Messrs. Clyde and Gunnell, has carefully considered said bill and reports the same out favorably.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

H. B. No. 5 was referred to the Sifting Committee.

Mr. President: February 19, 1963

Your Committee on Public Health, Welfare and Institutions, to which was referred S. B. No. 133, by Messrs. Bullen and M. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

S. B. No. 133 was referred to the Sifting Committee.

Mr. President: February 19, 1963

Your Committee on Public Health, Welfare and Institutions, to which was referred S. B. No. 180, by Mr. Kerr, has carefully considered said bill and reports the same out favorably.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

S. B. No. 180 was referred to the Sifting Committee.

Mr. President: February 19, 1963

Your Committee on Public Health, Welfare and Institutions, to which was referred S. B. No. 137, by Messrs. Bernhard and Gardner, has carefully considered said bill and reports the same out favorably.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

S. B. No. 137 was referred to the Sifting Committee.

Mr. President: February 19, 1963

Your Committee on Public Health, Welfare and Institutions, to which was referred H. B. No. 35, by Messrs. Aiken, Poulson, Rockwood, Green and Sonntag, has carefully considered said bill and reports the same out favorably.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

H. B. No. 35 was referred to the Sifting Committee.

Mr. President: February 19, 1963

Your Committee on Business and Commerce to which was referred S. B. No. 64, by Messrs. Kerr, Miller and Rees, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 64 was referred to the Sifting Committee.

Mr. President: February 19, 1963

Your Committee on Business and Commerce to which was referred H. B. No. 62, by Messrs. Kastler, Dean, Bullock, Mayhew and Memmott, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 62 was referred to the Sifting Committee.

Mr. President: February 19, 1963

Your Committee on Business and Commerce to which was referred S. B. No. 7, by Messrs. Bernhard, M. Jenkins and G. D. Taylor, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 7 was referred to the Sifting Committee.

February 19, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred H. B. No. 96, by Messrs. Green and Aikin, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 96 was referred to the Sifting Committee.

February 19, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred S. B. No. 45, by Messrs. Waddingham and B. Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 45 was referred to the Sifting Committee.

February 19, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred S. B. No. 160, by Mr. Barlow, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 160 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 31 was read the third time and placed on its final passage.

S. B. No. 31 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Grover and D. Taylor.

S. B. No. 31 was transmitted to the House.

S. B. No. 32 was read the third time and placed on its final passage.

S. B. No. 32 then passed on the following roll call:

Yeas, 25; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

S. B. No. 32 was transmitted to the House.

On motion of Senator Browning, the rules were suspended and the Senate voted to amend S. B. No. 33 by deleting all the body and the title of the original S. B. No. 33 and then insert in lieu thereof the following:

S. B. 33 By Messrs. Browning, Barlow and Bernhard
(Substitute Bill)

AN ACT RELATING TO COUNTY PUBLIC LIBRARIES; PROVIDING FOR THEIR ESTABLISHMENT AND MAINTENANCE THROUGH TAXATION; PROVIDING FOR A LIBRARY FUND; PROVIDING FOR APPOINTMENT OF DIRECTORS BY COUNTY COMMISSIONERS; PROVIDING FOR THE GOVERNING OF THE LIBRARIES AND PROVIDING FOR A LIBRARIAN AND ASSISTANTS; AUTHORIZING DONATIONS TO LIBRARIES AND EMPOWERING VARIOUS BOARDS TO COOPERATE IN PROVIDING LIBRARY SERVICES; AND REPEALING SECTIONS 37-3-1, 37-3-2, 37-3-3, 37-3-4, 37-3-5, 37-3-6, 37-3-8 and 37-3-9, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW CHAPTER 3, TITLE 37, UTAH CODE ANNOTATED 1953.

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

Section 1. Sections 37-3-1, 37-3-2, 37-3-3, 37-3-4, 37-3-5, 37-3-6, 37-3-7, 37-3-8, 37-3-9, and 37-3-10, Utah Code Annotated 1953, are enacted to read:

37-3-1. County commissioners may establish and maintain a public library. For this purpose, counties may levy annually a tax not to exceed three mills on each dollar of assessed valuation on all taxable property in the county, outside of cities which maintain their own city libraries as authorized by Chapter 2, Title 37, Utah Code Annotated 1953, as amended. Said tax shall be in addition to all taxes levied by counties and shall not be limited by levy limitation imposed on counties by law. However, if bonds are hereafter issued for purchasing a site, constructing a building, or furnishing the same, then taxes sufficient for the payment of such bonds and the interest thereon may be levied. Such taxes shall be levied and collected in the same manner as other general taxes of the county and shall constitute a fund to be known as the county library fund.

37-3-2. Upon the establishment of a county public library under the provisions of this act, the county commissioners shall appoint a library board of five directors chosen from the citizens of the county with reference to their fitness for such office. One member of the county commission shall be a member of such board. Directors shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties may be paid from the library funds.

37-3-3. Directors shall be appointed for four year terms, or until their successors are appointed. Initially, appointments shall be made for one, two, three, and four year terms, and one county commissioner for the term of his elected office. Annually thereafter, the county commissioners shall, before the first day of July of each year, appoint, for a four year term, one director to take the place of the retiring director. Directors shall serve not more than two full terms in succession. Following such appointments, the directors shall meet and elect a chairman and such other officers, as they deem necessary, for one year terms. The county commissioners may remove any

director for misconduct or neglect of duty. Vacancies in the board of directors, occasioned by removals, resignations, or otherwise, shall be filled for the unexpired terms in the same manner as original appointments.

37-3-4. The library board of directors shall have control of the expenditure of the library fund, of construction or lease of library buildings, and of the operation and care of the library. All tax monies received for such library shall be deposited in the county treasury to the credit of the library fund, and shall not be used for any purpose except that of the county library. Said funds shall be drawn upon by the authorized officers of the county upon presentation of the properly authenticated vouchers of the library board. All monies collected by the library shall be deposited to the credit of the library fund. The board may purchase or lease land, and lease or erect buildings, for the use of the library. The board shall be responsible for the maintenance and care of the library and shall establish policies for its operation, and, in general, carry out the spirit and intent of the provisions of this chapter.

37-3-5. The library board of directors shall furnish to the county commission, in writing, and prior to the time required by law to levy county taxes, an estimate of the amount of monies necessary to establish, equip and maintain the library, and to provide library services during the next ensuing fiscal year and shall certify the same; the board of county commissioners shall thereafter, at the time and in the manner of levying other taxes, impose such levy; provided, that such levy shall not exceed in any one year, three mills on each dollar of all of the taxable property of the county.

37-3-6. The libarary board of directors shall make and adopt rules and regulations, not inconsistent with law, for the governing of the library. Every library established under the provisions of this chapter shall be free to the use of the inhabitants of the area taxed for the support of said library, subject to the rules and regulations adopted by the board. The board may exclude from the use of the library any and all persons who shall willfuly violate such rules. The board may extend the privileges and use of the library

to persons residing outside of said area upon such terms and conditions as it may prescribe by its regulations.

37-3-7. The library board of directors shall make an annual report to the county commission on the condition and operation of the library, including a financial statement. The directors shall also provide for the keeping of such records as shall be required by the Utah State Library Commission in its request for an annual report from the public libraries, and shall submit such an annual report to the Utah State Library Commission.

37-3-8. The library board of directors shall appoint a competent person as librarian to have immediate charge of the library with such duties and compensation for his services as it shall fix and determine. The librarian shall act as the executive officer for the library board. The board shall appoint, upon the recommendation of the librarian, other personnel as needed.

37-3-9. Any person desiring to make donations of money, personal property or real estate for the benefit of such library shall have the right to vest the title to the money, personal property or real estate so donated, in the board of directors thereof, to be held and controlled by such board, when accepted, according to the terms of the deed, gift, devise or bequest of such property; and as to such property the board shall be held and considered to be trustees.

37-3-10. Boards of directors of city libraries, boards of directors of county libraries, boards of education, governing boards of other educational institutions, library agencies, and local political subdivisions are hereby empowered to cooperate, merge, or consolidate in providing library services.

Section 2. Sections 37-3-1, 37-3-2, 37-3-3, 37-3-4, 37-3-5, 37-3-6, 37-3-7, 37-3-8 and 37-3-9, Utah Code Annotated 1953, are hereby repealed.

S. B. No. 33 was read the third time and placed on its final passage.

On motion of Senator Bernhard, S. B. No. 33 retained its position on the Third Reading Calendar.

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:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Holman and Stacey.

S. B. No. 34 was transmitted on the House.

SPECIAL ORDER

S. B. No. 26 being a Special Order of Business, was before the Senate.

S. B. No. 26 was read the second time.

Committee report read and adopted.

S. B. No. 26 failed to pass on Second Reading on the following roll call:

Yeas, 5; Nays, 20; Absent, 0.

Voting in the affirmative were: Senators Gardner, Grover, Hunter, Memmott (explained vote), and Stacey.

Voting in the negative were: Senators Barlow, Bernhard, Brockbank, Browning, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 33 having retained its position was before the Senate.

S. B. No. 33 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond and Hunter.

S. B. No. 33 was transmitted to the House.

On motion of Senator Bernhard, the rules were suspended and the Senate voted to amend S. B. No. 36 by deleting all the body and the title of the original S. B. No. 36 and then insert in lieu thereof the following:

S. B. No. 36 By Messrs. Browning, Barlow and Bernhard
(Substitute Bill)

AN ACT RELATING TO CITY PUBLIC LIBRARIES; PROVIDING FOR THEIR ESTABLISHMENT AND MAINTENANCE THROUGH MAXIMUM AND MINIMUM LEVIES OF TAXES TO PROVIDE FOR A LIBRARY FUND; PROVIDING FOR APPOINTMENT OF A BOARD OF DIRECTORS BY THE GOVERNING BODY; PRESCRIBING THEIR APPOINTMENT, POWERS, AND DUTIES; PROVIDING FOR THE GOVERNING OF THE LIBRARIES AND PROVIDING FOR A LIBRARIAN AND ASSISTANTS; AUTHORIZING DONATIONS TO LIBRARIES AND EMPOWERING VARIOUS BOARDS TO COOPERATE IN PROVIDING LIBRARY SERVISES; PROVIDING FOR CONSOLIDATION; AND REPEALING SECTION 37-2-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 62, LAWS OF UTAH 1955, AND CHAPTER 59, LAWS OF UTAH 1959, AND SECTIONS 37-2-2, 37-2-3, 37-2-4, 37-2-5, 37-2-6, 37-2-7, 37-2-8, 37-2-9, 37-2-10, 37-2-11 and 37-2-12, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW CHAPTER 2, TITLE 37, UTAH CODE ANNOTATED 1953.

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

Section 1. Sections 37-2-1, 37-2-2, 37-2-3, 37-2-4, 37-2-5, 37-2-6, 37-2-7, 37-2-8, 37-2-9, and 37-2-10, Utah Code Annotated 1953, are enacted to read:

37-2-1. The governing body of cities may establish and maintain public libraries. For this purpose cities shall annually levy a tax of one mill on each dollar of assessed valuation on all taxable property within the city, and may levy up to and including an additional two mills. Said tax shall be in addition to all taxes levied by said cities, and shall not be limited by levy limitation imposed on said cities by law. However, if bonds are hereafter

issued for purchasing a site, constructing a building, or furnishing the same, then taxes sufficient for the payment of such bonds and the interest thereon may be levied. Such taxes shall be levied and collected in the same manner as other general taxes of the city, and shall constitute a fund to be known as the library fund.

37-2-2. When the governing body in any city decides to establish and maintain a public library under the provisions of this act, it shall appoint a library board of directors, chosen from the citizens at large with reference to their fitness for such office. The board of directors shall consist of not less than five members and not more than nine members. Not more than one member of the governing body shall be, at any one time, a member of such board. Directors shall serve without compensation, but their actual and necessary expenses incurred in the performance of their official duties may be paid from library funds.

37-2-3. Directors shall be appointed for three year terms, or until their successors are appointed. Initially, appointments shall be made for one, two and three year terms. Annually, thereafter, the governing body shall, before the first day of July of each year, appoint for three year terms directors to take the place of the retiring directors. Directors shall serve not more than two full terms in succession. Following such appointments, the directors shall meet and elect a chairman and such other officers, as they may deem necessary, for one year terms. The governing body may remove any director for misconduct or neglect of duty. Vacancies in the board of directors, occasioned by removals, resignations, or otherwise, shall be filled for the unexpired term in the same manner as original appointments.

37-2-4. The library board of directors shall have control of the expenditure of the library fund, of construction or lease of library buildings, and of the operation and care of the library. All tax monies received for such library shall be deposited in the city treasury to the credit of the library fund, and shall not be used for any purpose except that of the city library. Said fund shall be drawn upon by the authorized officers of the city, upon pre-

sentation of the properly authenticated vouchers of the library board. All monies collected by the library shall be deposited to the credit of the library fund. The board may purchase or lease grounds, and lease or erect buildings for the use of the library. The board shall be responsible for the maintenance and care of the library and shall establish policies for its operation, and, in general, carry out the spirit and intent of the provisions of this chapter.

37-2-5. The library board of directors shall make and adopt rules and regulations, not inconsistent with law, for the governing of the library. Every library established under the provisions of this chapter shall be free to the use of the inhabitants of the city where located, subject to the rules and regulations adopted by the board. The board may exclude from the use of the library any and all persons who shall willfully violate such rules. The board may extend the privileges and use of the library to persons residing outside of said city upon such terms and conditions as it may prescribe by its regulations.

37-2-6. The library board of directors shall make an annual report to the governing body of the city on the condition and operation of the library, including a financial statement. The directors shall also provide for the keeping of such records as shall be required by the Utah State Library Commission in its request for an annual report from the public libraries, and shall submit such annual report to the Commission.

37-2-7. The library board of directors shall appoint a competent person as librarian to have immediate charge of the library with such duties and compensation for his services as it shall fix and determine. The librarian shall act as the executive officer for the library board. The board shall appoint, upon the recommendation of the librarian, other personnel as needed.

37-2-8. Any person desiring to make donations of money, personal property, or real estate for the benefit of such library shall have the right to vest the title to the money, personal property or real estate so donated, in the board of directors thereof, to be held and controlled by such board, when accepted, according to the terms of the deed, gift, devise or bequest of such

property; and as to such property the board shall be held and considered to be trustees.

37-2-9. Boards of directors of city libraries, boards of directors of county libraries, board of education, governing boards of other educational institutions, library agencies, and local political subdivisions are hereby empowered to cooperate, merge, or consolidate in providing library services.

37-2-10. When a city library consolidates with a county library, the city library board of directors shall convey all assets and trust funds to the county library board of directors and the city library shall cease operation.

Section 2. Section 37-2-1, Utah Code Annotated 1953, as amended by Chapter 62, Laws of Utah 1955, and Chapter 59, Laws of Utah 1959, and Sections 37-2-2, 37-2-3, 37-2-4, 37-2-5, 37-2-6, 37-2-7, 37-2-8, 37-2-9, 37-2-10, 37-2-11 and 37-2-12, Utah Code Annotated 1953, are hereby repealed.

S. B. No. 36 was read the third time and placed on its final passage.

On motion of Senator Kerr the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

UNFINISHED BUSINESS

S. B. No. 36 being Unfinished Business was before the Senate.

On motion of Senator Brockbank, S. B. No. 36 was amended as follows:

Beginning on line 4 of the substitute bill delete "For this purpose cities shall annually levy a tax of one mill on each dollar of assessed valuation on all taxable property within the city, and may levy up to and including an additional two mills." then insert in lieu thereof the following:

"For this purpose, cities may levy annually a tax not to exceed three mills on each dollar of assessed valuation on all taxable property within the city."

S. B. No. 36 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Hunter, Sowards, Stacey and Waddingham.

S. B. No. 36 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Harmston, S. B. No. 114 retained its position on the Third Reading Calendar.

On motion of Senator Harmston, S. B. No. 57 retained its position on the Third Reading Calendar.

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

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

SPECIAL ORDER

S. B. No. 48 being a Special Order of Business, was before the Senate for reconsideration.

S. B. No. 48, upon reconsideration, then passed on the following roll call:

Yeas, 14; Nays, 11; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Hunter, Rees, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Browning, Grover, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller and Sowards.

S. B. No. 48 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

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:

Yeas, 25; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor S. Taylor, Waddingham and Mr. President.

S. B. No. 47 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:

Yeas, 25; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

S. B. No. 49 was transmitted to the House.

S. B. No. 50 was read the third time and placed on its final passage.

On motion of Senator Waddingham, the title of S. B. No. 50 was amended as follows:

Line 3, delete the semicolon following "TORNEYS" then insert "CLERKS;".

S. B. No. 50 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Memmott, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Kerr, Mantes, Miller and Stacey.

S. B. No. 50 was transmitted to the House.

S. B. No. 51 was read the third time and placed on its final passage.

S. B. No. 51 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Mantes and Stacey.

S. B. No. 51 was transmitted to the House.

S. B. No. 52 was read the third time and placed on its final passage.

S. B. No. 52 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Grover, B. Jenkins, Mantes and Miller.

S. B. No. 52 was transmitted to the House.

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:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller (explained vote), Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Mantes and D. Taylor.

S. B. No. 53 was transmitted to the House.

S. B. No. 54 was read the third time and placed on its final passage.

S. B. No. 54 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Mantes and S. Taylor.

S. B. No. 54 was transmitted to the House.

S. B. No. 55 was read the third time and placed on its final passage.

S. B. No. 55 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Mantes.

S. B. No. 55 was transmitted to the House.

S. B. No. 59 was read the third time and placed on its final passage.

S. B. No. 59 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Mantes.

S. B. No. 59 was transmitted to the House.

On motion of Senator Brockbank, the rules were suspended and the Senate voted to now consider H. B. No. 13.

On motion of Senator Brockbank, H. B. No. 13 was lifted from the table.

On motion of Senator Brockbank, H. B. No. 13 was amended as follows:

Page 1, line 5 delete the word "Commission" insert in lieu thereof "director."

Page 1, line 7, delete the word "commission" insert in lieu thereof "director".

Page 1, line 8, delete the word "commission" insert in lieu thereof "director".

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

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Mantes.

H. B. No. 13 was returned to the House.

SPECIAL ORDER

S. B. No. 15 being a Special Order of Business, was before the Senate.

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

Committee report read and adopted.

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

Bank Commissioner, Mr. Spencer Taylor and Mr. John Lee, Attorney, appeared before the Committee of the Whole.

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

On motion of Senator Gardner the Senate recessed.

The Senate re-assembled.

On motion of Senator Gardner, S. B. No. 15 was amended as follows:

Page 4, delete the underlined material on lines 4, 5, 6, and 7 then insert in lieu thereof the following:

"The Bank Commissioner may, in his discretion, accept examinations of any bank or trust company which are made by examiners of the Federal Reserve Board or examiners of the Federal Deposit Insurance Corporation . . . ."

On page 13, line 3, it is proposed that the underlined language read as follows:

". . . 7-3-26, Utah Code Annotated 1953."

Page 9, line 10, delete the word "shall" insert the word "may".

Page 9, line 11, delete the word "shall" insert the word "may".

On motion of Snator Hunter, S. B. No. 15 was amended as follows:

Page 15, delete line 10

On motion of Senator Gardner 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:

Yeas, 25; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

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

SPECIAL ORDER

S. B. No. 67 being a Special Order of Business, was before the Senate.

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

Mr. Glen Hatch appeared before the Committee of the Whole.

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

On motion of Senator Hafen the rules were suspended and the Senate voted to amend S. B. No. 67 by deleting all the body and the title of the original S. B. No. 67 and then inserting in lieu thereof the following:

S. B. No. 67 By Messrs. Hafen, Harmston and G. D. Taylor
(Substitute Bill)

AN ACT RELATING TO THE BUSINESS OF SELLING OR ISSUING CHECKS, MONEY ORDERS, OR OTHER INSTRUMENTS FOR THE TANSMISSION OR PAYMENT OF MONEY; PROVIDING FOR THE LICENSING AND

REGULATION OF SUCH BUSINESSES BY THE STATE BANK COMMISSIONER; PROVIDING FOR EXEMPTIONS FROM THE ACT; PROVIDING FOR ENFORCEMENT OF THE ACT AND A PENALTLY FOR VIOLATION THEREOF.

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

Section 1. To protect the public from losses which might otherwise result from the default in payment of checks or other instruments for the payment or transmission of money which have been sold or issued by persons of inadequate financial resources or reserves, it is necessary to provide for the licensing and regulation of the business of selling or issuing such instruments.

Section 2. As used in this act:

(1) the word "person" includes individuals, partnerships, associations and corporations, but does not include any agency or political subdivision of the government of the United States or of this state or of any government foreign to the United States.

(2) the word "check" includes any check, draft, money order, personal money order, or other instrument for the transmission of money.

(3) "Personal money order" means any instrument for the transmission or payment of money in relation to which the purchaser or remitter appoints or purports to appoint the seller thereof as his agent for the receipt, transmission, or handling of money, whether such instrument be signed by the seller or by the purchaser or remitter or some other person.

(4) the word "licensee" means a person duly licensed by the Commissioner pursuant to this act.

(5) the words "to sell" mean to sell, to issue or to deliver a check.

(6) the words "to deliver" mean to deliver a check to the

first person who, in payment for same, makes or purports to make a remittance of or against the face amount thereof, whether or not the person who delivers the check signs the check as maker, drawer, or otherwise.

(7) the word "commissioner" means the bank commissioner of Utah.

Section 3. No person, except those specified in Section 4, shall engage in the business of selling checks, as a service or for a fee or other consideration, without first obtaining a license hereunder. Any person engaged in said business on the effective date of this act may continue to engage therein without a license until the commissioner shall have acted upon his application for a license, provided that such application be filed within 30 days after the effective date of this act.

Section 4. No license to sell checks as mentioned in this act shall be required hereunder of any of the following:

(1) Banks, trust companies, building and loan associations, and savings and loan associations, industrial or small loan companies, whether organized under the laws of this state or of the United States; provided that nothing herein shall be deemed to enlarge the powers of the foregoing persons; or

(2) Incorporated telegraph companies insofar as they receive money at any of their respective offices or agencies for immediate transmission by telegraph; or

(3) Agents of a licensee, as provided in Section 10.

Section 5. Each application for a license hereunder shall be in writing, under oath, and in the form prescribed by the commissioner. The application shall contain such relevant information, including financial statements, as the commissioner

may require to aid him in determining the financial responsibility, experience, character and general fitness of the applicant, or if

the applicant is other than an individual, of the members, officers or directors, of the applicant. At the time of making such application, the applicant shall pay to the commissioner the sum of $50 as a fee for investigating the application and the sum of $100 as a license fee for the period ending with the current calendar year; provided that if the license is granted after June thirtieth in any year the license fee shall be $50.

Section 6. Upon the filing of such application, accompanied by the sums stated in Section 5, the commissioner shall investigate the application and if he shall find that the financial responsibility, experience, character and general fitness of the applicant are such as to warrant the belief that the business will be operated lawfully, honestly and fairly, within the purposes of this act, he shall notify the applicant that a license to engage in the business of selling checks in this state will be issued upon the filing by the applicant of a surety bond or other securities, as provided in Section 7.

Section 7. The commissioner shall not issue a license to the applicant until there has been filed with the commissioner a surety bond, issued by a surety or bonding company authorized to do business in this state in the principal sum of $10,000, and in an additional principal sum of $10,000 for each location, in excess of one, at which the applicant proposes to sell checks in this state, but in no event shall the bond be required to be in excess of $50,000. If the bond filed be in a principal sum of less than $50,000, it shall be accompanied by a list of the locations at which the business is to be conducted. The bond shall be in form satisfactory to the commissioner and shall run to the state for the benefit of any claimants against the applicant or his agents to secure the faithful performance of the obligations of the applicant and his agents with respect to the receipt, handling, transmission and payment of money in connection with the sale of checks. The

aggregate liability of the surety in no event shall exceed the principal sum of the bond. Such claimants against the applicant or his agents may themselves bring suit directly on the bond, or the Attorney General may bring suit thereon in behalf of such claimants, either in one action or successive actions.

In lieu of such corporate surety bond, or of any portion of the principal thereof as required by this section, the applicant may deposit with the commissioner securities consisting of interest-bearing stocks and bonds, notes, debentures or other obligations of the United States or any agency or instrumentality thereof, or guaranteed by the United States, or of this state, or of a city, county, town, school district or instrumentality of this state, to an aggregate amount, based on principal amount or market value, whichever is lower, of not less than the amount of the required corporate surety bond or portion thereof. The securities shall be deposited with the commissioner to secure the same obligations as would the surety bond, but the depositor shall be entitled to receive all interest and dividends thereon, shall have the right, with the approval of the commissioner, to substitute other securities for those deposited, and shall be required to do so on written order of the commissioner made for good cause shown.

If the commissioner finds that the bond or securities so filed are in proper form, he shall issue to the applicant a license to engage in the business of selling checks in this state.

Section 8. After a license has been granted, the licensee shall thereafter maintain the bond or securities in the amount prescribed in Section 7. Each licensee who does not have on file or deposit such bond or securities in the undiminished principal sum of $50,000, shall file quarterly reports with the commissioner, setting forth the locations at which he sells checks in this state as of January 1, April 1, July 1 and October 1 in each year, the

report for each such date being due on or before the 15th day thereafter. Within 10 days following the filing of such a report,

the principal sum of the bond or securities shall be increased to reflect any increase in the number of locations, and may be decreased to reflect any decrease in the number of locations. If the commissioner shall at any time reasonably determine that the bond or scurities are insecure, deficient in amount, or exhausted in whole or in part, he may by written order require the filing of a new or supplemental bond or the deposit of new or additional securities in order to secure compliance with this act, such order to be complied with within 30 days following service thereof upon the licensee.

Section 9. Each license shall remain in full force and effect until surrendered or revoked. Every licensee shall, on or before the tenth day of each December, pay to the commissioner the sum of $100 as a license fee for the succeeding calendar year.

Section 10. A licensee may conduct his business at one or more locations within this state, as follows:

(1) The business may be conducted through or by means of such agents and subagents as the licensee may from time to time appoint.

(2) No license under this act shall be required of any such agent or subagent, except as provided in the following subsection.

(3) An agent or subagent other than a person referred to in subsections (1) and (2) of Section 4, who sells the licensee's checks over-the-counter to the public shall not be exempt from licensing under this act if such agent or subagent, in the regular conduct of such business, receives or at any time as access to (a) the licensee's checks which, having been paid, are returned through banking channels or otherwise for verification or for reconciliation or accounting with respect thereto or (b) bank statements relating to checks so returned. This subsection shall not affect the

exemption of any agent of the licensee who does not sell checks over the counter to the public.

Section 11. Each licensee shall be liable for the payment of all checks which he sells, in whatever form and whether directly or through an agent as the maker or drawer, according to the negotiable

instrument laws of this state; and a licensee who sells a check, whether directly or through an agent, upon which he is not designated as maker or drawer, shall nevertheless have the same liabilities with respect thereto as if he had signed the check as the drawer of the check.

Section 12. Every check sold by a licensee, directly or through an agent, shall bear the name of the licensee clearly imprinted thereon.

Section 13. The commissioner may revoke a license on any ground on which he may refuse to grant a license, for violation of any provision of this act, or for failure to comply with any order duly issued by the commissioner under this act. The commissioner, if he has reasonable cause to believe that the grounds for revocation exist, may investigate the business, books and records of the licensee.

Section 14. No license shall be denied or revoked except on 10 days' written notice to the applicant or licensee. Upon receipt of such notice the applicant or licensee may, within 10 days thereafter, make written demand for a hearing. The commissioner upon receipt of such demand shall proceed with reasonable promptness to hear and determine the matter as provided by law.

Whenever the commissioner, after such hearing, shall enter an order adverse to the applicant or licensee, he shall immediately notify the applicant or licensee of such order. Within 5 days after the entry of such order, the commissioner shall file with the department his findings and summary of the evidence

supporting them and he shall immediately deliver a copy thereof to the applicant or licensee.

Section 15. Within 20 days after notice that the commissioner has denied an application for rehearing or, if application is granted, within 20 days after notice of a decision or rehearing, any party aggrieved by the order of the commissioner may apply to the Supreme Court for judicial review of the action of the

commissioner. The provisions of the Utah Rules of Civil Procedure relating to extraordinary writs shall apply to the proceedings before the Supreme Court.

Section 16. Any person and the several members, officers, directors, agents and employees thereof who violates or participates in the violation of any provision of this act shall be guilty of a misdemeanor. Each transaction in violation of this act and each day that a violation continues shall be a separate offense.

Section 17. If any provision of this act, or the application of any provision to any person or circumstance, is held invalid, the remainder of this act shall not be affected thereby.

On motion of Senator Waddingham, S. B. No. 67 was amended as follows:

Page 2, lines 23 and 24 delete the words "industrial or small loan companies,".

On motion of Senator Holman, S. B. No. 67 was amended as follows:

Page 3, line 5, delete "$50" insert "$25".

Page 3, line 6, delete "$100" insert "$50".

Page 3, line 9, delete "$50" insert "$25".

Page 5, line 14, delete "$100" insert "$50".

S. B. No. 67 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 6; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Lambert, Mantes, Miller, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Grover, B. Jenkins, Kerr, Memmott, Rees and Sowards.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 91 was read the third time and placed on its final passage.

On motion of Senator Hunter, S. B. No. 91 was amended as follows:

Page 1, delete lines 9, 10, 11, 12 and 13 and insert in lieu thereof the following:

(3) The proceeds of this tax in an amount up to, but not exceeding $16,000,000.00 per biennium shall be used by the State Building Board for the acquisition and improvement of land and facilities and for the acquisition, construction, alteration, repair and improvement of buildings and facilities at state public institutions, or shall be used by the State Treasurer, with the approval of the Building Board, to retire obligations lawfully incurred for such purposes as directed by the 34th Legislature. All additional proceeds in excess of $16,000,000.00 per biennium collected from such tax shall go to the General Fund.

Page 2, delete lines 8, 9, 10, 11 and 12 and insert in lieu thereof:

(3) The proceeds of this tax in an amount up to, but not exceeding $16,000,000.00 per biennium shall be used by the State Building Board for the acquisition and improvement of land and facilities and for the acquisition, construction, alteration, repair and improvement of buildings and facilities at state public institutions, or shall be used by the State Treasurer, with the approval of the Building Board, to retire obligations lawfully incurred for such purposes as directed by the 34th Legislature. All additional proceeds in excess of $16,000,000.00 per biennium collected from such tax shall go to the General Fund.

On motion of Senator Hunter, the title of S. B. No. 91 was amended as follows:

Lines 6 and 7 of the title delete the words "FOR IMPROVEMENT OF CAMPUS AND BUILDINGS IN SCHOOLS OF HIGHER EDUCATION" then insert in lieu thereof:

FOR ACQUISITION AND IMPROVEMENT OF SITES AND FOR ACQUISITION, IMPROVEMENT AND CONSTRUCTION OF BUILDINGS AND FACILITIES AT STATE INSTITUTIONS

Line 10 of the title delete the words "TO THE VARIOUS SCHOOLS".

S. B. No. 91 then passed on the following roll call:

Yeas, 13; Nays, 12; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Hunter, Kerr, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators Browning, Grover, Harmston, Holman, B. Jenkins (explained vote), M. Jenkins, Lambert (explained vote), Mantes, Memmott, Miller, Sowards and Waddingham (explained vote).

S. B. No. 91 was transmitted to the House.

S. B. No. 84 was read the third time and placed on its final passage.

On motion of Senator B. Jenkins, the title of S. B. No. 84 was amended as follows:

Lines 4 and 5 delete the words "IN A GENERAL ELECTION."

On motion of Senator B. Jenkins, S. B. No. 84 was amended as follows:

Page 1, line 6, delete the words "in general elections."

S. B. No. 84 then passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Hunter (explained vote) and Kerr.

Absent and not voting was Senator D. Taylor.

S. B. No. 84 was transmitted to the House.

On motion of Senator B. Jenkins, S. B. No. 11 was placed at the head of the calendar.

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

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

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Miller and Sowards.

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

On motion of Senator Kerr, the Senate adjourned until Wednesday, February 20, 1963 at 9:30 A.M.

THIRTY-EIGHTH DAY

MORNING SESSION

February 20, 1963

The Senate was called to order at 9:30 A.M. President Bullen in the chair.

Roll Call – All Senators present.

Prayer by the Reverend Horace McMullen, Holladay Community Church.

February 20, 1963

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,

FRANK C. MEMMOTT,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 18, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 49 – SCHOOL BUILDING PLANNING, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 49 was read the first time and referred to the Committee on Industry.

February 19, 1963

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. 29 – BRUCELLOSIS ERADICATION AND $36,000 APPROPRIATION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 29 was read the first time and referred to the Committee on Agriculture and Irrigation.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 67 — PER DIEM ALLOWANCE—ENGINEERS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 67 was read the first time and referred to the Committee on Business and Commerce.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 71 — FEES, MEDICINE, ETC., and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 71 was read the first time and referred to the Committee on Business and Commerce.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 74 — NURSING SCHOOL BOARD OF REVIEW, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 74 was read the first time and referred to the Committee on Industry.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 75 – CEMETERIES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 75 was read the first time and referred to the Committee on Industry.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 77 – DIRECTOR OF REGISTRATION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 77 was read the first time and referred to the Committee on Business and Commerce.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 118 – PROHIBITING IMMODEST PHOTOGRAPHY, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 118 was read the first time and referred to the Committee on Public Health, Welfare and Institutions.

February 15, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 57 – ABATEMENT OF WEEDS AND UNSIGHTLY OBJECTS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 57 was read the first time and referred to the Committee on Political Subdivisions.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 14, as substituted, entitled USE OF TOBACCO VENDING MACHINES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 14 was read the first time and referred to the Committee on Business and Commerce.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 134 – DEALING WITH FALSE ADVERTISING, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 134 was read the first time and referred to the Committee on Judiciary.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 137 – OBSCENITY AND OBSCENE MATERIALS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 137 was read the first time and referred to the Committee on Public Health, Welfare and Institutions.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 108 – APPROPRIATION–ADA M. BACHELDOR, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 108 was read the first time and referred to the Committee on Judiciary.

February 18, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in the Senate amendments to H. B. No. 104 entitled FISHING LICENSES, and requests the Senate to recede from its amendments.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate refused to recede from its amendments and President Bullen appointed a Conference Committee consisting of Senators Brockbank, Browning and Harmston, to act with a like committee from the House to confer on H. B. No. 104.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 18th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 3, entitled STATE TRAFFIC COORDINATING.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 18th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 15, entitled BOARD OF EDUCATION APPROPRIATION.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 18th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 18, entitled ATTORNEYS FEES.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 18th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 22, entitled TRUCKS TO PULL TRAILERS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 18th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 23, entitled EMPLOYMENT – MINORS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 19, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 18th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 47, entitled USE OF SPECIAL BOOKS FOR COUNTY RECORDER.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

REPORTS OF STANDING COMMITTEES

February 20, 1963

Mr. President:

Your Rules Committee, to which was referred

S. B. No. 201 (State, Federal & Military Affairs & Civil Defense) reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bill was ordered printed and referred to the Committee indicated.

February 20, 1963

Mr. President:

Your Joint Appropriations Committee to which was referred S. B. No. 83, by Messrs. Barlow and Browning, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

W. HUGHES BROCKBANK,

Chairman

Report filed.

S. B. No. 83 was referred to the Sifting Committee.

February 20, 1963

Mr. President:

Your Joint Appropriations Committee to which was referred S. B. No. 93, by Messrs. Waddingham, Lambert and Brockbank, has carefully considered said bill and reports the same out favorably.

Respectfully,

W. HUGHES BROCKBANK,

Chairman

Report filed.

S. B. No. 93 was referred to the Sifting Committee.

February 20, 1963

Mr. President:

Your Joint Appropriations Committee to which was referred S. B. No. 70, by Messrs. Hafen, Bernhard and Sowards, has carefully considered said bill and reports the same out with the following recommendations: That a ceiling for the salary of the State Superintendent of Public Instruction remain, but that the ceiling figure be raised from $14,000 to $16,000 per annum.

Respectfully,

W. HUGHES BROCKBANK,

Chairman

Report filed.

S. B. No. 70 was referred to the Sifting Committee.

February 20, 1963

Mr. President:

Your Committee on Labor to which was referred S. B. No. 78, by Messrs. Kerr and M. Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

WALLACE H. GARDNER,
Chairman

Report filed.

S. B. No. 78 was referred to the Sifting Committee.

February 20, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. C. R. No. 2, by Messrs. Bullen, S. J. Taylor and M. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. C. R. No. 2 was referred to the Sifting Committee.

February 20, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 182, by Messrs. Browning and Stacey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 182 was referred to the Sifting Committee.

February 20, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. J. R. No. 11, by Messrs. Brockbank and G. D. Taylor, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. J. R. No. 11 was referred to the Sifting Committee.

February 20, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 169, by Messrs. Brockbank and S. J. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 169 was referred to the Sifting Committee.

February 20, 1963

Mr. President:

Your Committee on Agriculture and Irrigation to which was referred H. B. No. 29, by Messrs. Mernmott, Clyde, Mrs. Conover, L. L. Peterson and McKay, has carefully considered said bill and reports the same out favorably.

Respectfully,

KLEON KERR,
Chairman

Report filed.

H. B. No. 29 was referred to the Sifting Committee.

Senator Gardner informed the Senate that the George Stevens Movie Production Company were on location in Page, Arizona, filming "Crossing of the Fathers" a film that was to have originally been a seventeen million dollar production and now will probably reach the 50 million dollar mark.

The thought has been projected that the Senate should send a delegation, perhaps with the Governor to Page, Arizona, this week-end as a delegation of good will.

On motion of Senator Hafen, the Senate voted to direct the chair to appoint a Committee of three to investigate this matter further and report back to members of the Senate.

SPECIAL ORDER

S. B. No. 105 being a Special Order of Business, was before the Senate.

S. B. No. 105 was read the third time and placed on its final passage.

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

Dr. Marion Merkley, State Superintendent of Public Instruction, Dr. Maurice Barnett, Superintendent of South Sanpete School District, Dr. Lynn Bennion, Superintendent of Salt Lake City Schools, Dr. Elmer J. Hartvigsen, Superintendent of Granite School District, Mr. Darrell Long, Executive Secretary, Utah School Board Association, Dr. Jefferson Eastmond, Assistant Secretary and Research Director, U. E. A., appeared before the Committee of the Whole.

On motion of Senator Kerr, the Committee of the Whole recessed until 2:00 P. M.

The Senate recessed.

AFTERNOON SESSION

The Senate re-assembled as a Committee of the Whole. President Bullen in the chair.

UNFINISHED BUSINESS

S. B. No. 105 being Unfinished Business, was before the Senate.

Mr. Lewis H. Lloyd, Director, Legislative Council, appeared before the Committee of the Whole.

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

On motion of Senator B. Jenkins, S. B. No. 105 was committed to the Education Committee for continued study, with the understanding that all interested parties be heard and then said S. B. No. 105 be referred back with the recommendations of the Committee.

On motion of Senator Grover, the Senate voted to suspend the rules and with unanimous consent, H. B. No. 114 was introduced by title only.

INTRODUCTION OF BILLS

S. B. No. 217 By Messrs. Grover and Lambert

AN ACT AMENDING SECTIONS 53-7-16, 53-7-17, 53-7-18, 53-7-19, 53-7-21, AND 53-7-22, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 104, LAWS OF UTAH 1961, RELATING TO THE FINANCING OF THE STATE SUPPORTED MINIMUM SCHOOL FINANCE PROGRAM AND PROVIDING FOR A METHOD OF DETERMINING THE COSTS THEREOF; PRESCRIBING THE AMOUNT OF THE CONTRIBUTIONS TO BE MADE BY THE STATE AND THE VARIOUS SCHOOL DISTRICTS TOWARD THE PAYMENT OF THE COSTS THEREOF AND THE MANNER IN WHICH THE VARIOUS SCHOOL DISTRICTS MAY QUALIFY FOR PARTICIPATION THEREIN; ENABLING THE SCHOOL DISTRICTS TO MAKE TAX LEVIES AND REPEALING SECTION 53-7-24, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 104, LAWS OF UTAH 1961, RELATING TO VOTED LEEWAY PROGRAMS.

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

(Introduced by Title only. See H. B. No. 114)

S. B. No. 217 was read the first time and referred to the Committee on Education.

REPORTS OF SPECIAL COMMITTEES

February 19, 1963

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 93, 46, 66, 83, 89, H. J. R. No. 10, H. B. Nos. 4, 73, 5, 96 and H. C. R. No. 1.

Respectfully,

KLEON KERR,
Chairman

Report adopted and filed.

On motion of Senator Grover, the rules were suspended and the Senate voted to now consider S. B. No. 41 as a Special Order of Business.

SPECIAL ORDER

S. B. No. 41 being a Special Order of Business, was before the Senate for reconsideration.

On motion of Senator Hafen, S. B. No. 41 was amended as follows:

Page 1, line 3, after the word "trustee" insert "only".

Page 1, line 5, after the word "custodian" insert "only".

On Line 11, page 2, after the word "accordingly" and the period, add the following: "As a condition of approval, the Commissioner may, by regulation, impose upon the Association such reasonable conditions and requirements as he may decide upon."

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

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

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

Mr. John Lee, Mr. W. E. Myrick, and Mr. Vernon Romney, appeared before the Committee of the Whole.

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

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

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

S. B. No. 41, upon reconsideration, was placed on the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 12; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Grover, Hafen, Hammond, Harmston, Hunter, B. Jenkins, Kerr, Memmott, Waddingham and Mr. President.

Voting in the negative were: Senators Browning, Gardner, Holman, M. Jenkins, Lambert, Mantes, Miller, Rees, Sowards, Stacey, D. Taylor, and S. Taylor.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

SPECIAL ORDER

S. J. R. No. 9 being a Special Order of Business, was before the Senate.

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

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

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

Yeas, 15; Nays, 9; Absent, 1.

Voting in the affirmative were: Senators Brockbank, Browning, Gardner, Grover, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards and Waddingham.

Voting in the negative were: Senators Barlow, Bernhard, Hammond, Hunter, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent was Senator Hafen.

On motion of Senator Holman, 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 Holman, the rules were suspended and the Senate voted to amend S. B. No. 60 by deleting all the body and the title of the Original S. B. No. 60 and then inserting in lieu thereof the following:

S. B. No. 60
(Substitute Bill)

By Messrs. Holman and Harmston

AN ACT AMENDING SECTIONS 54-2-1 AND 54-4-25, UTAH CODE ANNOTATED 1953, RELATING TO THE DEFINITION OF PUBLIC UTILITIES AND ELECTRICAL CORPORATIONS, AND ENACTING NEW SECTIONS RELATING TO THE PROHIBITION OF DUPLICATION OF ELECTRICAL SERVICES.

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

Section 1. Section 54-2-1 (20) Utah Code Annotated 1953, is amended to read as follows:

54-2-1 (20) The term "electrical corporation" includes every corporation, cooperative association, and person, their lessees, trustees and receivers or trustees appointed by any court whatsoever, owning, controlling, operating or managing any electric plant, or in anywise furnishing electric power, for public service or to its consumers or members for domestic, commercial or industrial use, within this state except where electricity is generated on or

distributed by the producer through private property alone, solely for his own use or the use of his tenants and not for sale to others.

Section 2. Section 54-2-1 (29) Utah Code Annotated 1953, as amended by Chapter 94, Laws of Utah 1959, is amended to read as follows:

(29 The term "public Utility" includes every common carrier, gas corporation, electric corporation, telephone corporation, telegraph corporation, water corporation, sewerage corporation, heat corporation and warehouseman where the service is performed for, or the commodity delivered to, the public generally or in the case of a gas corporation or electrical corporation where the gas or electricity is sold or furnished to any members [consumer] or consumers within the state of Utah for domestic, commercial or industrial use. And whenever any common carrier, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, sewerage corporation, heat corporation or warehouseman performs a service for or delivers a commodity to the public, or in the case of a gas corporation or electrical corporation selling or furnishing gas or electricity to any members [consumer] or consumers within the state of Utah, for domestic, commercial or industrial use, for which any compensation or payment whatsoever is received, such common carrier, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, sewerage corporation, heat corporation and warehouseman is hereby declared to be a public utility, subject to the jurisdiction and regulation of the commission and to the provisions of this title. Except, as hereinafter provided, when any person or corporation performs any such service for or delivers any such commodity to any public utility herein defined, such person or corporation, and each thereof, is hereby declared to be a public utility, and to be subject to the jurisdiction and regulation of the commission and to the provisions of this title. Any corporation or person not engaged in business exclusively as a public utility as hereinbefore defined shall be governed by the provisions of this title in respect only to the public utility

or public utilities owned, controlled, operated or managed by it or by him, and not in respect to any other business or pursuit.

Provided, that whenever any person, association, company or corporation not engaged in business as a public utility as defined by this act shall be able to produce a surplus of electric energy or power, gas or water, beyond the needs of its own business and shall desire to sell, exchange, deliver or otherwise dispose of such surplus to or with any public utility as in this act defined, such public utility desiring to effect a purchase or exchange of such surplus shall submit to the commission, for authorization by said commission, a proposed contract covering such purchase or exchange. The commission shall thereupon determine, after a public hearing, whether, in the public interest it shall be advisable that such contract be executed and, if not adverse to the public interest, said commission shall authorize the execution of said contract, and thereupon such public utility shall have the right to purchase and receive or exchange such surplus product in accordance with the terms of such contract. Such person, company, corporation or association selling or exchanging such surplus product under such authorized contract shall not thereby become a public utility within the meaning of this act, nor shall it be subject to the jurisdiction of the commission.

Section 3. Section 54-4-25, Utah Code Annotated 1953, as amended by Chapter 106, Laws of Utah 1957, shall be amended by adding subsections (4), (5), (6), (7), (8) and (9), as follows:

(4) No electrical corporation shall construct or extend facilities, or furnish or offer to furnish electric service, to any premises which are already receiving electric service from another electrical corporation or which are not receiving such service, but are located within 1,000 feet of a distribution line of another electrical corporation that is willing and able to serve adequately such premises. This section shall not preclude (1) the electrical corporation whose distribution line is located in closest proximity

to premises not already being served from furnishing electric service thereto; or (2) any electrical corporation from extending electric service to its own property and facilities or to another electrical corporation for resale; or (3) any electrical corporation from interchanging and wheeling power and energy pursuant to arrangements with any other electrical corporation.

(5) As used in this act the words "distribution line" mean an electric line normally constructed and operated at a voltage of not to exceed 25,000 volts, line-to-line or 15,000 volts line-to-ground.

(6) When at any time after the enactment of this section, an electrical corporation is, by operation of law, brought under and becomes subject to the jurisdiction and regulation of the commission and the provisions of this title, and such electrical corporation owns, controls, operates or manages any electrical lines, plans or systems, it shall, upon filing with the commission an application for a certificate of public convenience and necessity covering the territory in which at the time of such filing it is rendering service conclusively be deemed to have met the requirements of this section, including public convenience and necessity, and shall be forthwith entitled to, and the commission shall thereupon issue such certificate covering such territory.

(7) No electrical corporation in the State of Utah shall be restricted or limited in certificates of convenience and necessity by the commission because of its type of organization or upon any grounds other than those reasonably applied to all other electric utilities.

(8) Nothing herein contained shall be deemed to apply to any municipality, city or town within the State of Utah, nor shall anything contained herein be construed to limit or abrogate the provisions of Section 10-8-14, Utah Code Annotated 1953.

(9) If any sentence, clause, phrase or paragraph in this act shall for any reason be judicially declared unconstitutional or void, the remainder of this act shall not be affected thereby.

On motion of Senator Holman, S. B. No. 60 retained its position on the Third Reading Calendar.

SPECIAL ORDER

S. B. No. 27 being a Special Order of Business, was before the Senate.

On motion of Senator Barlow, the rules were suspended and the Senate voted to amend S. B. No. 27 by deleting all the body and the title of the original S. B. No. 27 and then inserting in lieu thereof the following:

S. B. No. 27
(Substitute Bill)

By Messrs. Barlow, Browning and D. Taylor

AN ACT RELATING TO AN AD VALOREM PROPERTY TAX EXEMPTION; PROVIDING THAT GOODS, WARES AND MERCHANDISE WHICH ARE SHIPPED BEYOND THE STATE OF UTAH WITHIN THE PERIOD OF ONE YEAR SHALL BE EXEMPT FROM AD VALOREM PROPERTY TAXATION; PROVIDING FOR A FORMULA FOR ASSESSMENT; AND REPEALING SECTION 59-2-4, UTAH CODE ANNOTATED 1953.

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

Section 1. Goods, wares and merchandise, other than livestock held in Utah on January 1, m, for sale or processing whether manufactured, processed, produced or otherwise originating within or without the state which are shipped to final destination outside this state within twelve months shall be exempt from ad valorem property taxation in this state.

Section 2. The exemption shall be determined as follows:

(1) All goods, wares and merchandise on hand in the state of Utah on January 1, m, shall be reported, regardless of final destination.

(2) All goods, wares and merchandise shipped within and without the state of Utah by the Utah facility for the calendar year or fiscal year immediately

preceding January 1, shall be reported.

(3) All goods, wares and merchandise shipped by the Utah facility to final destination outside the state, for the calendar year or fiscal year immediately preceding January 1, shall be reported.

(4) The percentage which item (3) of this section is of item (2) of this section shall be applied to the value of all goods, wares and merchandise reported under item (1) of this section and shall represent the amount of exemption to be allowed.

Section 3. There shall be no exemption under the formula in section (2) for goods, wares and merchandise held in Utah more than twelve months

Section 4. The burden shall be on the taxpayer to establish that he is entitled to said exemption. Every person who makes a false statement of fact relative to a claim for exemption under this act shall forfeit to the county the sum of $500.00 to be recovered by action brought in the name of the county assessor, and that person who makes the false claim shall also forfeit any exemption under these provisions for that year.

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

On motion of Senator B. Jenkins, the call of the Senate was lifted.

Substitute S. B. No. 27 was read the second time.

On motion of Senator Mantes, S. B. No. 27 was amended as follows:

Page 1, line 9, after the word "All" insert "sales of".

Page 1, line 12, after the word "All" insert "sales of".

Page 2, line 2, after the word "person" insert "agent, partnership or corporation".

Page 2, line 2, after the word "who" insert "wilfully".

On motion of Senator Kerr, S. B. No. 27 was made a Special Order of Business for Thursday, February 21, 1963 at 2:00 P.M.

On motion of Senator B. Jenkins, the Senate adjourned until Thursday, February 21, 1963 at 10:00 A.M.

THIRTY-NINTH DAY

MORNING SESSION

February 21, 1963

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

Roll Call – All Senators present except Senators M. Jenkins and Stacey, excused.

Prayer by the Reverend William McDougall, Catholic Cathedral of the Madeleine.

February 21, 1963

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,

FRANK C. MEMMOTT,
Chairman

Report adopted and filed.

On motion of Senator Kerr, the Senate voted that when they recess today for noon it be until 1:30 P.M.

COMMUNICATIONS FROM THE HOUSE

February 20, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 44, MARKING STATE OWNED VEHICLES, as substituted, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 44 was read the first time and referred to the Committee on State, Federal & Military Affairs and Civil Defense.

February 20, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. J. R. No. 2: AMENDMENT TO THE CONSTITUTION, that the Speaker of the House has this day signed in open session, in the presence of the House, S. J. R. No. 2, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. J. R. No. 2 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

February 20, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 29: CONSERVATION OF OIL AND GAS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 29, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 29 was signed by the President in open session in the prsence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

February 20, 1963

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. 69: OFFICE OF STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Bernhard, the Senate voted to concur with the House amendments of S. B. No. 69 on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Hafen, Hammond, Harmston, Holman, B. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Grover, Hunter, M. Jenkins, Mantes, Miller, Stacey and Waddingham.

S. B. No. 69 was transmitted to the House.

February 20, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 54 – GENERAL OBLIGATION BONDS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 54 was read the first time and referred to the Committee on Political Subdivisions.

REPORTS OF STANDING COMMITTEES

February 21, 1963

Mr. President:

Your Committee on Industry to which was referred S. B. No. 216, by Mr. Grover, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

S. B. No. 216 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Industry to which was referred H. B. No. 120, by Messrs. Sonntag, Hamilton, Anderson and Poulson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

H. B. No. 120 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Industry to which was referred S. B. No. 175, by Messrs. Hunter and Bernhard, has carefully considered said bill and reports the same out favorably.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

S. B. No. 175 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Industry to which was referred S. B. No. 168, by Messrs. Brockbank and S. J. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

S. B. No. 168 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Industry to which was referred S. B. No. 172, by Messrs. Brockbank and S. J. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

S. B. No. 172 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Industry to which was referred H. B. No. 78, by Messrs. Harward and Kastler, has carefully considered said bill and reports the same out favorably.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

H. B. No. 78 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 135, by Messrs. Stacey and Sowards, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 135 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred H. B. No. 38, by Messrs. Gunnell, Sheffield and Wilkinson, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

H. B. No. 38 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 212, by Messrs. Miller and B. Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 212 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 207, by Messrs. Miller and B. Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 207 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 132, by Mr. Grover, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 132 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 197, by Messrs Miller and Hafen, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 197 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 159, by Messrs. Hunter and Memmott, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 159 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 202, by Mr. G. D. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 202 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 190, by Messrs. B. Jenkins, Miller and Brockbank, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 190 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 188, by Messrs. Waddingham, Rees and B. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 188 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 72, by Messrs. G. D. Taylor and Rees, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 72 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Political Subdivisions to which was referred S. B. No. 173, by Messrs. Hafen and Bernhard, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 173 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Education to which was referred S. B. No. 165, by Messrs. Brockbank and S. J. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 165 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Education to which was referred S. B. No. 184, by Messrs. B. Jenkins and Kerr, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 184 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Education to which was referred S. B. No. 203, by Messrs. Hunter and Gardner, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 203 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Judiciary to which was referred S. J. R. No. 6, by Messrs. Miller, Mantes and Memmott, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S. J. R. No. 6 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Judiciary to which was referred S. B. No. 161, by Mr. Hunter, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 161 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Judiciary to which was referred H. B. No. 9, by Messrs. Watkins, Anderson, Hodgson and Sheffield, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

H. B. No. 9 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Judiciary to which was referred H. B. No. 42, by Mr. J. M. Smith, Mrs. Vance, Messrs. McKay and Hansen, has carefully considered said bill and reports the same out favorably, but recommend that the last section be stricken.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

H. B. No. 42 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Judiciary to which was referred S. B. No. 209, by Messrs. B. Jenkins and Miller, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 209 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Judiciary to which was referred S. B. No. 210, by Messrs. Kerr and Miller, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 210 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Judiciary to which was referred S. B. No. 215, by Mr. Hunter, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 215 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Judiciary to which was referred S. B. No. 186, by Messrs. B. Jenkins, Lambert and Waddingham, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 186 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Judiciary to which was referred S. B. No. 187, by Messrs. B. Jenkins and Waddingham, has carefully considered said bill and reports the same out favorably.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

S. B. No. 187 was referred to the Sifting Committee.

February 21, 1963

Mr. President:

Your Committee on Agriculture and Irrigation, to which was referred H. B. No. 43 by Messrs. Bott, Russell, Green and Stuart, has carefully considered said bill and reports the same out favorably.

Respectfully,

KLEON KERR,
Chairman

Report filed.

H. B. No. 43 was referred to the Sifting Committee.

In compliance with action taken yesterday with reference to the movie on location in Southern Utah, Page Arizona, President Bullen appointed Senators Gardner, Hafen, S. Taylor and Holman as the Special Committee to to determine what arrangements should be made concerning same.

REPORTS OF SPECIAL COMMITTEES

February 21, 1963

Mr. President:

Your Sifting Committee reports out the following Bills:

H. B. Nos. 29, 51, H. J. R. No. 3, H. B. Nos. 62, 2, 7, 25, 131, 88, and 26.

Respectfully,

KLEON KERR,
Chairman

Report adopted and filed.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 93 was read the second time.

Committee report read and adopted.

On motion of Senator Rees the rules were suspended and H. B. No. 93 was read the third time and placed on its final passage.

H. B. No. 93 then passed on the following roll call:

Yeas, 18, Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, D. Taylor, S. Taylor and Waddingham.

Absent and not voting were: Senators Barlow, Brockbank, Hunter, M. Jenkins, Mantes, Stacey and Mr. President.

H. B. No. 93 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 46 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen the rules were suspended and H. B. No. 46 was read the third time and placed on its final passage.

H. B. No. 46 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Holman, B. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, S. Taylor and Waddingham.

Absent and not voting were: Senators Brockbank, Harmston, Hunter, M. Jenkins, Mantes, Stacey, D. Taylor and Mr. President.

H. B. No. 46 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 66 was read the second time.

Committee report read and adopted.

On motion of Senator Harmston, 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:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Miller, Sowards, S. Taylor and Waddingham.

Absent and not voting were: Senators M. Jenkins, Mantes, Memmott, Rees, Stacey, D. Taylor and Mr. President.

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 further action.

H. B. No. 83 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen H. B. No. 83 was amended as follows:

Line 5, after the word "purchases" insert "and the cost of handling the same."

On motion of Senator Brockbank the title of H. B. No. 83 was amended as follows:

Line 3 delete "COMMISSION" insert "DEPARTMENT"

On motion of Senator Brockbank, H. B. No. 83 was amended as follows:

Page 1, line 1, delete "commission" insert the word "department".

On motion of Senator Waddingham, H. B. No. 83 was tabled.

H. B. No. 89 was read the second time.

Committee report read and adopted.

On motion of Senator Waddingham, H. B. No. 89 was amended as follows:

Line 12, delete "and [at least] a".

Line 12, after the word "employment" insert the words "for the number of".

Line 13, delete the words "recommended minimum of one hundred forty-four"

Line 14, delete the words "or such lesser amount".

On motion of Senator B. Jenkins the rules were suspended and H. B. No. 89 was read the third time and placed on its finall passsage.

H. B. No. 89 was read the third time and placed on its final passage.

H. B. No. 89 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Bernhard, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Browning, Grover, M. Jenkins, Memmott, Miller and Stacey.

H. B. No. 89 was returned to the House.

H. J. R. No. 10 was read the second time.

Committee report read and adopted.

On motion of Senator Browning, H. J. R. No. 10 was tabled.

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

Committee report read and adopted.

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

Representative Gunnell appeared before the Committee of the Whole.

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

H. B. No. 4 was placed on the Third Reading Calendar on the following roll call:

Yeas, 18; Nays, 1; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Hafen, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, D. Taylor, S. Taylor and Mr. President.

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

Absent and not voting were: Senators Barlow, Grover, Hammond, M. Jenkins, Mantes and Stacey.

On motion of Senator Harmston, H. B. No. 83 was lifted from the table.

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

Representative Plant appeared before the Committee of the Whole.

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

On motion of Senator Kerr the rules were suspended and H. B. No. 83 was read the third time and placed on its final passage.

H. B. No. 83 then passed on on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Grover, M. Jenkins, Mantes and Stacey.

H. B. No. 83 was returned to the House.

H. B. No. 73 was read the second time.

Committee report read and adopted.

On motion of Senator Rees, the rules were suspended and H. B. No. 73 was read the third time and placed on its final passage.

H. B. No. 73 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Grover, M. Jenkins, Mantes and Stacey.

H. B. No. 73 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

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

Committee report read and adopted.

H. B. No. 5 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Grover, M. Jenkins, Mantes and Stacey.

On motion of Senator Kerr the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 96 was read the second time.

Committee report read and adopted.

On motion of Senator Waddingham, 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:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Rees, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Grover, M. Jenkins, Mantes, Memmott, Miller, Sowards and Stacey.

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 further action.

H. C. R. No. 1 was read the second time.

Committee report read and adopted.

On motion of Senator Browning, the enacting clause of H. C. R. No. 1 was struck.

H. B. No. 29 was read the second time.

Committee report read and adopted.

On motion of Senator Harmston the rules were suspended and H. B. No. 29 was read the third time and placed on its final passage.

H. B. No. 29 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Rees, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, M. Jenkins, Mantes, Miller, Sowards and Stacey.

H. B. No. 29 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Hafen, H. B. No. 51 was tabled.

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

Committee report read and adopted.

H. J. R. No. 3 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Rees, D. Taylor, S. Taylor and Waddingham.

Absent and not voting were: Senators, M. Jenkins, Mantes, Miller, Sowards and Stacey.

Senator Browning served notice that on the next Legislative day he would ask the Senate to re-consider its action by which the enacting clause on H. C. R. No. 1 was struck.

H. B. No. 62 was read the second time.

Committee report read and adopted.

On motion of Senator Hunter, H. B. No. 62 was amended as follows:

Delete line 20, Section 2.

H. B. No. 62 was placed on the Third Reading Calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Rees, D. Taylor, S. Taylor and Waddingham.

Absent and not voting were: Senators Brockbank, M. Jenkins, Mantes, Miller, Sowards, Stacey and Mr. President.

SPECIAL ORDER

S. B. No. 27 being a Special Order of Business, was before the Senate.

On motion of Senator Barlow, S. B. No. 27 was further made a Special Order of Business for Thursday, February 28, 1963 at 2:00 P.M.

On motion of Senator Hafen, the Senate voted to suspend the rules and with unanimous consent S. B. No. 218 was introduced.

INTRODUCTION OF BILLS

S. B. No. 218 By Mr. Hafen

AN ACT AMENDING SECTION 63-11-19A, UTAH CODE ANNOTATED 1953, AND ADDING TWO SECTIONS, RELATING TO THE AUTHORIZATION OF THE STATE PARK AND RECREATION COMMISSION TO ENTER INTO INSTALLMENT CONTRACTS FOR THE PURCHASE OF LANDS FOR ADDITION TO THE WASATCH MOUNAIN STATE PARK AND FIXING THE DETAILS OF SUCH CONTRACTS, was read the first time and referred to the Committee on Rules.

On motion of Senator Browning, the Senate voted to suspend the rules and with unanimous consent H. B. No. 113 was introduced by title only.

S. B. No. 219 By Messrs. Browning and Holman

AN ACT AMENDING CHAPTER 10, TITLE 63, UTAH CODE ANNOTATED 1953, AS AMENDED: PROVIDING FOR A BUILDING PROGRAM TO BE CARRIED OUT BY UTAH STATE BUILDING BOARD; PROVIDING FOR THE ISSUANCE OF STATE BONDS AND APPROPRIATING THE PROCEEDS OF THE SALE THEREOF FOR THE PURPOSES AUTHORIZED IN THIS ACT; PROVIDING A FUND FOR THE PAYMENT OF INTEREST ON THE REDEMPTION OF SAID BONDS; CLARIFYING THE BASIS FOR APPLICATION OF THE LIMITATION OF STATE INDEBTEDNESS FIXED BY SECTION 1 OF ARTICLE XIV OF THE CONSTITUTION; EXEMPTING SUCH BONDS AND THE INTEREST THEREON FROM TAXATION; PROVIDING FOR MANDAMUS ACTION IN THE SUPREME COURT UNDER CERTAIN CIRCUMSTANCES, AND MAKING SUCH BONDS LEGAL INVESTMENTS FOR PUBLIC, TRUST AND OTHER FUNDS AND SECURITY FOR FAITHFUL PERFORMANCE ON EXECUTIONS,

S. B. No. 219 was read the first time and referred to the Committee on Revenue and Taxation.

On motion of Senator Waddingham, the Senate voted to suspend the rules and with unanimous consent S. B. No. 220 was introduced.

S. B. No. 220 By Messrs. Brockbank, Waddingham and S. J. Taylor

AN ACT PROVIDING FOR THE DISPOSITION OF OCCUPATION TAXES COLLECTED TO BE CREDITED TO THE STATE GENERAL FUND; TRANSFERRING THE BALANCE OF THE "OCCUPATION TAX RESERVE FUND" TO THE GENERAL FUND; AND REPEALING SECTIONS 59-5-67.1, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 106, LAWS OF UTAH 1959, AND 59-5-82, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 120, LAWS OF UTAH 1955, was read the first time and referred to the Committee on Rules.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Kerr, H. B. No. 2 was tabled.

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:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Rees, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators M. Jenkins, Mantes, Miller, Sowards and Stacey.

H. B. No. 25 was read the second time.

Committee report read and adopted.

On motion of Senator Hunter, H. B. No. 25 was amended as follows:

Page 3, delete line 13.

H. B. No. 25 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Rees, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators M. Jenkins, Mantes, Miller, Sowards, Stacey and D. Taylor.

H. B. No. 131 was read the second time.

Committee report read and adopted.

On motion of Senator Waddingham, the rules were suspended and H. B. No. 131 was read the third time and placed on its final passage.

H. B. No. 131 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Rees, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Harmston, M. Jenkins, Mantes, Miller, Sowards, Stacey and D. Taylor.

H. B. No. 131 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 88 was read the second time.

Committee report read and adopted.

On motion of Senator Gardner, the title of H. B. No. 88 was amended as follows:

Line 3, after the word "UTAH" insert the word "TRADE".

On motion of Senator Gardner, H. B. No. 88 was amended as follows:

Line 4, after the word "Utah" insert the word "Trade".

On motion of Senator Browning, 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:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Rees, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, M. Jenkins, Mantes, Miller, Sowards, Stacey and S. Taylor.

H. B. No. 88 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

February 21, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 20th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 20.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 21, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 20th day of February, 1963, approve and transmit to the Secretary of of State, H. B. No. 21.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 21, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 20th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 68.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 21, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 20th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 58.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 21, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 20th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 76.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 21, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 20th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 72.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 21, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 20th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 70.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 21, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 20th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 69.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 26 was read the second time.

Committee report read and adopted.

On motion of Senator Brockbank, H. B. No. 26 was tabled.

On motion of Senator Kerr, H. B. No. 53 was lifted from the table.

On motion of Senator Kerr, H. B. No. 53 was amended as follows:

On line 9, insert after the words "their successors" the words "if any".

On line 9, after the words "and quailified." insert a new sentence to read: "When during said change a vacancy in the office of mayor results, the remaining members of the legislative body shall select a mayor from among their number."

H. B. No. 53 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Rees, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, M. Jenkins, Mantes, Miller, Sowards and Stacey.

H. B. No. 53 was returned to the House.

On motion of Senator Kerr, 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. 43 was read the third time and placed on its final passage.

S. B. No. 43 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Rees, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Grover, M. Jenkins, Mantes, Miller, Sowards and Stacey.

S. B. No. 43 was transmitted to the House.

S. B. No. 44 was read the third time and placed on its final passage.

S. B. No. 44 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr,

Lambert, Memmott, Rees, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Grover, M. Jenkins, Mantes, Miller, Sowards and Stacey.

S. B. No. 44 was transmitted to the House.

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:

Yeas, 17; Nays, 1; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, B. Jenkins, Kerr, Lambert, Memmott, Rees, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Hunter.

Absent and not voting were: Senators Browning, Grover, M. Jenkins, Mantes, Miller, Sowards and Stacey.

S. B. No. 129 was transmitted to the House.

S. B. No. 73 was read the third time and placed on its final passage.

On motion of Senator D. Taylor, S. B. No. 73 was amended as follows:

In Section 1, line 2, after the word "public" insert the words "or public utility".

On motion of Senator Waddingham, S. B. No. 73 was tabled.

On motion of Senator Kerr, the Senate voted to recess to meet with the House in Joint Session. The Senate further voted that following the Joint Session, the Senate would stand adjourned until Monday, February 25, 1963 at 11:00 A.M.

JOINT COMMITTEE OF THE WHOLE

On motion of Representative Gunnell, the Senate and the House resolved themselves into a Joint Committee of the Whole, with the President of the Senate as Chairman, for the purpose of witnessing the sculpturing of th bust of George Washington, by Dr. Avard Fairbanks.

Also presented to the Joint Committee of the Whole was a quartette composed of the following: Bessie Burton, Vesta Rockwood, Winifred Ferre and Gwenyth Thorn, accompanied by Janet Ferguson.

President Bullen acknowledged and thanked our special guest, Dr. Fairbanks, together with the women's quartette.

On motion of Representative Gunnell, the Joint Committee of the Whole was dissolved.

FORTY-THIRD DAY

MORNING SESSION

February 25, 1963

The Senate was called to order at 11:00 A.M. President Bullen in the chair.

Roll Call – All Senators present.

Prayer by Dr. Fenwick Fowler, First Baptist Church.

February 25, 1963

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,

E. G. MANTES,
Acting Chairman

Report adopted and filed.

The President appointed Senators Gardner, B. Jenkins and Sowards to read and revise the Journal for the remaining days of the session commencing February 26, 1963.

COMMUNICATIONS FROM THE GOVERNOR

February 21, 1963

The Honorable Reed Bullen, President
and members of the Utah State Senate
Building

Dear President Bullen and members of the Senate:

I am returning herewith, without my signature and without my approval, SB 56, entitled AN ACT AMENDING SECTION 23-2-20, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 49, LAWS OF UTAH 1961, RELATING TO THE FISH AND GAME FUND; PROVIDING FOR LEGISLATIVE CONTROL OF EXPENDITURES.

I realize that SB 56 passed the Legislature with virtually no opposition, and I am taking my present action, not by way of challenging the clear legislative expression, but in the thought that the situation may not have been clearly understood by legislators in voting on this bill.

SB 56 would remove from the Governor the authority to approve expenditures of money in the Fish and Game reserve fund, and provide that moneys from this fund be expended only on legislative authorization. My veto of SB 56 is in no wise concerned with this transfer of authority from the Governor; in fact, when I first encountered the procedures of handling transfers from the Fish and Game reserve fund, I was disturbed. I felt that this should be a matter of legislative appropriation, rather than gubernatorial authorization. However, experience has demonstrated that there are sound reasons for following the established procedure. At this time, I hope to present these reasons for your careful consideration.

Many unforeseen emergencies may arise between legislative sessions. Typical of these would be a severe summer drought threatening fish life or a severe winter snow threatening herds of big game animals. Money for such unforeseen emergencies could not be budgeted in advance, but would have to be provided promptly to be effective. Such emergencies are severe in the areas affected, but would scarcely justify the summoning of the Legislature. The Governor's authorization to transfer money from the Fish and Game reserve fund provides an effective way of meeting such situations.

A second reason for preserving the established procedures is illustrated in the situation now facing us at Willard Bay. Under provisions of the Federal Fish and Wildlife Coordination Act, $139,000 was recently transferred to the Utah Fish and Game Department from general funds under this act as payment for losses sustained by waterfowl resources in the Willard Bay Project. This money must go into the reserve fund, and must be used for redevelopment of a similar wildfowl area near Willard Bay. In order to receive and put to use such Federal moneys, a flexible authority for lifting appropriate sums from the Fish and Game reserve fund is necessary. If the reserve fund were subject to specific appropriation, it is doubtful that the State could obtain such Federal moneys as those here cited, as there

would be no assurance that the entirety of the Federal moneys transferred would be put to use for the specific purpose for which the money was paid.

Provisions now in force for lifting money from the Fish and Game reserve fund by unanimous vote of the Board of Examiners are cumbersome and may be entirely eliminated if SB 47 is enacted into law.

I have been informed of the intention to provide in the appropriations bill a contingent fund, similar to that provided for meeting emergencies from the General Fund, from which emergency funds could be drawn for Fish and Game purposes. However, there is no assurance at this time that this contingent fund will be provided, and even if it is, there would remain the necessity to renew it in each succeeding appropriations bill. I think it would be preferable to maintain our present tried and tested procedure, particularly as Fish and Game funds are reserved exclusively for use by this Department, and are not subject to appropriation by various other agencies, as are moneys in the General Fund.

Yours sincerely,

GEORGE D. CLYDE,
Governor

Communication filed.

On motion of Senator Kerr, S. B. No. 56 was tabled.

On motion of Senator Brockbank, President Bullen appointed a committee of three, consisting of Senators Brockbank, Kerr and Waddingham to consider S. B. No. 56 and the Governor's veto message regarding same.

February 20, 1963

Honorable Reed Bullen

President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bill, which has been fordwarded to the Secretary of State for filing.

S. B. No. 6

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of House of Representatives

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 1963

I am directed to inform your Honorable Body that the Governor did on the 20th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 12.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

Mr. President: February 21, 1963

I am directed to inform your Honorable Body that the Governor did on the 20th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 24.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

Mr. President: February 21, 1963

I am directed to inform your Honorable Body that the Governor did on the 21st day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 30.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

Mr. President: February 20, 1963

I am directed to inform your Honorable Body that the House has this day passed, S. B. No. 25, as amended by the Senate and the House entitled INCREASING HOMESTEAD EXEMPTIONS, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Grover, the Senate refused to concur in the House amendments on S. B. No. 25 and ask the House to recede from its amendments.

February 21, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 115 – OVERALL TAX LEVY AMENDMENTS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 115 was read the first time and referred to the Committee on Political Subdivisions.

REPORTS OF STANDING COMMITTEES

February 25, 1963

Mr. President:

Your Joint Appropriations Committee to which was referred S. B. No. 174, by Messrs. Lambert, Grover and Kerr, has carefully considered said bill and reports the same out favorably.

Respectfully,

W. HUGHES BROCKBANK,
Chairman

Report filed.

S. B. No. 174 was referred to the Sifting Committee.

February 25, 1963

Mr. President:

Your Joint Appropriations Committee to which was referred S. B. No. 86, by Messrs. Hunter, Kerr and Sowards, has carefully considered said bill and reports the same out favorably.

Respectfully,

W. HUGHES BROCKBANK,
Chairman

Report filed.

S. B. No. 86 was referred to the Sifting Committee.

February 25, 1963

Mr. President:

Your Joint Appropriations Committee to which was referred S. B. No. 136, by Messrs. Bernhard, Harmston and Waddingham, has carefully considered said bill and reports the same out favorably with an appropriation of $30,000.

Respectfully,

W. HUGHES BROCKBANK,
Chairman

Report filed.

S. B. No. 136 was referred to the Sifting Committee.

February 25, 1963

Mr. President:

Your Joint Appropriations Committee to which was referred S. B. No. 10, by Messrs. Kerr, Bernhard and B. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

W. HUGHES BROCKBANK,
Chairman

Report filed.

S. B. No. 10 was referred to the Sifting Committee.

February 25, 1963

Mr. President:

Your Committee on Industry to which was referred H. B. No. 92, by Mrs. Vance, Messrs. Wilkinson, Kastler, Dean and Rockwood, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

H. B. No. 92 was referred to the Sifting Committee.

Mr. President: February 25, 1963

Your Committee on Education to which was referred S. B. No. 193, by Messrs. Bernhard, Kerr and M. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 193 was referred to the Sifting Committee.

Mr. President: February 25, 1963

Your Committee on Education to which was referred S. B. No. 196, by Messrs. Browning and M. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 196 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Hunter, S. B. No. 66 retained its position on the Third Reading Calendar.

On motion of Senator Holman, S. B. No. 60 retained its position on the Third Reading Calendar.

On motion of Senator Harmston, S. B. No. 57 retained its position on the Third Reading Calendar.

S. B. No. 67 was read the third time and placed on its final passage.

On motion of Senator Hafen, S. B. No. 67 was amended as follows:

On page 3, line 26, strike comma after "state" and strike rest of the line. Strike words "of $50,000." on line 27 and insert:

"; provided that any applicant may apply to be licensed under a bond for a principal sum of less than $10,000 for any location at which the commissioner finds, from verified financial records or statements of the applicant, that the

aggregate of applicant's liabilities at any one time on outstanding checks to be sold pursuant to his chapter at such location will be a sum less than $10,000 and upon such finding, the commissioner shall issue a license to the applicant for such location upon the filing by the applicant of a surety bond in the amount of such stated aggregate liability, but in no event shall a bond for license under this chapter be less than $2,500 in principal amount and no bond shall be required to be in excess of $50,000."

On page 4 following line 30 insert:

"and the aggregate of his liabilities on outstanding checks"

Page 5, line 2 following "locations," insert:

"or aggregate of liabilities."

Page 5, line 3, following "locations" insert:

"or aggregate of liabilities."

S. B. No. 67 then passed on the following roll call:

Yeas, 16; Nays, 5; Absent, 4.

Voting in the affirmative were: Senators Barlow, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Stacey and Waddingham.

Voting in the negative were: Senators B. Jenkins, Rees, Sowards, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Memmott, Miller and D. Taylor.

S. B. No. 67 was transmitted to the House.

On motion of Senator Harmston, the rules were suspended and the Senate voted to now consider S. B. No. 114.

S. B. No. 114 was read the third time and placed on its final passage.

On motion of Senator Harmston, S. B. No. 114 was amended as follows:

On line 8, page 1, delete the brackets before the word "game" and after the word "and"; then delete the word "game" which is underlined, and insert "game animals, not including big game animals,".

On line 22, page 2, delete the brackets before the word "game" at the beginning of the line, and after the word "birds," then delete the word "game" which is underlined, and add "and game animals, not including big game animals,".

On line 27, page 2, delete the brackets before the word "game" and after the word "birds," and on line 28 delete the word "game," and add "and game animals, not including big game animals."

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

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

On motion of Senator Hunter, S. B. No. 114 was amended as follows:

Page 2, line 1, delete "$4.00" insert "$5.00" also on the same line delete the word "five" insert in lieu thereof the word "seven".

S. B. No. 114 failed of passage on the following roll call.

Yeas, 8; Nays, 14; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Hafen, Kerr, Sowards, S. Taylor and Mr. President.

Voting in the negative were: Senators Brockbank, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Miller, Rees, Stacey and Waddingham.

Absent and not voting were: Senators Mantes, Memmott and D. Taylor.

Senator Harmston served notice that on the next Legislative day he would ask the Senate to re-consider its vote by which S. B. No. 114 failed of passage.

On motion of Senator Kerr the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

REPORTS OF SPECIAL COMMITTEES

Mr. President: February 25, 1963

Your Sifting Committee reports out the following Bills:

S. B. Nos. 21, 23, 109, 76, 77, 106, 30, 115, 93, 94, 95, 96, 97, 98, 99, 128, 131, 132, 133, 188, 215, S. J. R. No. 8 and S. B. Nos. 104, 117, 108, 116, 10, 83, 86, 74 and 75.

Respectfully,

KLEON KERR,

Chairman

Report adopted and filed.

Senator Browning, having voted on the prevailing side moved that the Senate do re-consider its final action on H. C. R. No. 1.

Motion carried.

On motion of Senator Browning, H. C. R. No. 1 was made a Special Order of Business for Reconsideration on Wednesday, February 27, 1963 at 10:00 A.M.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 41 before the Senate for reconsideration, was read the third time and placed on its final passagle.

On motion of Senator Hafen, S. B. No. 41 was made a Special Order of Business for Tuesday, February 26, 1963 at 10:30 A.M.

S. J. R. No. 9 was read the third time and placed on its final passage.

On motion of Senator Miller, S. J. R. No. 9 retained its position on the Third Reading Calendar.

On motion of Senator Hafen, S. B. No. 73 was lifted from the table, and placed at the head of the Third Reading Calendar.

On motion of Senator Hafen, the rules were suspended and the Senate voted to amend substitute S. B. No. 73 by deleting all the body and the title and then inserting in lieu thereof a substitute No. 2 to S. B. No. 73.

Substitute No. 2 S. B. No. 73 By Messrs. Hafen and C. D. Taylor

AN ACT MAKING IT A FELONY TO WILFULLY OR MALICIOUSLY DAMAGE CERTAIN TELEPHONE PROPERTY.

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

Section 1. Every person who willfully or maliciously displaces, removes, injures or destroys any public telephone instrument, or any part thereof, or any radio or microwave installation, or who willfully or maliciously breaks into any coin box associated therewith, is guilty of a felony,

and upon conviction thereof shall be punished by a fine not exceeding $1,000 or by imprisonment in the state prison for not more than five years, or by both such fine and imprisonment.

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

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

S. B. No. 73 then passed on the following roll call:

Yeas, 16; Nays, 7; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Hunter, M. Jenkins, Kerr, Lambert, Sowards, Stacey, D. Taylor and Mr. President.

Voting in the negative were: Senators Brockbank, Holman, B. Jenkins, Mantes, Miller, Rees and Waddingham.

Absent and not voting were: Senators Memmott and S. Taylor.

S. B. No. 73 was transmitted to the House.

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

Mr. Orville Gunther, Chairman, Tax Commission, appeared before the Committee of the Whole.

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

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

Representative Sheffield appeared before the Committee of the Whole.

On motion of Senator Waddingham 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 Bernhard, S. B. No. 21 was amended as follows:

Page 2, line 6, after the word "levy", delete the word "shal" and insert the word "shall" in lieu thereof.

Page 3, line 2, after the word "due" delete the period "." and the word "If" and insert a comma "," and the word "if" in lieu thereof.

Page 4, line 26, after the word "districts" add the words "to be."

Page 8, line 7, after the word "filed" and the period "." and before the word "for" insert a deletion mark "[".

Page 8, line 29, at the beginning of the line, strike the letter "(d)" and insert the figure "(4)" in lieu thereof.

On motion of Senator Hafen, S. B. No. 21 retained its position on the Second Reading Calendar.

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

Committee report read and adopted.

On motion of Senator Bernhard, S. B. No. 23 was amended as follows:

Page 1, line 5, after the word "extending" insert a "comma" and the word "covering"

Add as line 13, page 2:

"Parking lots or facilities constructed, extended or repaired under the provisions of this Section shall not engage, directly or indirectly, in the sale of gasoline, oil or other merchandise or in the furnishing of any service other than that of parking motor vehicles."

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

Mr. A. M. Farrell and Mr. Tom McCoy appeared before the Committee of the Whole.

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

On motion of Senator Brockbank, the rules were suspended and the Senate voted to now consider S. B. No. 21.

S. B. No. 21 was placed on the Third Reading Calendar on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Hunter.

S. B. No. 23 was before the Senate.

S. B. No. 23 failed to pass on Second Reading on the following roll call:

Yeas, 10; Nays, 14; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Grover, Harmston, B. Jenkins, M. Jenkins, Kerr, Memmott, Miller and S. Taylor.

Voting in the negative were: Senators Brockbank, Browning, Gardner, Hafen, Hammond, Holman, Lambert, Mantes, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Hunter.

On motion of Senator Bernhard, the rules were suspended and the Senate voted to now consider S. B. No. 131.

S. B. No. 131 was read the second time.

Committee report read and adopted.

S. B. No. 131 was placed on the Third Reading Calendar on the following roll call:

Yeas, 17; Nays, 5; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Harmston, B. Jenkins, M. Jenkins, Kerr, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor and S. Taylor.

Voting in the negative were: Senators Brockbank, Holman, Lambert, Mantes and Mr. President.

Absent and not voting were: Senators Hammond, Hunter and Waddingham.

On motion of Senator Holman, the rules were suspended and the Senate voted to now consider S. B. No. 60 on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 60 was read the third time and placed on its final passage.

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

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

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

Mr. George Stewart appeared before the Committee of the Whole.

Mr. S. G. Baucom appeared before the Senate.

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

On motion of Senator Brockbank, S. B. No. 60 was amended as follows:

Delete paragraphs 4, 5, 6, 7 and 9 of Section 3 then insert the following:

(4) No electrical corporation shall interfere with any electric service presently rendered to any member or consumer of another electrical corporation.

(5) Every applicant for such a certificate to serve customers not being served at the time of the effective date of this Section, shall file with the Commission a plan of financing, for review by the Commission, and the Commission in its review thereof shall make a determination as to the legality

of the financing and shall not approve any plan of financing unless it is consistent with applicable laws and regulations and the applying electrical corporation shall have established a ratio of debt capital to equity capital which the Commission finds renders the electrical corporation financially stable and which financing shall be in the public interest, and provided further, that the Commission shall give due and proper weight in all certificate proceedings to the relative taxes including those on sales and income that would be paid or not paid by any electrical corporation, as such taxes would bear on the economic well-being of the State of Utah.

Change paragraph 8 to read "(6)".

On motion of Senator Brockbank, the title of S. B. No. 60 was amended as follows:

Delete the title of substitute S. B. No. 60 in its entirety and insert in lieu thereof the following:

AN ACT AMENDING SECTIONS 54-2-1 AND 54-4-25, UTAH CODE ANNOTATED 1953, RELATING TO THE DEFINITION OF PUBLIC UTILITIES AND ELECTRICAL CORPORATIONS, AND ENACTING NEW SECTIONS RELATING TO THE ISSUANCE OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY.

On motion of Senator Waddingham, S. B. No. 60 was tabled.

On motion of Senator Kerr, the Senate adajourned until Tuesday, February 26, 1963 at 10:00 A.M.

FORTY-FOURTH DAY

MORNING SESSION

February 26, 1963

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

Roll Call — All Senators present.

Prayer by Dr. Fenwick T. Fowler, Minister, First Baptist Church.

February 26, 1963

Mr. President:

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

Respectfully,

WALLACE H. GARDNER,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 25, 1963

Honorable Reed Bullen
President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bills, which have been forwarded to the Secretary of State for filing.

S. B. No. 28 S. B. No. 85 S. B. No. 87

Yours sincerely,

ROLAND C. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of House of Representatives

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

February 25, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 83, entitled PURCHASES FOR POLITICAL SUBDIVISIONS, which has been signed by the Speaker of the House and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 83 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

February 25, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 88, entitled UTAH TECHNICAL INSTITUTE AT PROVO, which has been signed by the Speaker of the House and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
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 further action.

February 25, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 89, entitled DEFINITION OF AN APPRENTICE, which has been signed by the Speaker of the House and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 89 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

February 25, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker has this day signed in the presence of the House, S. B. No. 69, as amended by the House, entitled OFFICE OF STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, and is returning same for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 69 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

February 25, 1963

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. 136 – CIGARETTE TAX, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 136 was read the first time and referred to the Committee on Revenue and Taxation.

February 25, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 166 – ISSUING PUBLIC SCHOOL BONDS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 166 was read the first time and referred to the Committee on Education.

February 25, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 130 – ELECTIONS - REGISTRATION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 130 was read the first time and referred to the Committee on State, Federal & Military Affairs & Civil Defense.

February 25, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 149 – CEMETERY MAINTENANCE, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 149 was read the first time and referred to the Committee on State, Federal & Military Affairs & Civil Defense.

REPORTS OF STANDING COMMITTEES

Mr. President: February 26, 1963

Your Rules Committee to which were referred

S. B. No. 218 (State, Federal & Military Affairs & Civil Defense)

S. B. No. 220 (Revenue and Taxation)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

Mr. President: February 26, 1963

Your Committee on Business and Commerce to which was referred S. B. No. 191, by Mr. Hafen, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 191 was referred to the Sifting Committee.

Mr. President: February 26, 1963

Your Committee on Business and Commerce to which was referred S. B. No. 192, by Mr. Hafen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 192 was referred to the Sifting Committee.

Mr. President: February 26, 1963

Your Committee on Business and Commerce to which was referred S. B. No. 200, by Mr. G. D. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 200 was referred to the Sifting Committee.

Mr. President: February 26, 1963

Your Committee on Business and Commerce to which was referred S. B. No. 211, by Messrs. Kerr and Miller, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 211 was referred to the Sifting Committee.

Mr. President: February 26, 1963

Your Committee on Business and Commerce to which was referred S. B. No. 204, by Messrs. B. Jenkins and Grover, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 204 was referred to the Sifting Committee.

Mr. President: February 26, 1963

Your Committee on Business and Commerce to which was referred S. B. No. 181, by Messrs. Brockbank and G. D. Taylor, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 181 was referred to the Sifting Committee.

Mr. President: February 26, 1963

Your Committee on Business and Commerce to which was referred H. B. No. 14, by Messrs. Clyde, Sonntag, McKay, F. E. Peterson and Gunnell, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 14 was referred to the Sifting Committee.

Mr. President: February 26, 1963

Your Committee on Business and Commerce to which was referred H. B. No. 71, by Messrs. Harward, Poulson, Kastler and Cooper, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 71 was referred to the Sifting Committee.

February 26, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred H. B. No. 77, by Messrs. Harward, Poulson and Kastler, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 77 was referred to the Sifting Committee.

February 26, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred H. B. No. 67, by Messrs. Harward and Kastler, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 67 was referred to the Sifting Committee.

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

President O. V. Smoot, President, Utah Farm Bureau, appeared before the Committee of the Whole to introduce the President of the American Farm Bureau, Mr. Charles B. Shuman, who spoke briefly.

Mr. Frank Shelly appeared before the Committee of the Whole.

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

SPECIAL ORDER

S. B. No. 41, upon reconsideration, and being a Special Order of Business was before the Senate.

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

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

On motion of Senator Hafen, the rules were suspended and the Senate voted to place S. B. No. 41 at the head of the Third Reading Calendar for reconsideration. The Senate further voted that S. B. No. 41 then retain its place at the head of the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

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:

Yeas, 22; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Rees.

Absent and not voting were: Senators Brockbank and Hunter.

S. B. No. 21 was transmitted to the House.

S. B. No. 131 was read the third time and placed on its final passage.

S. B. No. 131 then passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Voting in the negative was Senator Rees.

Absent and not voting were: Senators Brockbank, Hunter and Waddingham.

S. B. No. 131 was transmitted to the House.

Senator Harmston, having voted on the prevailing side moved that the Senate do re-consider its final action on S. B. No. 114.

Motion carried.

On motion of Senator Harmston, the rules were suspended and the Senate voted to amend S. B. No. 114 by deleting all the body and the title and then inserting in lieu thereof a substitute to S. B. No. 114.

S. B. No. 114 By Messrs. Harmston and Kerr
(Substitute S. B. No. 114)

AN ACT AMENDING SECTIONS 23-7-5, 23-7-6, 23-7-7, 23-7-11, 23-7-12, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 39, LAWS OF UTAH 1953, RELATING TO FISH AND GAME LICENSE FEES: PROVIDING FOR AN INCREASE IN FEES.

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

Section 1. Sections 23-7-5, 23-7-6, 23-7-7, 23-7-11, 23-7-12, are amended to read:

23-7-5. Combination License: A resident of the age of 16 years or older, upon applying to any license agent, may receive a license to angle for fish, hunt for game birds and deer for the sum of (\$6.00) \$8.00.

23-7-6. Fishing License: A resident of the age of 16 years or over, upon payment of the sum of (\$3.50) \$5.00 may receive a license to angle for fish.

23-7-7. A resident of the age of 12 and under the age of 16 years upon payment of (\$1.00) \$2.00 may receive a license to angle for fish.

23-7-11. Nonresident Fishing Licenses: A nonresident may obtain a license to angle for fish upon paying a fee according to the following schedule:

(a) (\$4.00) \$6.00 for a period of (five) seven days or less, from and including the date of issuance;

((b) \$5.00 for a period of six days from and including the date of issuance.

(c) $6.00 for a period of seven days from and including the date of issuance.

(d) $7.00 for a period of eight days from and including the date of issuance.

(e) $8.00 for a period of nine days from and including the date of issuance.

(f) $9.00 for a period of ten days from and including the date of issuance;)

For periods in excess of ten days, the provisions of Section 23-7-12 are applicable.

23-7-12. A nonresident, of the age of 16 years or over, upon paying the sum of ($10.00) $15.00, may receive a license to angle for fish. A nonresident of the age of 12 years and under the age of 16 years upon the payment of $5.00 may receive an annual license to angle for fish, or upon payment of $2.00 receive a license to angle for fish for 7 consecutive days. A nonresident under the age of 12 years may angle for fish without a license provided he is accompanied by a person licensed to angle for fish and the number of fish caught by the nonresident is included in the limits of the licensed angler.

S. B. No. 114, upon reconsideration, failed of passage on the following roll call:

Yeas, 12; Nays, 12; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Hafen, Harmston, Holman, Kerr, Mantes, Sowards, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Gardner, Grover, Hammond, Hunter, B. Jenkins, M. Jenkins, Lambert, Memmott, Miller, Rees, Stacey and D. Taylor.

Absent and not voting was Senator Brockbank.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 109 was read the second time.

Committee report read and adopted.

S. B. No. 109 was placed on the Third Reading Calendar on the following roll call:

Yeas, 22; Nays, 0; Absent. 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Hunter and Kerr.

On motion of Senator Hafen, S. B. No. 63 was lifted from the table, and having been previously read was before the Senate.

On motion of Snator Hafen, the rules were suspended and the Senate voted to lift S. B. No. 162 from the Sifting Committee and place it immediately following S. B. No. 63 on the Second Reading Calendar.

On motion of Senator Hafen, the rules were suspended and the Senate voted to consider S. B. Nos. 63, 162, 76 and 77 as a package to be considered together.

S. B. No. 162 was read the second time.

Committee report read and adopted.

S. B. No. 76 was read the second time.

Committee report read and adopted.

S. B. No. 77 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen, S. B. Nos. 63, 162, 76 and 77 were made a Special Order of Business for today at 2:00 P.M.

S. B. No. 106 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins, the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

On motion of Senator Memmott, the Senate voted to suspend the rules and with unanimous consent S. B. No. 221 was introduced.

INTRODUCTION OF BILLS

S. B. No. 221 By Messrs. Memmott and S. J. Taylor

AN ACT AMENDING SECTION 59-14-5, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 124, LAWS OF UTAH 1955; AS AMENDED BY CHAPTER 110, LAWS OF UTAH 1959, RELATING TO REVENUE AND TAXATION, PROVIDING DEDUCTION FOR AN INDIVIDUAL FOR ACTUAL NON-REIMBURSED EXPENSES OF A SEARCH OR RESCUE, was read the first time and referred to the Committee on Rules.

UNFINISHED BUSINESS

S. B. No. 106 being Unfinished Business, was before the Senate.

On motion of Senator B. Jenkins, S. B. No. 106 was amended as follows:

Page 9, line 30, after the word "municipality" delete the semicolon, insert a period then delete the remainder of line 30 and part of line 31 down to and including the period following the word "change".

S. B. No. 106 was placed on the Third Reading Calendar on the following roll call:

Yeas, 17; Nays, 6; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Mantes, Memmott, Miller, D. Taylor and S. Taylor.

Voting in the negative were: Senators Brockbank, Browning, Rees, Sowards, Stacey and Mr. President.

Absent and not voting were: Senators Lambert and Waddingham.

Senator D. Taylor served notice that on the next Legislative day he would ask the Senate to re-consider its vote by which S. B. No. 114 failed of passage.

On motion of Senator Hafen, the rules were suspended and the Senate voted to now re-consider S. B. No. 41 on Third Reading.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 41 was before the Senate for reconsideration.

On motion of Senator Hafen, S. B. No. 41 was amended as follows:

On page 1, line 3, after the word "Associations" insert the following words: "whose accounts are insured by the Federal Savings and Loan Insurance Corporation".

On page 2, line 11, after the word "accordingly", strike the amendment which was inserted on second reading and insert, in its place, the following: "As a condition of approval, the Bank Commissioner shall, by regulation, impose upon the Association all safeguards respecting the deposit, investment or handling of any of said funds, required of trustees under Chapter 5, Title 7, Utah Code Annotated 1953".

S. B. No. 41, upon reconsideration, failed of passage on the following roll call:

Yeas, 8; Nays, 15; Absent, 2.

Voting in the affirmative were: Senators Grover, Hafen, Harmston, B. Jenkins, Kerr, Memmott, Waddingham and Mr. President.

Voting in the negative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hammond, Holman, Hunter, M. Jenkins, Miller, Rees, Sowards, Stacey, D. Taylor and S. Taylor.

Absent and not voting were: Senators Lambert and Mantes.

SPECIAL ORDER

S. B. Nos. 63, 162, 76, and 77 being Special Orders of Business were before the Senate.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

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

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

S. B. No. 63, having been previously read was before the Senate.

On motion of Senator D. Taylor, the rules were suspended and 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:

Yeas, 19; Nays, 6; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, Kerr, Lambert, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President (explained vote).

Voting in the negative were: Senators Browning, Grover, B. Jenkins, M. Jenkins, Mantes and Miller.

S. B. No. 63 was transmitted to the House.

On motion of Senator Kerr, the enacting clause of S. B. No. 162 was struck.

On motion of Senator Kerr, the enacting clause of S. B. No. 76 was struck.

On motion of Senator Kerr, the enacting clause of S. B. No. 77 was struck.

S. B. No. 17 being a Special Order of Business, was before the Senate.

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

Committee report read and adopted.

Senator Hafen moved that the rules be suspended and that the Senate vote to amend S. B. No. 17 by deleting all the body and the title of the original S. B. No. 17 and then inserting in lieu thereof the following:

Substitute S. B. No. 17 By Messrs. Grover and Browning

AN ACT AMENDING SECTIONS 76-28-58, 76-30-4, 76-35-1, AND 77-36-1, UTAH CODE ANNOTATED 1953, RELATING TO THE PENALTY OF DEATH.

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

Section 1. Sections 76-28-58, 76-30-4, 76-35-1, 77-36-1, Utah Code Annotated 1953 are amended to read:

76-28-58. Every person who, having knowledge of the actual commission of a crime, takes money or property of another or any gratuity or reward, or any engagement or promise thereof, upon any agreement or understanding to compound or conceal such crime, or to abstain from any prosecution thereof, or to withhold any evidence thereof, except in the cases provided for by law in which crimes may be compromised by leave of court, is punishable as follows:

(1) By imprisonment in the State prison not exceeding five years or in a county jail not exceeding one year, where the crime is punishable by death or imprisonment in the state prison for life.

(2) By imprisonment in the state prison not exceeding three years or in the county jail not exceeding six months, where the crime is punishable by imprisonment in the state prison for any other term than for life.

(3) By imprisonment in the county jail not exceeding six months or by fine not exceeding $100, where the crime is a misdemeanor.

76-30-4. Every person guilty of murder in the first degree shall [suffer death, or, upon the recommendation of the jury, may be imprisoned at hard labor in the state prison for life, in the discretion of the court]

be imprisoned at hard labor in the state prison for life, or upon the recommendation of the jury may suffer death in the discretion of the court. Every person guilty of murder in the second degree shall be imprisoned at hard labor in the state prison for a term which shall be not less than ten years and which may be for life.

76-35-1. (a) Every person who wilfully:

(1) Seizes, confines, inveigles or kidnaps another with intent to keep him without the authority of the law, to be secretly imprisoned and confined within the state or to be sent out of the state or in any way held to service or detained against his will, or

(2) Leads, takes, entices away or detains a minor with intent to keep or confine it from its parents or guardians or other person having lawful guide or control thereof, or with intent to steal any article about and on the person of the minor is guilty of kidnapping in the second degree.

(b) Every person who wilfully:

(1) Seizes, confines, inveigles, abducts, entices or by force or fraud, unlawfully takes or carries away another or brings another within the state or procures or advises, aids or abets such an abduction, enticing, taking, or conveying away for the purpose of extorting or obtaining money or reward for the return or disposition of the person, is guilty of kidnapping in the first degree.

Every person guilty of kidnapping in the second degree shall be imprisoned at hard labor in the state prison for a term which shall not be less than one year and which may be for life. Every person guilty of kidnapping in the first degree shall [suffer death or upon recommendation of the jury, may be imprisoned at hard labor in the state prison for life in the discretion of the court] be imprisoned at hard labor in the state prison for life, or upon the recommendation of the jury may suffer death in the discretion of the court.

77-36-1. When a judgment other than of death has been pronounced, a certified copy of the entry thereof upon the minutes must be forthwith furnished to the officer whose duty it is to execute the judgment, and no other warrant or authority shall be necessary to justify or require its execution.

Senator Grover, together with the aid of five Senators requested a roll call vote on proposed amendments to S. B. No. 17.

Proposed amendments to S. B. No. 17 then passed on the following roll call:

Yeas, 15; Nays, 10; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Hafen, Harmston, Hunter, M. Jenkins, Kerr, Mantes, Memmott, Miller, Rees, Sowards, Stacey and Waddingham.

Voting in the negative were: Senators Browning, Gardner, Grover, Hammond, Holman, B. Jenkins, Lambert, D. Taylor, S. Taylor and Mr. President.

S. B. No. 17 was placed on the Third Reading Calendar on the following roll call:

Yeas, 18; Nays, 7; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Grover, Hafen, Harmston, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Waddingham.

Voting in the negative were: Senators Gardner, Hammond, Holman, Hunter, M. Jenkins, D. Taylor and Mr. President.

On motion of Senator Hafen, S. B. No. 17 was then made a Special Order of Business for Friday, March 1, 1963 at 11:00 A.M.

On motion of Senator Kerr, the Senate adjourned until Wednesday, February 27, 1963 at 10:00 A.M.

FORTY-FIFTH DAY

MORNING SESSION

February 27, 1963

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

Roll Call – All Senators present except Senators Hafen, Gardner, S. Taylor, Holman and Hunter, excused.

Prayer by Dr. Don Christiansen, Reverend, Wasatch Presbyterian Church.

February 27, 1963

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,

LELAND SOWARDS,
Acting Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

February 26, 1963

Honorable Reed Bullen
President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bill, which has been forwarded to the Secretary of State for filing.

S. B. No. 5

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of House of Representatives

Communication filed.

House notified of Governor's action.

February 26, 1963

Honorable Reed Bullen
President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bill, which has been forwarded to the Secretary of State for filing.

S. B. No. 35

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of House of Representatives

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

February 26, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 25th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 32, COMMERCIAL FERTILIZER.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 26, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, H. B. No. 45 – LICENSING MOTOR CLUBS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 45 was read the first time and referred to the Committee on Business and Commerce.

February 26, 1963

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 – MENTALLY ILL, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 86 was read the first time and referred to the Committee on Public Health, Welfare and Institutions.

February 26, 1963

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to S. B. No. 25, RELATING TO HOMESTEAD EXEMPTIONS, and has appointed a Conference Committee consisting of Representatives Bullock, Hodgson and F. Peterson, to act with a like committee from the Senate on this bill.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Grover, President Bullen appointed a Conference Committee, consisting of Senators Grover, Hunter and Sowards to act with a like committee from the House to confer on S. B. No. 25.

February 26, 1963

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. 65 – SECURING BIDS ON PURCHASES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 65 was read the first time and referred to the Committee on Revenue and Taxation.

February 26, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 53, entitled CONTINUITY OF ADMINISTRATION OF CITIES, and the Speaker signed in open session in the presence of the House and transmits to the Senate for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 53 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

CONFERENCE COMMITTEE REPORT

February 21, 1963

Mr. President and Mr. Speaker:

Your Conference Committee, to which was referred H. B. No. 104, by Messrs. Anderson, Warren, Tanner, Harward and Tracy, entitled FISHING LICENSES, begs leave to report as follows:

It is the conclusion of the Committee that the Senate amendments be accepted.

Respectfully,

W. HUGHES BROCKBANK,
Chairman Senate Committee

MARVIN F. WARREN,
Chairman House Committee

On motion of Senator Brockbank the Senate voted to concur in the Conference Committee Report.

H. B. No. 104 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Brockbank, Browning, Grover, Hammond, Harmston, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Gardner, Hafen, Holman, Hunter, B. Jenkins, S. Taylor and Waddingham.

H. B. No. 104 was returned to the House.

REPORTS OF SPECIAL COMMITTEES

February 26, 1963

Mr. President:

Your Sifting Committee reports out the following Bills:

S. C. R. No. 2, H. B. Nos. 9, 38, 42, 43, 67, 71, 77, 78, 92, 120, 35 and 14.

Respectfully,

KLEON KERR,

Chairman

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

February 27, 1963

Mr. President:

Your Committee on Public Health, Welfare and Institutions, to which was referred H. B. No. 118, by Messrs. Gunnell, Dean, Clyde, Mrs. Vance and Mr. Pettersson, has carefully considered said bill and reports the same out favorably.

Respectfully,

D. E. HAMMOND,

Chairman

Report filed.

H. B. No. 118 was referred to the Sifting Committee.

February 27, 1963

Mr. President:

Your Committee on Public Health, Welfare and Institutions, to which was referred H. B. No. 137, by Messrs. Sonntag, Dean, Jorgensen, Compton and Gunnell, has carefully considered said bill and reports the same out favorably.

Respectfully,

D. E. HAMMOND,

Chairman

Report filed.

H. B. No. 137 was referred to the Sifting Committee.

Mr. President: February 27, 1963

Your Committee on State and Federal Affairs to which was referred S. J. R. No. 12, by Messrs. Rees and Waddingham, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. J. R. No. 12 was referred to the Sifting Committee.

Mr. President: February 27, 1963

Your Committee on State and Federal Affairs to which was referred H. B. No. 44, by Mr. Gunnell, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

H. B. No. 44 was referred to the Sifting Committee.

Mr. President: February 27, 1963

Your Committee on Political Subdivisions to which was referred S. B. No. 185, by Messrs. Grover, B. Jenkins and Kerr, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 185 was referred to the Sifting Committee.

Mr. President: February 27, 1963

Your Joint Appropriations Committee to which was referred S. B. No. 139, by Messrs. Mantes, Brockbank and Jenkins, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

W. HUGHES BROCKBANK,
Chairman

Report filed.

S. B. No. 139 was referred to the Sifting Committee.

February 27, 1963

Mr. President:

Your Joint Appropriations Committee to which was referred S. B. No. 157, by Messrs. Sowards, Miller and Bernhard, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

W. HUGHES BROCKBANK,
Chairman

Report filed.

S. B. No. 157 was referred to the Sifting Committee.

February 27, 1963

Mr. President:

Your Joint Appropriations Committee to which was referred S. B. No. 154, by Messrs. Grover, Brockbank and Bernhard, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

W. HUGHES BROCKBANK,
Chairman

Report filed.

S. B. No. 154 was referred to the Sifting Committee.

SPECIAL ORDER

H. C. R. No. 1, being a Special Order of Business was before the Senate for reconsideration.

On motion of Senator Brockbank, H. C. R. No. 1 was further made a Special Order of Business for Thursday, February 28, 1963 at 10:00 A.M.

On motion of Senator Harmston, the Senate voted to suspend the rules and with unanimous consent the following two bills were introduced.

INTRODUCTION OF BILLS

S. B. No. 222 By Messrs. Harmston and Kerr

An ACT AMENDING SECTION 59-5-4, UTAH CODE ANNOTATED 1953, BY PROVIDING FOR AN ELECTION BY THE TAXPAYER TO HAVE INVENTORIES OF GOODS ASSESSED AT AVERAGE VALUE, was read the first time and referred to the Committee on Rules.

S. B. No. 223 By Messrs. Harmston and Memmott

AN ACT RELATING TO PUBLIC UTILITIES, AMENDING SECTION 54-6-12, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 87, LAWS OF UTAH 1953, AS AMENDED BY CHAPTER 107, LAWS OF UTAH 1957, AS AMENDED BY CHAPTER 125, LAWS OF UTAH 1961; PROVIDING FOR EXEMPTION OF THE HAULING OF GRAVEL FROM REGULATION BY THE PUBLIC SERVICE COMMISSION, was read the first time and referred to the Committee on Rules.

On motion of Senator Grover, the rules were suspended and the Senate voted to now consider bills on the Second Reading Calendar and defer action on the Third Reading Calendar until the Senators who are excused today, can be present.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Kerr, the rules were suspended and the Senate voted to now consider S. C. R. No. 2.

S. C. R. No. 2 was read the second time.

Committee report read and adopted.

On motion of Senator Grover the rules were suspended and S. C. R. No. 2 was read the third time and placed on its final passage.

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

Yeas, 16; Nays, 1; Absent, 8.

Voting in the affirmative were: Senators Barlow, Brockbank, Grover, Hammond, Harmston, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Voting in the negative was Senator Browning.

Absent and not voting were: Senators Bernhard, Gardner, Hafen, Holman, Hunter, B. Jenkins, S. Taylor and Waddingham.

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

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

Committee report read and adopted.

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

Yeas, 18; Nays, 0;Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Grover, Hammond, Harmston, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators Garnder, Hafen, Holman, Hunter, B. Jenkins, S. Taylor and Waddingham.

Senator D. Taylor, having voted on the prevailing side moved that the Senate do re-consider its final action on S. B. No. 114.

Motion carried.

On motion of Senator D. Taylor, S. B. No. 114 was tabled.

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:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Grover, Harmston, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor and Waddingham.

Absent and not voting were: Senators Gardner, Hafen, Hammond, Holman, Hunter, B. Jenkins, S. Taylor and Mr. President.

H. B. No. 42 was read the second time.

Committee report read and adopted.

On motion of Senator Rees, H. B. No. 42 was amended as follows:

Page 10, delete line 12.

H. B. No. 42 was placed on the Third Reading Calendar on the following roll call:

Yeas, 15; Nays, 0; Absent, 10.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Grover, Hammond, Harmston, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Stacey, D. Taylor and Waddingham.

Absent and not voting were: Senators Browning, Gardner, Hafen, Holman, Hunter, B. Jenkins, Miller, Sowards, S. Taylor and Mr. President.

On motion of Senator Bernhard, the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

COMMUNICATIONS FROM THE HOUSE

February 27, 1963

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, entitled PROPOSED WILDERNESS SYSTEM, the Speaker has signed the same in open session in the presence of the House and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. C. R. No. 2 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

February 27, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 8, as amended by the Senate, entitled OFF-HIGHWAY MOTOR FUEL TAX REFUND, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 8, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 8 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

February 27, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 1, as amended by the Senate, entitled DEALING WITH NON-PROFIT CORPORATIONS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 1, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 1 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

February 27, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 27th day of February, 1963, approve and transmit to the Secretary of State H. B. No. 131, MARRIAGE LICENSES TO MINORS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

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

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

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 43 was read the second time.

Committee report read and adopted.

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

Representative Albert L. Bott appeared before the Committee of the Whole.

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

On motion of Senator Kerr, H. B. No. 43 was amended as follows:

Page 9, delete line 8.

H. B. No. 43 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Grover, Hammond, Harmston, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Gardner, Hafen, Holman, Hunter, and S. Taylor.

H. B. No. 67 was read the second time.

Committee report read and adopted.

H. B. No. 67 was placed on the Tihrd Reading Calendar on the following roll call:

Yeas, 13; Nays, 7; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Grover, Hammond, Harmston, B. Jenkins, M. Jenkins, Kerr, Mantes, Miller, D. Taylor and Waddingham.

Voting in the negative were: Senators Browning (explained vote), Lambert, Memmott, Rees, Sowards, Stacey and Mr. President.

Absent and not voting were: Senators Gardner, Hafen, Holman, Hunter, and S. Taylor.

On motion of Senator Grover, H. B. No. 71 retained its position on the Second Reading Calendar.

H. B. No. 77 was read the second time.

Committee report read and adopted.

On motion of Senator Kerr, H. B. No. 77 was tabled.

H. B. No. 78 was read the second time.

Committee report read and adopted.

H. B. No. 78 was placed on the Third Reading Calendar on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Grover, Hammond, Harmston, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Gardner, Hafen, Holman, Hunter, B. Jenkins, D. Taylor and S. Taylor.

On motion of Senator Brockbank, H. B. No. 92 retained its position on the Second Reading Calendar.

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

Mr. Omar Hansen, Principal of Springville High School, Mr. Glen Montague, Director of the A Capella Choir, Springville High School, appeared before the Committee of the Whole.

The A Capella Choir appeared before the Committee of the Whole.

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

H. B. No. 120 was read the second time.

Committee report read and adopted.

H. B. No. 120 failed to pass on Second Reading on the following roll call:

Yeas, 6; Nays, 12; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Hammond, M. Jenkins, Miller and Stacey.

Voting in the negative were: Senators Browning, Grover, Harmston, B. Jenkins, Lambert, Mantes, Memmott, Rees, Sowards, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Gardner, Hafen, Holman, Hunter, Kerr and S. Taylor.

H. B. No. 120 was returned to the House.

H. B. No. 35 was read the second time.

Committee report read and adopted.

On motion of Senator Rees, H. B. No. 35 was made a Special Order of Business for Thursday, February 28, 1963 at 10:30 A.M.

On motion of Senator Kerr, H. B. No. 14 was tabled.

On motion of Senator Kerr, H. J. R. No. 10 was lifted from the table, and having been previously read was before the Senate for consideration.

On motion of Senator Kerr, H. J. R. No. 10 retained its position on the Second Reading Calendar.

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

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

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

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 4 was read the third time and placed on its final passage.

On motion of Senator B. Jenkins, H. B. No. 4 was amended as follows:

Page 1, line 8, after "erty," delete remainder of line 8, part of line 9 down to include "property; —".

On motion of Senator Kerr, H. B. No. 4 was tabled.

H. B. No. 5 was read the third time and placed on its final passage.

On motion of Senator Kerr, H. B. No. 5 was tabled.

H. J. R. No. 3 was read the third time and placed on its final passage.

On motion of Senator Waddingham, H. J. R. No. 3 was tabled.

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:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Harmston, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Gardner, Grover, Hafen, Hammond, Holman, Hunter, D. Taylor and S. Taylor.

H. B. No. 62 was returned to the House.

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:

Yeas, 16; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators Brockbank, Browning, Hammond, Harmston, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Holman, Hunter, D. Taylor and S. Taylor.

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 further action.

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:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Grover, Hammond, Harmston, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Gardner, Hafen, Holman, Hunter, D. Taylor and S. Taylor.

H. B. No. 25 was returned to the House.

On motion of Senator B. Jenkins the Senate recessed.

The Senate re-assembled.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

S. B. No. 30 was placed on the Third Reading Calendar on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Bernhard, Browning, Grover, Hammond, Harmston, B. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Hafen, Holman, Hunter, Mantes,, S. Taylor and Waddingham.

S. B. No. 115 was read the second time.

Committee report read and adopted.

S. B. No. 115 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Grover, Hammond, Harmston, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Gardner, Hafen, Holman, Hunter, M. Jenkins and S. Taylor.

On motion of Senator Memmott, the rules were suspended and the Senate voted to lift S. B. No. 164 and place it at the head of the Second Reading Calendar.

S. B. No. 164 was read the second time.

Committee report read and adopted.

S. B. No. 164 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Grover, Hammond, Harmston, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Hafen, Holman, Hunter M. Jenkins and S. Taylor.

On motion of Senator Waddingham, the Senate voted to suspend the rules and with unanimous consent the following resolution was introduced:

PRESENTATION OF RESOLUTIONS

S. C. R. No. 3 By Messrs. Waddingham, Lambert and Brockbank

A CONCURRENT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE THIRTY-FIFTH LEGISLATURE OF THE STATE OF UTAH, WITH THE GOVERNOR CONCURRING HEREIN, RECOMMENDING CONSTRUCTION AND COMPLETION OF THE PARTICIPATING PROJECTS IN UTAH AS AUTHORIZED BY THE COLORADO RIVER STORAGE PROJECT ACT OF 1956 AND ACTS AMENDATORY AND SUPPLEMENTARY THERETO; FURTHER RECOMMENDING AN EQUITABLE DISTRIBUTION IN UTAH OF THE WATERS OF THE COLORADO RIVER; AND PROPOSING A PRIORITY OF USE AS BETWEEN IRRIGATED AND NON-IRRIGATED LANDS FOR THAT WATER WHICH IS ALLOCATED TO AGRICULTURAL USES.

S. C. R. No. 3 was read the first time.

On motion of Senator Waddingham, the rules were suspended and S. C. R. No. 3 was read the second time.

On motion of Senator Kerr, the Senate adjourned until Thursday, February 28, 1963 at 10:00 A.M.

FORTY-SIXTH DAY

MORNING SESSION

February 28, 1963

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

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

Prayer by Reverend Walter J. Kalvesmaki, Minister, First Presbyterian Church, Salt Lake City, Utah.

Mr. President: February 28, 1963

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,

WALLACE H. GARDNER,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

Honorable Reed Bullen
President, Utah State Senate

February 27, 1963

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bill, which has been forwarded to the Secretary of State for filing.

S. B. No. 39

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of House of Representatives

Communication filed.

House notified of Governor's action.

Honorable Reed Bullen
President, Utah State Senate

February 27, 1963

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bill, which has been forwarded to the Secretary of State for filing.

S. C. R. No. 2

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of House of Representatives

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 26, 1963

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, H. B. No. 116 – SATURDAY–SUNDAY CLOSING, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 116 was read the first time and referred to the Committee on Business and Commerce.

Mr. President: February 27, 1963

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, S. B. No. 9, BOY SCOUT LANDS, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Hammond, the Senate refused to concur in the House amendments on S. B. No. 9 and ask the House to recede from its amendments.

REPORTS OF STANDING COMMITTEES

Mr. President: February 28, 1963

Your Rules Committee to which were referred

S. B. No. 134 (Industry)

S. B. No. 221 (Revenue and Taxation)

S. B. No. 222 (Revenue and Taxation)

S. B. No. 223 (Business and Commerce)

reports the same back with minor changes and amendments assented to by the authors and recommends that they be printed, with the exception of S. B. No. 134, and recommends that it not be printed, sufficient copies having been mimeographed by the authors.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

Mr. President: February 28, 1963

Your Committee on Judiciary to which was referred H. B. No. 134, by Messrs. Harding and Adams, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 134 was referred to the Sifting Committee.

Mr. President: February 28, 1963

Your Committee on Judiciary to which was referred S. B. No. 189, by Messrs. B. Jenkins, Holman, and Hunter, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 189 was referred to the Sifting Committee.

Mr. President: February 28, 1963

Your Committee on Judiciary to which was referred S. B. No. 195, by Messrs. Hafen and Waddingham, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 195 was referred to the Sifting Committee.

Mr. President: February 28, 1963

Your Committee on Judiciary to which was referred S. B. No. 205, by Mr. Brockbank, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 205 was referred to the Sifting Committee.

Mr. President: February 28, 1963

Your Committee on Judiciary to which was referred H. B. No. 108, by Messrs. Gunnell, Anderson, Mrs. Vance, Messrs. J. M. Smith and Warren, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 108 was referred to the Sifting Committee.

Mr. President: February 28, 1963

Your Committee on Education to which was referred H. B. No. 166, by Messrs. Cooper, Bullock and Andersen, has carefully considered said bill and reports the same out favorably.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

H. B. No. 166 was referred to the Sifting Committee.

Mr. President: February 28, 1963

Your Committee on Education to which was referred S. B. No. 217, by Messrs. Grover and Lambert, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 217 was referred to the Sifting Committee.

Mr. President: February 28, 1963

Your Committee on Education to which was referred S. B. No. 105, by Messrs. G. D. Taylor, Gardner and Hunter, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

S. B. No. 105 was referred to the Sifting Committe.

Senator Gardner reported that the Special Committee that was sent to represent the state as a good will delegation, to the location in Southern Utah of the George Stevens Movie Production "The Greatest Story Ever Told," reported that they felt that the mission they were sent to do was accomplished in a very satisfactory manner.

REPORTS OF SPECIAL COMMITTEES

February 28, 1963

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 44, 137, 108, 166 and 134.

Respectfully,

KLEON KERR,
Chairman

Report adopted and filed.

On motion of Senator Kerr, the Senate voted to suspend the rules and with unanimous consent the following bill was introduced:

INTRODUCTION OF BILLS

S. B. No. 224 By Messrs. Browning and Kerr

AN ACT TO PROVIDE FOR THE REHABILITATION, CLEARANCE AND REDEVELOPMENT OF SLUMS AND BLIGHTED AREAS IN OR NEAR CITIES, TOWNS AND COUNTIES IN THIS STATE IN ACCORDANCE WITH AREA REDEVELOPMENT PLANS APPROVED BY THE GOVERNING BODIES THEREOF; TO DEFINE THE DUTIES, LIABILITIES, EXEMPTIONS AND POWERS OF SUCH CITIES, TOWNS AND COUNTIES IN UNDERTAKING SUCH ACTIVITIES, INCLUDING THE POWER TO ACQUIRE PROPERTY THROUGH THE EXERCISE OF THE POWER OF EMINENT DOMAIN OR OTHERWISE, TO DISPOSE OF PROPERTY SUBJECT TO ANY RESTRICTIONS DEEMED NECESSARY TO PREVENT THE DEVELOPMENT OR SPREAD OF FUTURE SLUMS OR BLIGHTED AREAS, TO ISSUE BONDS AND OTHER OBLIGATIONS AND GIVE SECURITY THEREFOR, TO LEVY TAXES AND ASSESSMENTS AND TO ENTER INTO AGREEMENTS TO SECURE FEDERAL AID AND COMPLY WITH CONDITIONS IMPOSED IN CONNECTION THEREWITH; TO PROVIDE FOR AN AREA REDEVELOPMENT AGENCY TO EXERCISE POWERS HEREUNDER IF A CITY, TOWN OR COUNTY DETER-

MINES IT TO BE IN THE PUBLIC INTEREST; TO AUTHORIZE PUBLIC BODIES TO FURNISH FUNDS, SERVICES, FACILITIES AND PROPERTY IN AID OF AREA REDEVELOPMENT PROJECTS HEREUNDER; TO AUTHORIZE CITIES, TOWNS AND COUNTIES TO OBTAIN FUNDS THEREFOR BY THE ISSUANCE OF OBLIGATIONS, BY TAXATION OR OTHERWISE; TO PROVIDE THAT SECURITIES ISSUED, AND PROPERTIES WHILE HELD, BY A PUBLIC AGENCY HEREUNDER SHALL BE EXEMPT FROM TAXATION, was read the first time and referred to the Committee on Rules.

UNFINISHED BUSINESS

S. C. R. No. 3, being Unfinished Business, was before the Senate.

On motion of Senator Waddingham, S. C. R. No. 3 was made a Special Order of Business to follow the Special Order with reference to H. B. No. 35.

SPECIAL ORDER

H. C. R. No. 1 being a Special Order of Business was before the Senate for reconsideration.

On motion of Senator S. Taylor, H. C. R. No. 1 was further made a Special Order of Business for this afternoon at 3:00 P.M.

H. B. No. 35 being a Special Order of Business, was before the Senate.

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

Mr. Edmund A. Fehr appeared before the Committee of the Whole.

Dr. Robert Rees appeared before the Committee of the Whole.

Dr. Gerald H. Bagley appeared before the Committee of the Whole.

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

H. B. No. 35 failed to pass on Second Reading on the following roll call:

Yeas, 10; Nays, 11; Absent, 4.

Voting in the affirmative were: Senators Bernhard, Gardner, Hammond, B. Jenkins, Kerr, Lambert, Rees, D. Taylor, S. Taylor and Waddingham.

Voting in the negative were: Senators Barlow, Browning, Grover, Hafen, Harmston, Holman, Mantes, Memmott, Miller, Sowards and Stacey.

Absent and not voting were: Senators Brockbank, Hunter, M. Jenkins and Mr. President.

SPECIAL ORDER

S. C. R. No. 3 being a Special Order of Business, was before the Senate.

On motion of Senator Waddingham S. C. R. No. 3 was amended as follows:

At the conclusion of the bill, insert the following immediately after Section 3.

BE IT FURTHER RESOLVED that Copies of this concurrent resolution be forwarded to Floyd Dominy, Commissioner of Reclamation, Frank Clinton, Regional Director of Bureau of Reclamation, Senator Frank L. Moss; Senator Wallace F. Bennett; Representative Sherman P. Lloyd; and Representative Lawrence Burton.

On motion of Senator Sowards, S. C. R. No. 3 was amended as follows:

In paragraph 3, lines 3 and 4 delete the words "including the creation of the Central Utah Water Conservancy District".

Page 2, in Section 1, lines 3 and 4 delete the following words: "including the formation of the Central Utah Water Conservancy District".

S. C. R. No. 3 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Harmston, Holman, Hunter, M. Jenkins and S. Taylor.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 9 was read the third time and placed on its final passage.

On motion of Senator Miller, H. B. No. 9 retained its position on the Third Reading Calendar.

H. B. No. 38 was read the third time and placed on its final passage.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to lift S. B. No. 56 from the table and that it now be considered.

The Senate voted to over-ride the Governor's veto of S. B. No. 56 and passed S. B. No. 56 by the following roll call:

Yeas, 20; Nays, 1; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Browning.

Absent and not voting were: Senators Harmston, Holman, Hunter and M. Jenkins.

S. B. No. 56 was transmitted to the House for further action.

H. B. No. 38 was before the Senate after having been previously read.

H. B. No. 38 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, Harmston, Holman, Hunter and M. Jenkins.

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 further action.

H. B. No. 42 was read the third time and placed on its final passage.

On motion of Senator B. Jenkins, H. B. No. 42 retained its position on the Third Reading Calendar.

H. B. No. 43 was read the third time and placed on its final passage.

On motion of Senator Kerr, H. B. No. 43 retained its position on the Third Reading Calendar.

H. B. No. 67 was read the third time and placed on its final passage.

On motion of Senator Rees, H. B. No. 67 retained its position on the Third Reading Calendar.

H. B. No. 78 was read the third time and placed on its final passage.

H. B. No. 78 then passed on the following roll call:

Yeas, 18; Nays, 2; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, B. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Waddingham.

Voting in the negative were: Senator Browning and Mr. President.

Absent and not voting were: Senators Brockbank, Holman, Hunter, M. Jenkins and Memmott.

H. B .No. 78 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Kerr, the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

COMMUNICATIONS FROM THE HOUSE

February 28, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, S. J. R. No. 5, FREEPORT BILL, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

On motion of Senator Barlow, S. J. R. No. 5 was made a Special Order of Business for this afternoon at 2:30 P.M.

SPECIAL ORDER

S. B. No. 27 being a Special Order of Business was before the Senate.

On motion of Senator Barlow, S. B. No. 27 was further made a Special Order of Business for Wednesday, March 6, 1963 at 2:00 P.M.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 92 having retained its position was before the Senate.

H. B. No. 92 was read the second time.

Committee report read and adopted.

H. B. No. 92 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Hunter, Mantes, D. Taylor and Waddingham.

H. B. No. 44 was read the second time.

Committee report read and adopted.

On motion of Senator Rees, H. B. No. 44 was amended as follows:

Page 1, Section 2, delete the word "Commission" insert in lieu thereof the word "Department".

Page 2, line 1, after the word "Commission" insert in lieu thereof the word "Department".

Page 2, line 7, delete the word "Commission" then insert in lieu thereof the word "Department".

On motion of Senator Grover, H. B. No. 44 was amended as follows:

Page 1, lines 2 and 3, delete "as enacted by Chapter 93, Laws of Utah 1925".

On motion of Senator Grover, the title of H. B. No. 44 was amended as follows:

Lines 1 and 2 delete the following words "AS ENACTED BY CHAPTER 93, LAWS OF UTAH 1925".

H. B. No. 44 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, and Mr. President.

Absent and not voting were: Senators Hunter, Lambert, D. Taylor and Waddingham.

SPECIAL ORDER

S. J. R. No. 5 being a Special Order of Business, was before the Senate.

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

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

On motion of Senator Barlow, the Senate voted to concur in the House amendments as passed by the House on the following roll call:

Yeas, 23; Nays, 1; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Grover.

Absent and not voting was Senator Hunter.

S. J. R. No. 5 was transmitted to the House for their further action.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Kerr, H. B. No. 137 retained its position on the Second Reading Calendar.

H. B. No. 108 was read the second time.

Committee report read and adopted.

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

Former Representative Rawlins appeared before the Committee of the Whole.

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

H. B. No. 108 was placed on the Third Reading Calendar on the following roll call:

Yeas, 12; Nays, 7; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Grover, Harmston, M. Jenkins, Lambert, Miller, Sowards, Stacey, S. Taylor and Mr. President.

Voting in the negative were: Senators Browning, Gardner, Hafen, Holman, B. Jenkins, Rees and Wadingham.

Absent and not voting were: Senators Hammond, Hunter, Kerr, Mantes, Memmott and D. Taylor.

SPECIAL ORDER

H. C. R. No. 1 being a Special Order of Business, was before the Senate for reconsideration, having been previously read and placed at the head of the Second Reading Calendar.

H. C. R. No. 1, upon reconsideration, failed to pass on Second Reading on the following roll call:

Yeas, 11; Nays, 12; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hammond, B. Jenkins, Mantes, Memmott, Miller, Stacey and Waddingham.

Voting in the negative were: Senators Browning, Hafen, Harmston, Holman, M. Jenkins, Kerr, Lambert, Rees, Sowards, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Grover and Hunter.

Senator D. Taylor served notice that on the next Legislative day he would ask the Senate to re-consider its action by which H. C. R. No. 1 failed to pass on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 137 having retained its position was before the Senate.

H. B. No. 137 was read the second time.

Committee report read and adopted.

On motion of Senator Kerr, the Senate recessed.

The Senate re-assembled.

On motion of Senator D. Taylor, H. B. No. 137 was amended as follows:

Page 7, line 18, after the word "bona fide" insert the words "educational, artistic".

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

Mr. R. V. Nelson, Youth Protection Committee, appeared before the Committee of the Whole.

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

H. B. No. 137 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 2; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Voting in the negative were: Senators Brockbank and Hafen.

Absent and not voting were: Senators Hunter, D. Taylor and Waddingham.

Senator Harmston served notice that on the next Legislative day he would ask the Senate to re-consider its action by which H. B. No. 35 failed to pass on the Second Reading Calendar.

H. B. No. 166 was read the second time.

Committee report read and adopted.

On motion of Senator Browning the rules were suspended and H. B. No. 166 was read the third time and placed on its final passage.

H. B. No. 166 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Hunter, Miller, D. Taylor and Waddingham.

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 further action.

H. B. No. 134 was read the second time.

Committee report read and adopted.

On motion of Senator Browning, H. B. No. 134 retained its position on the Second Reading Calendar.

On motion of Senator Hafen, H. B. No. 51 was lifted from the table, and placed at the head of the Second Reading Calendar.

On motion of Senator Lambert, the rules were suspended and the Senate voted to now consider S. B. No. 93.

S. B. No. 93 was read the second time.

Committee report read and adopted.

On motion of Senator Browning, the rules were suspended and S. B. No. 93 was read the third time and placed on its final passage.

S. B. No. 93 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hunter and D. Taylor.

S. B. No. 93 was transmitted to the House.

H. B. No. 51 was read the second time.

Committee report read and adopted.

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

Mr. Hal Bennett, Chairman of the Business Regulations, appeared before the Committee of the Whole.

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

On motion of Senator Browning, the enacting clause of H. B. No. 51 was struck.

On motion of Senator Kerr, the Senate adjourned until Friday, March 1, 1963 at 10:00 A.M.

FORTY-SEVENTH DAY

MORNING SESSION

March 1, 1963

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

Roll Call – All Senators present.

Prayer by Rabbi Sidney Strome, B'nai Israel, Salt Lake City, Utah.

March 1, 1963

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,

WALLACE H. GARDNER,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

February 27, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 27th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 29, BRUCELLOSIS ERADICATION.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 28, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 27th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 73, APPROPRIATION FOR NURSING AND MATERNITY.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 28, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 27th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 93, INACTIVE BAR MEMBER FEE.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 28, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 27th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 96, DENTISTS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 28, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 27th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 131, MARRIAGE LICENSE–MINORS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

February 28, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report to H. B. No. 104, entitled FISHING LICENSES, and the Speaker signed in open session in the presence of the House and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 104 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

REPORTS OF STANDING COMMITTEES

March 1, 1963

Mr. President:

Your Committee on Industry to which was referred H. B. No. 49, by Mrs. Loveridge, Messrs Anderson, Sheffield, Bullock and Harward, has carefully considered said bill and reports the same out favorably.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

H. B. No. 49 was referred to the Sifting Committee.

March 1, 1963

Mr. President:

Your Committee on Industry to which was referred H. B. No. 75, by Messrs. Harward, Poulson, Kastler and Cooper, has carefully considered said bill and reports the same out favorably.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

H. B. No. 75 was referred to the Sifting Committee.

March 1, 1963

Mr. President:

Your Committee on Industry to which was referred H. B. No. 74, by Messrs. Harward, Poulson, Kastler and Cooper, has carefully considered said bill and reports the same out favorably.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

H. B. No. 74 was referred to the Sifting Committee.

Mr. President: March 1, 1963

Your Committee on Political Subdivisions to which was referred H. B. No. 57, by Messrs. Plant, Squire and Cooper, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

H. B. No. 57 was referred to the Sifting Committee.

Mr. President: March 1, 1963

Your Committee on Political Subdivisions to which was referred H. B. No. 115, by Messrs. Green and Evans, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

H. B. No. 115 was referred to the Sifting Committee.

Mr. President: March 1, 1963

Your Committee on Political Subdivisions to which was referred H. B. No. 54, by Messrs. Sheffield and Rockwood, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

H. B. No. 54 was referred to the Sifting Committee.

Mr. President: March 1, 1963

Your Committee on Political Subdivisions to which was referred S. B. No. 206, by Messrs. B. Jenkins and Grover, has carefully considered said bill and reports the same out unfavorably.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 206 was referred to the Sifting Committee.

Mr. President: March 1, 1963

Your Committee on Political Subdivisions to which was referred S. B. No. 199, by Mr. Harmston, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. DOUGLAS TAYLOR,
Chairman

Report filed.

S. B. No. 199 was referred to the Sifting Committee.

Mr. President: March 1, 1963

Your Committee on State and Federal Affairs to which was referred H. B. No. 149, by Messrs. Lambert, Plant, Sheffield and Stuart, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

H. B. No. 149 was referred to the Sifting Committee.

Mr. President: March 1, 1963

Your Committee on State and Federal Affairs to which was referred H. B. No. 130, by Messrs. Gunnell and Sheffield, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

H. B. No. 130 was referred to the Sifting Committee.

Mr. President: March 1, 1963

Your Committee on State and Federal Affairs to which was referred S. B. No. 218, by Mr. Hafen, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 218 was referred to the Sifting Committee.

March 1, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 201, by Messrs. Kerr and B. Jenkins, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 201 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 66 having retained its position was before the Senate.

On motion of Senator Hunter, the rules were suspended and the Senate voted to amend S. B. No. 66 by deleting all the body and the title of the original S. B. No. 66 and then inserting in lieu thereof the following:

S. B. No. 66 By Mr. Hunter

AN ACT AMENDING SECTION 53-34-1, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTERS 106 and 107, LAWS OF UTAH 1955, AS AMENDED BY CHAPTER 117, LAWS OF UTAH 1961, RELATING TO REGISTRATION AND TUITION FEES: PROVIDING FOR AN INCREASE IN TUITION FEES AND REPEALING SECTION 53-33-8, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 105, LAWS OF UTAH 1955, SECTION 53-34-3, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 117, LAWS OF UTAH 1961 AND SECTION 53-34-4 UTAH CODE ANNOTATED 1953.

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

Section 1. Section 53-34-1, Utah Code Annotated 1953, as amended by Chapter 106 and 107, Laws of Utah 1955, as amended by Chapter 117, Laws of Utah 1961, is amended to read:

53-34-1. (a) [An annual registration fee of not less than

\$10 and a tuition fee of not less than \$25 per quarter, or a tuition fee of not less than \$37.50 per semester must be paid by students whose domicile is in the state of Utah in the regular courses of the University of Utah, the Utah State University of Agriculture and Applied Science and Weber College; provided, that the president of the University of Utah, the president of the Utah State University of Agriculture and Applied Science, and the president of Weber College may waive part or all of such fees in the case of meritorious or impecunious students whose domicile is in the state of Utah, to a number not exceeding ten per cent of the regular bona fide students registered in each institution during the school year.]

(1) The governing board of each institution of higher education shall review the schedule of fees and tuitions

charged to the students and shall establish, within the limits defined by law, the fees and tuitions to be charged students.

(2) The per cent of the per capita cost per full-time-equivalent student, both resident and nonresident, that shall constitute the minimum fee for educational and general purposes at each college or university shall be in accordance with the following scale; provided that in no instance shall the fee be less than \$100 per year for a resident student and \$200 per year for a nonresident student.

SCALE FOR ASSESSMENT OF MINIMUM FEES

	Per cent of the cost per student during the previous biennium to be used in determining minimum fees for:

Enrollment	Resident Students	Nonresident Students
Below 400	14%	25%
400 - 799	15	30
800 - 1999	16	35
2000 - 4999	18	40
5000 - 7999	19	42.5
8000 or more	20	45

(3) Each regular student enrolled in a state supported vocational school or technical institute whose domicile is in Utah shall be charged a fee for educational and general purposes which shall not be less than 10 per cent of the average annual per capita cost per full-time-equivalent student during the preceding biennium.

(4) Each regular student enrolled in a vocational school or technical institute whose domicile is not in Utah shall be charged a fee for educational and general purposes which shall not be less than 25 per cent of the average annual per capita cost per full-time-equivalent student during the preceding biennium.

(b) [Each student attending the University of Utah, the Utah State University of Agriculture and Applied Sciences, or branches thereof, Weber College, or any of the state junior colleges, whose domicile is not in the state of Utah, must pay a quarterly fee of not less than $35, in addition to the tuition and other fees, which fee may be increased for any one of said institutions in the discretion of its governing body. Such fee of students whose domicile is not in Utah may be remitted in whole or in

part in the case of graduate students and in the case of students in attendance at a summer school.] For the purposes of this act:

(1) Enrollment shall be the number of full-time-equivalent students as defined in the following paragraph.

(2) Full-time-equivalent students shall be that number obtained by dividing by 15 the total number of student credit hours in resident instruction for which students are registered as of the end of the third week of the fall term.

(3) A. The cost per full-time-equivalent student shall be the amount obtained by dividing the total expenditures for educational and general purposes during the previous biennium, less deductions provided in paragraph B, by the number of full-time-equivalent students for the corresponding school years.

B. A deduction of 20 per cent of the total biennial expenditure for general administration and for plant operation and maintenance is allowed in computation of per capita costs for those institutions conducting organized research programs and activities for which separate appropriations are made.

(4) Expenditures for educational and general purposes shall be defined as all unrestricted operating funds that are available for any current purposes.

(5) A nonresident student is one whose domicile is not in the state of Utah.

(c) (1) The president, or director, of each institution may waive part or all of the fees for educational and general purposes

in the case of meritorious or impecunious students whose domicile is in the state of Utah to an amount not exceeding 10 per cent of the total amount of the fees assessed for this purpose.

(2) The president, or director, of each institution may waive all or part of the difference between resident and non-resident fees in the case of meritorious graduate students and summer students whose domicile is not in Utah.

(3) The meaning of the word, "domicile," for the purposes of this act, shall be determined by reference to the general law on the subject of domicile, except that the following rules shall be observed: A student cannot acquire a domicile in this state until he or she, or the parent or guardian, if the student is a minor, has lived in the state for a period of one year prior to registration in the [University of Utah, the Utah State University of Agriculture and Applied Science, or branches thereof, Weber College, or any of the state junior colleges.] public post-high school educational institutions. No person can acquire a domicile by living in the State of Utah, when such person lives in Utah merely for the purpose of attending or enabling a minor child to attend such institutions. The domicile of a minor shall be that of his father; in the event of the death of his father, that of his mother; in the event of death of both parents, that of the last deceased parent unless a guardian has been appointed. Letters of guardianship are not conclusive for purposes of determining domicile, within the meaning of this act.

(d) Notwithstanding any provision of chapter 34, Title 53, [or of Section 53-33-8,] Utah Code Annotated 1953, [the University of Utah, the Utah State University of Agriculture and Applied Science, the Branch Agricultural College, Weber College, and

the state junior colleges] public post-high school educational institutions shall upon request of the state board for

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vocational education partially or wholly exempt from the payment of registration and tuition fees required by law, students enrolled in said institutions making application for full-time or part-time vocational agriculture, or vocational trade and industrial, or business, or distributive, or vocational home economics course operating under the State of Utah plans for vocational education.

(e) Each person serving in the United States Armed Forces assigned to duty in Utah and members of the family of such persons who live in Utah shall be deemed residents for the purposes of this chapter.

Section 2. Any revision of minimum fees computed under this act shall be effective not later than July 1, 1965.

Section 3. Section 53-33-8, Utah Code Annotated 1953, as amended by Chapter 105, Laws of Utah 1955, Section 53-34-3, Utah Code Annotated 1953, as amended by Chapter 117, Laws of Utah 1961 and Section 53-34-4, Utah Code Annotated 1953, are hereby repealed.

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

Dr. Arthur D. Brown appeared before the Committee of the Whole.

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

S. B. No. 66 then passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Mantes, Memmott, Miller, Sowards, Stacey, D. Taylor and S. Taylor.

Voting in the negative were: Senators Kerr, Lambert, Rees and Mr. President.

Absent and not voting was Senator Waddingham.

S. B. No. 66 was transmitted to the House.

On motion of Senator Kerr, the rules were suspended and the Senate voted to lift S. B. No. 112 from the Sifting Committee and place it at the head of the Second Reading Calendar.

On motion of Senator Kerr, S. B. No. 57 retained its position on the Third Reading Calendar.

S. J. R. No. 9 having retained its position was before the Senate.

On motion of Senator Miller, S. J. R. No. 9 was tabled.

On motion of Senator D. Taylor, S. B. No. 114 was lifted from the table and placed at the head of the Third Reading Calendar for reconsideration.

S. B. No. 114, upon reconsideration, then passed on the following roll call:

Yeas, 15; Nays, 10; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Hafen, Hammond (explained vote), Harmston, Holman, Kerr, Lambert, Mantes, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Brockbank, Gardner, Grover, Hunter, B. Jenkins, M. Jenkins, Memmott, Miller, Rees and Stacey.

S. B. No. 114 was transmitted to the House.

Senator Harmston, having voted on the prevailing side moved that the Senate do re-consider its action on H. B. No. 35, which failed to pass on the Second Reading.

Motion carried.

On motion of Senator Harmston, the rules were suspended and the Senate voted to now re-consider H. B. No. 35 on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Rees, the rules were suspended and H. B. No. 35 was read the third time and placed on its final passage.

H. B. No. 35, upon reconsideration, then failed of passage on the following roll call:

Yeas, 8; Nays, 16; Absent, 1.

Voting in the affirmative were: Senators Bernhard, Brockbank, Hammond, B. Jenkins, Rees, D. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Barlow, Browning, Gardner, Grover, Hafen, Harmston, Holman, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey and S. Taylor.

Absent and not voting was Senator Hunter.

H. B. No. 35 was returned to the House.

SPECIAL ORDER

S. B. No. 17 being a Special Order of Business, was before the Senate.

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:

Yeas, 20; Nays, 3; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Waddingham.

Voting in the negative were: Senators Hammond, M. Jenkins and Mr. President.

Absent and not voting were: Senators Hunter and D. Taylor.

S. B. No. 17 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 109 was read the third time and placed on its final passage.

On motion of Senator Barlow, S. B. No. 109 was amended as follows:

On page 2, line 5 of the bill, after the word "overlap" add the following: "if the service area which overlaps is entirely within the boundaries of the service area which it overlaps, provided not more than two (three, if one is county wide) service areas occupy the same area in the county and no". Also strike the words "but no two or more" in line 5, page 2.

S. B. No. 109 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, Kerr, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hunter, M. Jenkins, Lambert, Miller and S. Taylor.

S. B. No. 109 was transmitted to the House.

S. B. No. 106 was read the third time and placed on its final passage.

On motion of Senator B. Jenkins, S. B. No. 106 was amended as follows:

Page 5, line 33, after the word "issued." insert the following new sentence to read: "None of the taxes herein authorized shall be levied until a district shall first have conducted, at its regular place of business, a public hearing on the purposes and necessities of such taxation. Such public hearing shall be conducted by the board of directors of a district not less than 10 days prior to the second Monday of August of each year, and a notice thereof shall be advertised by the district for not less than three consecutive days in a newspaper of general circulation within the district, such advertising to begin not later than 30 days prior to the second Monday of August of each year."

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

On motion of Senator B. Jenkins, the call of the Senate was lifted.

On motion of Senator B. Jenkins, S. B. No. 106 was amended as follows:

Page 11, line 18, after the word "term" and following the semi-colon insert "one for a three-year term;"

Page 11, line 18, following "one for a four-year term" insert "one for a five-year term;" then on the same line delete the words "and one for".

Page 11, line 19, delete the words "an eight-year term,"

Page 11, line 20, after the word "be" delete the word "eight" then insert in lieu thereof "six".

S. B. No. 106 then passed on the following roll call:

Yeas, 18; Nays, 2; Absent, 5.

Voting in the affirmative were: Senators Barlow, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Stacey and S. Taylor.

Voting in the negative were: Senator Sowards and Mr. President.

Absent and not voting were: Senators Bernhard, Hammond, Hunter, D. Taylor and Waddingham.

S. B. No. 106 was transmitted to the House.

S. B. No. 30 was read the third time and placed on its final passage.

On motion of Senator Hafen, S. B. No. 30 was amended as follows:

Page 5, line 27, after the word "firman," delete the bracket.

Page 5, line 28, after the word "service," delete the bracket.

Page 6, line 28, delete the brackets.

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

Mr. Wilford M. Burton appeared before the Committee of the Whole.

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

S. B. No. 30 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, Hunter and Stacey.

S. B. No. 30 was transmitted to the House.

On motion of Senator Kerr the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

COMMUNICATIONS FROM THE HOUSE

March 1, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the Senate, S. J. R. No. 5, FREEPORT AMENDMENT, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. J. R. No. 5 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

REPORTS OF STANDING COMMITTEES

March 1, 1963

Mr. President:

Your Committee on Industry to which was referred S. B. No. 134, by Messrs. Browning, Barlow and Hafen, has carefully considered said bill and

reports the same out without recommendation.

Respectfully,

S. J. TAYLOR,
Chairman

Report filed.

S. B. No. 134 was referred to the Sifting Committee.

On motion of Senator Rees, the rules were suspended and the Senate voted to now consider S. B. No. 112 on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 112 was read the second time.

Committee report read and adopted.

On motion of Senator Rees, S. B. No. 112 was amended as follows:

On line 15 after "county commission" add in a regular open public meeting.

On line 18 after "county" change the comma (,) to a period . and then substitute the following for the rest of line 18, all of line 19, and on page 2, lines 1, 2, 3, and 4: The Department shall further by contractual agreement with the county commission in which any property previously acquired from private ownership and now owned by the department is located, agree to pay annually an amount of money in lieu of fish and game fine money, previously paid to the county, which annual payment shall be equal to the amount which the real property taxes on such department owned property would be if said property would have remained in the private ownership. The payments herein provided for will not exceed what the regularly assessed real property taxes would be if said land had remained in private ownership; and such payments in lieu of taxes or fine money shall not include any amount for buildings, installations, fixtures, improvements or personal property located upon the land and constructed or acquired by the department after it acquired the land.

S. B. No. 112 was placed on the Third Reading Calendar on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators D. Taylor and S. Taylor.

On motion of Senator Waddingham, S. B. No. 60 was lifted from the table and under suspension of the rules was before the Senate on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 60 having been previously read, was before the Senate.

On motion of Senator Waddingham, the enacting clause of S. B. No. 60 was struck.

S. B. No. 115 was read the third time and placed on its final passage.

On motion of Senator Kerr, S. B. No. 115 was amended as follows:

Page 5, line 12, after the word "months" insert "before".

Page 7, line 19, after the word "suspended" insert a comma then add the word "canceled".

Page 7, line 21, after "ished" insert "as provided in Section 41-2-30." then delete remainder of line 21, all of lines 22 and 23.

Page 8, line 1, delete the word "here" insert in lieu thereof the word "amended".

Page 8, line 2, delete "by repealed".

Page 8, line 2, add "to read" then insert the following to follow line 2.

"Section 41-2-30. Any person convicted of a violation of Section 41-2-28 shall be punished by imprisonment in a county or municipal jail for a period of not more than six months and there may be imposed in addition thereto a fine of not more than ($300) $299."

Page 8, line 3, delete "Section 9. This act shall take effect upon approval."

S. B. No. 115 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hafen, Holman and Memmott.

Senator Rees served notice that on the next Legislative day he would ask the Senate to re-consider its final action on S. B. No. 115.

Senator D. Taylor, having voted on the prevailing side, moved that the Senate do re-consider its action on H. C. R. No. 1, which failed to pass on the Second Reading Calendar.

Motion carried.

On motion of Senator D. Taylor, the rules were suspended and the Senate voted to now consider H. C. R. No. 1 on the Second Reading Calendar for reconsideration.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Kerr, 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, upon reconsideration, passed on the following roll call:

Yeas, 17; Nays, 7; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Miller, Rees, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Grover, Holman, Lambert,, Mantes, Memmott and Sowards.

Absent and not voting was Senator Hafen.

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 further action.

On motion of Senator Kerr, 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. 164 was read the third time and placed on its final passage.

S. B. No. 164 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Hafen.

S. B. No. 164 was transmitted to the House.

S. C. R. No. 3 was read the third time and placed on its final passage.

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

Yeas, 20; Nays, 1; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Mantes, Memmott, Miller, Rees, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Sowards.

Absent and not voting were: Senators Brockbank, Hafen, Hammond and B. Jenkins.

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

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Kerr, the rules were suspended and the Senate voted to lift S. B. No. 195 from the Sifting Committe and that it be placed immediately following S. B. No. 99 on the Second Reading Calendar.

On motion of Senator Mantes, the rules were suspended and the Senate voted to lift S. B. No. 100 from the Sifting Committee and that it be placed immediately following S. B. No. 195, on the Second Reading Calendar.

On motion of Senator Rees, the Senate recessed.

The Senate re-assembled.

S. B. No. 94 was read the second time.

Committee report read and adopted.

S. B. No. 94 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Grover, Hunter and Kerr.

S. B. No. 95 was read the second time.

Committee report read and adopted.

S. B. No. 95 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Grover, Kerr and Sowards.

S. B. No. 96 was read the second time.

Committee report read and adopted.

S. B. No. 96 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Grover, Kerr and Memmott.

S. B. No. 97 was read the second time.

Committee report read and adopted.

S. B. No. 97 was placed on the Third Reading Calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Hafen, Harmston, Holman, Hunter, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Grover, Hammond, B. Jenkins, Kerr and Stacey.

S. B. No. 98 was read the second time.

Committee report read and adopted.

S. B. No. 98 was placed on the Third Reading Calendar on the following roll call:

Yeas, 16; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators Barlow, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Lambert, Mantes, Memmott, Rees, Sowards and D. Taylor.

Absent and not voting were: Senators Bernhard, Grover, B. Jenkins, Kerr, Miller, Stacey, S. Taylor, Waddingham and Mr. President.

S. B. No. 99 was read the second time.

Committee report read and adopted.

S. B. No. 99 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, D. Taylor S. Taylor and Mr. President.

Absent and not voting were: Senators Grover, Kerr, Sowards, Stacey and Waddingham.

S. B. No. 195 was read the second time.

Committee report read and adopted.

S. B. No. 195 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Grover, Kerr, Stacey and S. Taylor.

S. B. No. 100 was read the second time.

Committee report read and adopted.

S. B. No. 100 was placed on the Third Reading Calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Lambert, Mantes, Miller, Rees, Sowards, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Grover, B. Jenkins, Kerr, Memmott, Stacey and S. Taylor.

On motion of Senator Holman, the Senate voted to suspend the rules and with unanimous consent, the following S. B. No. 225 was introduced:

INTRODUCTION OF BILLS

S. B. No. 225 By Mr. Holman

AN ACT APPROPRIATING $500 TO LULU BETENSON FOR LEGISLATIVE SALARY FOR 1962, was read the first time and referred to the Committee on Rules.

On motion of Senator D. Taylor, the Senate adjourned until Monday, March 4, 1963 at 10:00 A.M.

FIFTIETH DAY

MORNING SESSION

March 4, 1963

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

Roll Call – All Senators present.

Prayer by Rabbi Sidney Strome, B'nai Israel, Salt Lake City, Utah.

March 4, 1963

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,

WALLACE H. GARDNER,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 1, 1963

Honorable Reed Bullen
President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bills, which have been forwarded to the Secretary of State for filing.

S. B. No. 29 S. B. No. 69

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of House of Representatives

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

March 1, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed as amended by the House, H. B. No. 1 – TO ESTABLISH JUVENILE COURT SYSTEM INDEPENDENT OF STATE WELFARE DEPARTMENT, and the same is tranmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

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

March 1, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 62, AUTHORIZE NATIONAL GUARD TO HAVE INSURANCE, and the Speaker signed in open session in the presence of the House, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
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 further action.

March 1, 1963

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. 64 – UTAH PUBLIC EMPLOYEE RETIREMENT, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 64 was read the first time and referred to the Committee on Political Subdivisions.

March 1, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in the Senate amendments to H. B. No. 25 entitled INCREASE BAR COMMISSION FROM 7 TO 9 MEMBERS, and requests the Senate to recede from its amendments.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Grover, the Senate refused to recede from its amendments and President Bullen appointed a Conference Committee consisting of Senators Hafen, Waddingham and B. Jenkins to act with a like committe from the House to confer on H. B. No. 25.

March 1, 1963

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. 33 – CREATION OF GREAT SALT LAKE AUTHORITY, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 33 was read the first time and referred to the Committee on State, Federal & Military Affairs & Civil Defense.

March 1, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day upon reconsideration, rejected S. J. R. No. 3 – TAXATION OF MOTOR VEHICLES, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 1, 1963

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendment (or amendments) to S. B. No. 9 – BOY SCOUT LANDS, and has appointed a Conference Committee consisting of Representatives Lomax, Williams and Green to act with a like committee from the Senate on this bill.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator D. Taylor, President Bullen appointed a Conference Committee consisting of Senators Hafen, Hammond and Waddingham, to act with a like committee from the House to confer on S. B. No. 9.

March 2, 1963

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 – STATE PLANNING COORDINATOR, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 59 was read the first time and referred to the Committee on State, Federal & Military Affairs & Civil Defense.

March 2, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, H. B. No. 106 – FIRE PREVENTION LAW, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 106 was read the first time and referred to the Committee on Public Health, Welfare and Institutions.

March 2, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 127 – UNIFORM SYSTEM OF ACCOUNTS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 127 was read the first time and referred to the Committee on State, Federal & Military Affairs & Civil Defense.

March 2, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 128 – STATE AUDITOR RULES ENFORCEMENT, and the same is transmited herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 128 was read the first time and referred to the Committee on Political Subdivisions.

March 1, 1963

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. 81 – PUBLIC HEALTH AND MEDICAL RESEARCH, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 81 was read the first time and referred to the Committee on Public Health, Welfare and Institutions.

REPORTS OF STANDING COMMITTEES

March 4, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred H. B. No. 45, by Messrs. Sonntag, Darger, Kastler and Hodgson, has carefully considered said bill and reports the same out with recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 45 was referred to the Sifting Committee.

March 4, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred H. B. No. 116, by Messrs. Darger, Dean, Gunnell, Hodgson and J. M. Smith, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

H. B. No. 116 was referred to the Sifting Committee.

On motion of Senator Mantes, the Senate voted to suspend the rules and with unanimous consent the following resolutions were introduced.

PRESENTATION OF RESOLUTIONS

S. R. No. 1 By Mr. Mantes

A RESOLUTION BY THE SENATE OF THE THIRTY-FIFTH LEGISLATURE APPROVING AND CONSENTING TO ASSIGNMENT AND CONVEYANCE TO REVEST TITLE OF PROPERTY IN SETTLEMENT CANYON IRRIGATION COMPANY AS REQUIRED UNDER SECTION 73-10-4, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 133, LAWS OF UTAH 1953, AND CHAPTER 169, LAWS OF UTAH 1961, was read the first time.

S. R. No. 2 B. Mr. Hunter

A RESOLUTION BY THE SENATE OF THE THIRTY-FIFTH LEGISLATURE APPROVING AND CONSENTING TO ASSIGNMENT AND CONVEYANCE TO REVEST TITLE OF PROPERTY AND WATER RIGHTS IN SPRING CREEK AND LA VERKIN CREEK IRRIGATION COMPANY AS REQUIRED UNDER SECTION 73-10-4, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 133, LAWS OF UTAH 1953, AND CHAPTER 169, LAWS OF UTAH 1961, was read the first time.

S. R. No. 3 By Mr. Barlow

A RESOLUTION BY THE SENATE OF THE THIRTY-FIFTH LEGISLATURE APPROVING AND CONSENTING TO ASSIGNMENT AND CONVEYANCE TO REVEST TITLE OF PROPERTY IN STRAIGHT DITCH COMPANY AND LAYTON-KAYSVILLE IRRIGATION DITCH COMPANY AS REQUIRED UNDER SECTION 73-10-4, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 133, LAWS OF UTAH 1953, AND CHAPTER 169, LAWS OF UTAH 1961, was read the first time.

S. R. No. 4 By Mr. Harmston

A RESOLUTION BY THE SENATE OF THE THIRTY-FIFTH LEGISLATURE APPROVING AND CONSENTING TO ASSIGNMENT AND CONVEYANCE TO REVEST TITLE OF PROPERTY AND WATER RIGHTS IN DRY GULCH IRRIGATION COMPANY AS REQUIRED UNDER SECTION 73-10-4, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 133, LAWS OF UTAH 1953, AND CHAPTER 169, LAWS OF UTAH 1961, was read the first time.

S. R. No. 5 By Mr. Bullen

A RESOLUTION BY THE SENATE OF THE THIRTY-FIFTH LEGISLATURE APPROVING AND CONSENTING TO ASSIGNMENT AND CONVEYANCE TO REVEST TITLE OF PROPERTY AND WATER RIGHTS IN BENSON-BEAR LAKE IRRIGATION COMPANY AS REQUIRED UNDER SECTION 73-10-4, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 133, LAWS OF UTAH 1953, AND CHAPTER 169, LAWS OF UTAH 1961, was read the first time.

S. B. No. 6 By Mr. Bullen

A RESOLUTION BY THE SENATE OF THE THIRTY-FIFTH LEGISLATURE APPROVING AND CONSENTING TO ASSIGNMENT AND CONVEYANCE TO REVEST TITLE OF PROPERTY IN WELLSVILLE CITY IRRIGATION COMPANY AS REQUIRED UNDER SECTION 73-10-4, UTAH CODE ANNOTATED 1953, AS AMENDED BY CHAPTER 133, LAWS OF UTAH 1953, AND CHAPTER 169, LAWS OF UTAH 1961, was read the first time.

On motion of Senator Hafen, the Senate voted to refer the six preceding resolutions directly to the Sifting Committee, and further voted, whenever practicable the President refer any subsequent bills that may be introduced directly to the Sifting Committee.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Harmston, S. B. No. 57 retained its position on the Third Reading Calendar pending action of S. B. No. 112.

S. B. No. 112 was read the third time and placed on its final passage.

On motion of Senator Rees, S. B. No. 112 retained its position on the Third Reading Calendar.

S. B. No. 94 was read the third time and placed on its final passage.

On motion of Senator Mantes, S. B. No. 94 was amended as follows:

Page 3, line 2, delete the words "serve without pay but shall"

Page 3, line 3, add the following sentences: "Members appointed to the board shall receive in addition to expenses $15.00 per diem for attending regularly called meetings of the board. The total per diem payments to a board member shall not exceed $180 per year."

Page 5, line 30, add the sentence "Investments shall not be subject to the control of the Board of Examiners."

S. B. No. 94 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Grover, Holman, Kerr and D. Taylor.

S. B. No. 94 was transmitted to the House.

S. B. No. 95 was read the third time and placed on its final passage.

S. B. No. 95 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Holman, Kerr, Lambert and D. Taylor.

S. B. No. 95 was transmitted to the House.

S. B. No. 96 was read the third time and placed on its final passage.

On motion of Senator Mantes, S. B. No. 96 was amended as follows:

Page 1, line 3 of title: Immediately after "1953" insert "(1ST SPECIAL SESSION)"

Page 1, line 2 of the body of the bill: Delete "amended" and in lieu thereof insert "enacted"; Immediately after "1953" insert "(1st Special Session)"; Immediately after the first "and" on the line, insert "as amended"

S. B. No. 96 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Rees, Sowards, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Hunter, Kerr, Miller, Stacey, D. Taylor and S. Taylor.

S. B. No. 96 was transmitted to the House.

S. B. No. 97 was read the third time and placed on its final passage.

S. B. No. 97 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, M. Jenkins, Lambert, Mantes, Memmott, Sowards, Waddingham and Mr. President.

Absent and not voting were: Senators Hunter, B. Jenkins, Kerr, Miller, Rees, Stacey, D. Taylor and S. Taylor.

S. B. No. 97 was transmitted to the House.

S. B. No. 98 was read the third time and placed on its final passage.

S. B. No. 98 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Holman, Hunter and Kerr.

S. B. No. 98 was transmitted to the House.

S. B. No. 99 was read the third time and placed on its final passage.

S. B. No. 99 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Holman, Hunter and Kerr.

S. B. No. 99 was transmitted to the House.

S. B. No. 195 was read the third time and placed on its final passage.

On motion of Senator Waddingham, S. B. No. 195 was made a Special Order of Business for this afternoon at 2:30 P.M.

S. B. No. 100 was read the third time and placed on its final passage.

On motion of Senator Waddingham, S. B. No. 100 was made a Special Order of Business for this afternoon to be considered along with S. B. No. 195 at 2:30 P.M.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 128 was read the second time.

Committee report read and adopted.

On motion of Senator Brockbank, S. B. No. 128 was amended as follows:

Page 1, line 1, delete the word "commission" insert in lieu thereof the word "department".

S. B. No. 128 was placed on the Third Reading Calendar on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Kerr.

On motion of Senator Browning, the rules were suspended and S. B. No. 128 was made a Special Order of Business for Wednesday, March 6, 1963 at 2:30 P.M.

On motion of Senator Grover, S. B. No. 132 retained its position on the Second Reading Calendar.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to now consider S. B. No. 83 by placing it at the head of the Second Reading Calendar.

S. B. No. 83, having been previously read was before the Senate.

On motion of Senator Browning, S. B. No. 83 retained its position on the Second Reading Calendar.

S. B. No. 133 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins, S. B. No. 133 was amended as follows:

Page 1, line 1, delete the words "in active" then insert in lieu thereof the words "licensed to."

S. B. No. 133 was placed on the Third Reading Calendar on the following roll call:

Yeas, 14; Nays, 6; Absent, 5.

Voting in the affirmative were: Senators Barlow, Browning, Hammond, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Bernhard, Gardner, Harmston, Holman, Rees and Stacey.

Absent and not voting were: Senators Brockbank, Grover, Hafen, Kerr and Miller.

On motion of Senator D. Taylor, the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 188 was read the second time.

Committee report read and adopted.

S. B. No. 188 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 3; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor and S. Taylor.

Voting in the negative were: Senators Holman, M. Jenkins and Mr. President.

Absent and not voting were: Senators Brockbank and Waddingham.

On motion of Senator Grover, the rules were suspended and the Senate voted to now consider S. B. No. 132.

S. B. No. 132 was read the second time.

Committee report read and adopted.

On motion of Senator Grover, the rules were suspended and S. B. No. 132 was read the third time and placed on its final passage.

S. B. No. 132 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Hafen, Rees and Waddingham.

S. B. No. 132 was transmitted to the House.

S. B. No. 215 was read the second time.

Committee report read and adopted.

S. B. No. 215 was placed on the Third Reading Calendar on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Sowards and Waddingham.

S. J. R. No. 8 was read the second time.

Committee report read and adopted.

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

Mr. Randle E. Theobold appeared before the Committee of the Whole.

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

On motion of Senator Kerr, S. J. R. No. 8 was tabled.

Senator Rees having voted on the prevailing side moved that the Senate do re-consider its final action on S. B. No. 115.

Motion carried.

On motion of Senator Rees, S. B. No. 115 was amended as follows:

Page 5, lines 21 through 25: Delete all material after the word "certificate", on line 21, through and including the words "above.", on line 25

Page 5, line 21: Change the period to a comma and add the following: "or, if the license certificate is in an undamaged condition, the department shall renew the license by stamping the face of the license to indicate renewal."

On motion of Senator Waddingham, S. B. No. 115 was amended as follows:

Page 5, line 14: Delete the brackets from around the phrase "[five]", and delete the word "three".

On motion of Senator Grover, the title of S. B. No. 115 was amended as follows:

Line 14, after the semi-colon and following the word "MINORS" delete the remainder of the line , also lines 15, 16, 17.

On motion of Senator Kerr, S. B. No. 115 was made a Special Order of Business for Tuesday, March 5, 1963 at 10:30 A.M.

S. B. No. 104 was read the second time.

Committee report read and adopted.

On motion of Senator Browning, the rules were suspended and S. B. No. 104 was read the third time and placed on its final passage.

S. B. No. 104 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Browning, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Hafen, D. Taylor and S. Taylor.

S. B. No. 104 was transmitted to the House.

SPECIAL ORDER

S. B. Nos. 195 and 100 being a Special Order of Business, were before the Senate.

On motion of Senator Waddingham, S. B. No. 195 was amended as follows:

Page 2, line 27: After the word "certification" add the words "to the retirement board and"

Page 3, line 7: After the word "held", insert the following: "; however, in no event may the retirement compensation granted by this act exceed $500.00 per month"

Page 3, line 18: Delete the word "and"

Page 3, line 19: Delete the word "and"; Insert immediately after the Section number and comma, "47-7-7.5," the following: "and 49-7-7.6."

Page 5, after line 13, insert the following:

49-7-7.6. Within two years after January 1, 1963, the retirement board, in conjunction with representatives of the Utah Bar Association, the Utah Supreme Court Judges, and the Utah District Court Judges, Utah Legislative Council and two laymen appointed by the Governor, shall review the benefits and provisions of the Judges' Retirement Act. If it is determined after study that the said act does not fulfill the basic retirement needs of the judicial function in state government, and that larger benefits are needed than are

provided by the Judges' Retirement Act, the retirement board shall recommend to the legislature such special provisions which should be adopted to provide the required benefits, including contribution rates by members and the Judges' retirement fees paid through court filings to acturially fund the higher benefits. Such recommended legislation, including any other retirement provisions having special application to the judicial branch of state government, shall be submitted to the 1965 Legislature and shall be in such a form as to be incorporated in the Judges' Retirement Act.

On motion of Senator Waddingham, the title of S. B. No. 195 was amended as follows:

Page 1, line 5 of the title: Delete the word "AND" which appears between the Section numbers "49-7-5.8 and 49-7-7.5" and insert in lieu thereof a "comma". Immediately after the section number "49-7-7.5", insert "AND 49-7-7.6"

Line 19 of the title: Immediately after the word "Retirement" insert a semicolon and the words "PROVIDING FOR A JOINT STUDY OF THE RETIREMENT NEEDS OF THE JUDICIAL BRANCH OF STATE GOVERNMENT"

On motion of Senator Hafen, S. B. No. 195 was amended as follows:

Page 3, line 2, after the words "or who is" insert the words "or has been".

S. B. No. 195 then passed on the following roll call:

Yeas, 18; Nays, 7; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Miller, Sowards, Stacey, S. Taylor and Waddingham.

Voting in the negative were: Senators Brockbank, Hammond, Hunter, Memmott, Rees, D. Taylor and Mr. President.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

S. B. No. 100, being Unfinished Business, was before the Senate.

On motion of Senator Grover, S. B. No. 100 was tabled.

Senator Bernhard served notice that on the next Legislative day he would ask the Senate to re-consider its final action on S. B. No. 195.

S. B. No. 117 was read the second time.

Committee report read and adopted.

On motion of Senator Brockbank, S. B. No. 117 was amended as follows:

Page 2, line 1, delete "$16.00" insert in lieu thereof "$15.00".

On motion of Senator Miller, S. B. No. 117 was amended as follows:

Page 1, line 9, delete the word "chairman" insert in lieu thereof the word "director".

On motion of Senator Bernhard, S. B. No. 117 was amended as follows:

Page 3, line 8, delete the words "is encouraged to" then insert in lieu thereof the word "shall".

On motion of Senator Brockbank, S. B. No. 117 was amended as follows:

Page 3, line 19, after the word "money" delete the words "or other property".

S. B. No. 117 was placed on the Tihrd Reading Calendar on the following roll call:

Yeas, 23; Nays, 2; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Hunter and Rees.

On motion of Senator Stacey, S. B. No. 108 was made a Special Order of Business for Tuesday, March 5, 1963 at 10:00 A.M.

On motion of Senator Harmston, the rules were suspended and the Senate voted to now consider S. B. No. 112 on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 112 having retained its position was before the Senate.

S. B. No. 112 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, M. Jenkins and Miller.

S. B. No. 112 was transmitted to the House.

On motion of Senator Kerr, the enacting clause of S. B. No. 57 was struck.

On motion of Senator Hafen, the Senate voted to suspend the rules and with unanimous consent the following bills were introduced:

INTRODUCTION OF BILLS

S. B. No. 226 By Mr. Hafen

AN ACT ADDING A NEW SECTION TO CHAPTER 16-7, UTAH CODE ANNOTATED 1953, TO BE KNOWN AS SECTION 16-7-11, FIXING FEES TO BE CHARGED BY THE SECRETARY OF STATE RELATING TO CORPORATION SOLE, was read the first time and referred to the Committee on Rules.

S. B. No. 227 By Mr. Hafen

AN ACT APPROPRIATING $34,000.00 TO THE SECRETARY OF STATE, BUILDING AND GROUND ACCOUNT NO. 100-05-02, TO PROVIDE FOR MAINTENANCE, UTILITIES, GENERAL UPKEEP, SPRINKLING SYSTEM, LANDSCAPING AND MISCELLANEOUS IMPROVEMENTS OF THE PIONEER CITY HALL; EMERGENCY CLAUSE, was read the first time and referred to the Committee on Rules.

On motion of Senator Kerr, the Senate adjourned until Tuesday, March 5, 1963 at 10:00 A.M.

FIFTY-FIRST DAY

MORNING SESSION

March 5, 1963

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

Roll Call – All Senators present.

Prayer by Dr. Warren Bainbridge, First Methodist Church.

March 5, 1963

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,

WALLACE H. GARDNER,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 4, 1963

The Honorable Reed Bullen
President of the Utah State Senate
and
Members of the State Senate

Gentlemen:

In accordance with the power vested in me by the Constitution and Laws of the State of Utah, I herewith appoint and recommend to your honorable body for confirmation the following named individuals for service on the State Boards and Commissions designated.

AERONAUTICS BOARD:

Mr. Ames K. Bagley, Salt Lake City; to fill unexpired term of Mr. Richard A. Van Winkle, expiring March 31, 1963; and appointed to a six year term, expiring March 31, 1969.

BUILDING BOARD:

Dr. ElRoy Nelson, Salt Lake City; appointed to a six year term, expiring March 31, 1969.

Mr. Richard K. Hemingway, Ogden; appointed to a six year term, expiring March 31, 1969.

BOARD OF CORRECTIONS:

Mr. Stanley C. Nelson, Salt Lake City; appointed to a six year term, expiring March 4, 1969.

Dr. Leslie D. Burbidge, Salt Lake City; appointed to a six year term, expiring March 4, 1969.

Mr. George B. Handy, Ogden; appointed to a six year term, expiring March 4, 1969.

FINANCE DEPARTMENT ADVISORY COUNCIL:

Mr. Claude E. Middleton, Salt Lake City; appointed to a six year term, expiring March 1, 1969.

BOARD OF HEALTH:

Dr. Louis E. Viko, Salt Lake City; appointed to a seven year term, expiring March 1, 1970.

WATER POLLUTION CONTROL BOARD:

Mr. Miles P. Romney, Salt Lake City; appointed to an eight year term, expiring March 1, 1971.

HISTORICAL SOCIETY BOARD OF TRUSTEES:

Mrs. A. C. Jensen, Sandy; appointed to a four year term, expiring March 31, 1967.

Mr. J. Grant Iverson, Salt Lake City; appointed to a four year term, expiring March 31, 1967.

Mr. L. Glenn Snarr, Salt Lake City; appointed to a four year term, expiring March 31, 1967.

Mr. J. Sterling Anderson, Grantsville; appointed to a four year term, expiring March 31, 1967.

Mr. Richard E. Gillies, Cedar City; appointed to a four year term, expiring March 31, 1967.

STATE COURSE OF STUDY COMMISSION:

Mr. S. E. Newman, Salt Lake City; appointed to a four year term, expiring June 30, 1967.

STATE FAIR ASSOCIATION:

Mr. Floyd Harmer, Payson; appointed to a four year term, expiring March 15, 1967.

Mr. A. J. Redd, Monticello; appointed to a four year term, expiring March 15, 1967.

Mr. C. J. Smout, Slaterville; appointed to a four year term, expiring March 15, 1967.

FISH AND GAME COMMISSION:

Dr. Paul G. Stringham, Vernal; appointed to a six year term, expiring February 28, 1969.

PUBLIC WELFARE COMMISSION:

Mr. Ward C. Holbrook, Bountiful; appointed to a six year term, expiring February 28, 1969.

ROAD COMMISSION OF UTAH:

Mr. Ames K. Bagley, Salt Lake City; to fill unexpired term of Mr. Richard A. Van Winkle, expiring March 31, 1963; and appointed to a six year term, expiring March 31, 1969.

STATE LAND BOARD:

Mr. C. R. Henderson, Vernal; appointed to a six year term, expiring March 31, 1969.

Mr. Bryant H. Croft, Salt Lake City; appointed to a six year term, expiring March 31, 1969.

TAX COMMISSION:

Mr. Orville Gunther, American Fork; appointed to a four year term, expiring February 28, 1967.

WEBER COLLEGE BOARD OF TRUSTEES:

Mr. Joseph F. Breeze, Ogden; appointed to a four year term, expiring June 30, 1967.

Mr. Rendell N. Mabey, Bountiful; appointed to a four year term, expiring June 30, 1967.

Mr. Sherman B. Lowe, Salt Lake City; appointed to a four year term, expiring June 30, 1967.

Mr. Robert G. Hemingway, Ogden; appointed to a four year term, expiring June 30, 1967.

Mr. O. C. Hammond, Ogden; appointed to a four year term, expiring June 30, 1967.

Mr. John H. Vandenberg, Salt Lake City; to fill unexpired term of Mr. Mark E. Petersen, expiring June 30, 1963; and appointed to a four year term, expiring June 30, 1967.

Mr. Samuel C. Powell, Ogden; appointed to a four year term, expiring June 30, 1967.

Mr. J. Francis Fowles, Ogden; to fill unexpired term of Mr. Frank M. Browning, expiring June 30, 1965.

Yours sincerely,

GEORGE D. CLYDE,
Governor

Communication referred to the Special Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 1st day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 46: DISCHARGE of MORTGAGES.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 27th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 66: ASSESSMENT OF MINES.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 27th day of February, 1963, approve and transmit to the Secretary of State, H. B. No. 34: UNEMPLOYMENT COMPENSATION.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 1st day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 88: UTAH TECHNICAL INSTITUTE AT PROVO.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 1st day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 83: PURCHASES FOR POLITICAL SUBDIVISIONS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 1st day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 89: DEFINITION OF APPRENTICE.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 1st day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 53: CONTINUITY OF ADMINISTRATION OF CITY.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, H. B. No. 40 – CLARIFY MOTOR VEHICLE ADMINISTRATION AND DEFINING NON-RESIDENT AND CORRECT ERRORS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 40 was read the first time and referred to the Committee on Public Health, Welfare and Institutions.

March 4, 1963

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 – DISTRIBUTOR UNITS FOR VOCATIONAL TRAINING, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 63 was read the first time and referred to the Committee on Education.

March 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 122 (Substitute) – REVENUE BOND – STATE PARK AND RECREATION COMMITTEE, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 122 was read the first time and referred to the Committee on State, Federal & Military Affairs & Civil Defense.

March 4, 1963

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. 143 – STRUCTURE OF NATIONAL GUARD, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 143 was read the first time and referred to the Committee on State, Federal & Military Affairs & Civil Defense.

March 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 144 (Substitute) – SALES AND USE TAX NOT TO APPLY TO EXCHANGES OF PROPERTY, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 144 was read the first time and referred to the Committee on Revenue and Taxation.

March 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 173 – MARKETING ACT, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 173 was read the first time and referred to the Committee on Agriculture and Irrigation.

March 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 212 – TRANSLATOR STATION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 212 was read the first time and referred to the Committee on Judiciary.

March 4, 1963

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. 218 – SCHOOLS FOR THE DEAF AND THE BLIND AND COMMISSION FOR THE BLIND, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 218 was read the first time and referred to the Committee on Public Health, Welfare and Institutions.

March 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. C. R. No. 2 – UTAH STATE UNIVERSITY AS MEMBER OF ATHLETIC CONFERENCE, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. C. R. No. 2 was read the first time and referred to the Committee on State, Federal & Military Affairs & Civil Defense.

March 4, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. C. R. No. 4 – NAME OF FLAMING GORGE DAM, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. C. R. No. 4 was read the first time and referred to the Committee on State, Federal & Military Affairs & Civil Defense.

REPORTS OF STANDING COMMITTEES

March 5, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred H. B. No. 136, by Messrs. Wilkinson, J. M. Smith, Hamilton and Anderson, has carefully considered said bill and reports the same out favorably but with amendments suggested.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

H. B. No. 136 was referred to the Sifting Committee.

March 5, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 222, by Messrs. Harmston and Kerr, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 222 was referred to the Sifting Committee.

March 5, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred H. B. No. 65, by Messrs. Plant, Thurston and Russell, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

H. B. No. 65 was referred to the Sifting Committee.

March 5, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 220, by Messrs. Brockbank, Waddingham and S. J. Taylor, has carefully considered said bill and reports the same out favorably.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 220 was referred to the Sifting Committee.

March 5, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 194, by Messrs. G. D. Taylor, M. Jenkins and Barlow, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 194 was referred to the Sifting Committee.

March 5, 1963

Mr. President:

Your Committee on Revenue and Taxation to which was referred S. B. No. 221, by Messrs. Memmott and S. J. Taylor, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

CHARLES R. HUNTER,
Chairman

Report filed.

S. B. No. 221 was referred to the Sifting Committee.

March 5, 1963

Mr. President:

Your Committee on Public Health, Welfare and Institutions to which was referred S. B. No. 213, by Mr. Barlow, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

S. B. No. 213 was referred to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

March 5, 1963

Mr. President:

Your Rules Committee, to which were referred

S. B. No. 225 (State and Federal Affairs)

S. B. No. 226 (Revenue and Taxation)

S. B. No. 227 (Appropriations)

reports the same back with a few minor changes assented to by the authors and recommends the same be printed.

Respectfully,

LELAND SOWARDS,
Chairman

Committee report read and adopted.

The above bills were ordered printed and referred to the Committees indicated.

The Certificate of Appreciation and Commendation to Kennecott Corp. was submitted and read to members of the Senate, then on motion of Senator Kerr, the Senate voted to transmit same to the House for their consideration, and signature of the Speaker after which certificate will be referred to the Governor for his consideration and signature.

SPECIAL ORDER

S. B. No. 108 being a Special Order of Business, was before the Senate.

S. B. No. 108 was read the second time.

Committee report read and adopted.

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

Mr. C. Taylor Burton, Director Public Highways, appeared before the Committee of the Whole.

Mr. Wright Volker, Assistant Attorney General, Legislative Officer, appeared before the Committee of the Whole.

Mr. Calvin Rampton, Attorney, Rate Carriers of Utah, appeared before the Committee of the Whole.

Mr. Dale Burningham, Deputy Chief Research Engineer, Highway Department, appeared before the Committee of the Whole.

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

On motion of Senator Stacey, S. B. No. 108 was amended as follows:

Page 2, in the second line of subsection (5), delete the word "designated" and insert therein the word "designed".

Pag 3, in the second line of subsection (11), delete the number "62" and insert therein the number "96".

On motion of Senator Miller, S. B. No. 108 was amended as follows:

Page 60, amend Section 155 to read:

Section 155. The Utah Highway patrol may in its discretion issue a special transportation permit for movement of vehicle, combination vehicles with load, which because of its physical nature cannot be made to comply with provisions of section 149. Special transportation permits will specify restrictions and geographical areas under which operations may be accomplished for maximum safety. Such special transportation permits, other than permits for the movement of farm produce or farm machinery, shall be granted by the Utah Highway Patrol only to applicants who shall have filed with and obtained approval by the Highway Patrol of a certificate of insurance executed by an insurance company or association authorized to transact business in this state upon a form as prescribed by the Highway Patrol that there is in full force and effect a policy of insurance covering said applicant for liability against personal injury or death for any one person in an amount of not less than $50,000.00, for any one accident in an amount of not less than $100,000.00, and for property damage in an amount of not less than $50,000.00; provided that carriers who have permits or certificates of convenience and necessity from the Public Service Commission covering the type

of movement contemplated, and who have policies of insurance on file with the Public Service Commission of Utah as a condition of the issuance of such permits or certificates shall not be required to post additional insurance as a condition to the issuance of a permit under this section. A special transportation permit may be issued for a single operation not exceeding 96 continuous hours or multiple operations during, but not exceeding a period of 90 days. A fee of $3.00 for each 96 hour special transportation permit or $15.00 for each 90 day permit will be assessed.

It is further provided that the highway patrol may issue permits annually for a fee of $25.00 each vehicle whose width with load, or length with load does not exceed the provisions of section 149 more than 25%.

During authorized operations such permit shall be carried in the vehicle or combination of which it refers, and shall be available for inspection by any peace officer. It is a misdemeanor for any person to violate any of the terms or conditions of such permit.

All fees collected from special transportation permits shall be credited monthly to the state highway construction and maintenance fund.

S. B. No. 108 was placed on the Third Reading Calendar on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning and D. Taylor.

SPECIAL ORDER

S. B. No. 115 being a Special Order of Business, was before the Senate.

On motion of Senator Kerr, S. B. No. 115 was further made a Special Order of Business for this afternoon at 2:30 P.M.

On motion of Senator B. Jenkins, the rules were suspended and the Senate voted to lift the two major education bills, S. B. Nos. 105 and 217 from the Sifting Committee and that they be made a Special Order of Business for Wednesday, March 6, 1963 at 2:30 P.M.

On motion of Senator Kerr, the Senate voted to suspend the rules and S. B. No. 134 was lifted from the Sifting Committee and made a Special Order of Business for this afternoon at 3:30 P.M.

On motion of Senator Kerr, the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 133 was read the third time and placed on its final passage.

S. B. No. 133 then passed on the following roll call:

Yeas, 15; Nays, 3; Absent, 7.

Voting in the affirmative were: Senators Barlow, Brockbank, Hafen, Hammond, Harmston, Holman, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, S. Taylor and Mr. President.

Voting in the negative were: Senators Gardner, Rees and Stacey.

Absent and not voting were: Senators Bernhard, Browning, Grover, Hunter, B. Jenkins, D. Taylor and Waddingham.

S. B. No. 133 was transmitted to the House.

S. B. No. 188 was read the third time and placed on its final passage.

S. B. No. 188 then passed on the following roll call:

Yeas, 16; Nays, 3; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey and S. Taylor.

Voting in the negative were: Senators Holman, M. Jenkins and Mr. President.

Absent and not voting were: Senators Browning, Grover, Hunter, B. Jenkins, D. Taylor and Waddingham.

S. B. No. 188 was transmitted to the House.

Senator Bernhard, having voted on the prevailing side, moved that the Senate do reconsider its final action on S. B. No. 195.

Motion carried.

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

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

On motion of Senator Rees, S. B. No. 195 was amended as follows:

Page 3, line 14: After the sentence ending with the word "living", insert the following:

"If the widow is one or more years younger than her husband, the monthly pension to which she shall be eligible shall be one half of her husband's pension reduced to an amount which will have the same acturial value, based upon her age, as would be the value of one half of her husban's pension, if she were the same age as her husband, at the time of his death."

On motion of Senator Brockbank, S. B. No. 195 was amended as follows:

Page 3, line 29, delete "4%" in both places, then insert in lieu thereof "7%".

On motion of Senator Rees, S. B. No. 195 was amended as follows:

Page 3, line 11, after the words "such widow", insert the following: "if she is the same age or older than her husband"

S. B. No. 195 upon reconsideration, passed on the following roll call:

Yeas, 21; Nays, 1; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Holman.

Absent and not voting were: Senators Browning, Grover and D. Taylor.

S. B. No. 195 was transmitted to the House.

S. B. No. 215 was read the third time and placed on its final passage.

S. B. No. 215 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Grover, Hammond and D. Taylor.

S. B. No. 215 was transmitted to the House.

S. B. No. 117 was read the third time and placed on its final passage.

On motion of Senator Hafen, S. B. No. 117 was amended as follows:

Page 3, line 19, after the word "money" insert the words "or other property".

S. B. No. 117 then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Rees.

Absent and not voting were: Senators Browning and Grover.

S. B. No. 117 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 83 having retained its position was before the Senate.

On motion of Senator Barlow, the rules were suspended and the Senate voted to amend S. B. No. 83 by deleting all the body and the title of the original S. B. No. 83 and then inserting in lieu thereof the following:

Substitute S. B. No. 83 By Messrs. Barlow and Browning

AN ACT ENACTING SECTION 53-29-27, UTAH CODE ANNOTATED 1953, RELATING TO STATE SCHOOL EMPLOYEES' RETIREMENT, PROVIDING FOR A MINIMUM RETIREMENT ALLOWANCE INCLUDING SOCIAL SECURITY BENEFITS OF $125.00 PER MONTH; PROVIDING FOR AN APPROPRIATION OF $510,000; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Section 53-29-27, Utah Code Annotated 1953, is enacted to read:

53-29-27. If the unmodified retirement benefits provided by Sections 53-29-23, 53-29-26, and 53-29-54; Utah Code Annotated 1953, as amended, plus any social security benefits to which the retired member may be eligible, do not amount to $125.00 or more per month, the retirement board shall increase the benefits provided by this chapter in such an amount as to bring the retired member's unmodified retirement benefits, plus social security

benefits, to $125.00 per month. The cost of paying for this supplemental pension shall be paid from an annual appropriation as provided in Section 2 of this act. In the event that the appropriation established by this act is at any time insufficient to pay the benefit provided by this section, the board may reduce said benefits proportionately to an amount which can be paid by the appropriation.

Section 2. There is hereby appropriated to the Utah School Employees' Retirement fund from the general fund the sum of $260,000 for the fiscal year 1953-64. Annually, thereafter, the Utah School Employees' Retirement Board shall certify to the state treasurer the sum needed to finance the minimum retirement allowance guaranteed by Section 53-29-27 of this act each year beginning July 1, 1964. The state treasurer is hereby authorized and directed to transfer the certified sum from the general fund to the Utah School Employees' Retirement fund. There is hereby appropriated to the Utah School Employees' Retirement Fund from the General fund the sum of $250,000 for the fiscal year 1964-65, or so much of said sum as is required.

Section 3. This act shall take effect July 1, 1963.

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

Mattie Sanford appeared before the Committee of the Whole.

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

S. B. No. 83 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 2; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Hafen and Rees.

Absent and not voting were: Senators Browning, Kerr and Miller.

SPECIAL ORDER

S. B. No. 115 being a Special Order of Business, was before the Senate for reconsideration.

On motion of Senator Kerr, the Senate resolved itself into a Commitee of the Whole.

Mr. Jay C. Newman, Commissioner, Public Safety, appeared before the Committee of the Whole.

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

On motion of Senator Waddingham, S. B. No. 115 was amended as follows:

Page 5, lines 21 through 25 after the word "certificate". reinsert

"If the licensee during the three years preceding the extension of his license has not been convicted of nor forfeited bail for two or more offenses against traffic regulations governing the movement of vehicles, the extension of his license shall be for five years instead of the three years provided above."

Page 5, line 21 re-insert the period then delete "or, if the license certificate is in an undamaged condition, the department shall renew the license by stamping the form of the license to indicate renewal".

Senator Grover moved to amend S. B. No. 115, page 5, line 14, by re-inserting the brackets around "[five]" and also re-inserting "three".

Senator Grover, together with the aid of five Senators requested a roll call vote on the proposed amendment to S. B. No. 115.

The Grover amendment to S. B. No. 115 then passed on the following roll call:

Yeas, 19; Nays, 6; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, D. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators Browning, Holman, M. Jenkins, Rees, Stacey and Waddingham.

On motion of Senator Grover, the title of S. B. No. 115 was amended as follows:

Beginning with line 14 of the title and including lines 15, 16 and 17 re-insert the following: "CORRECTING FROM FIVE TO THREE YEARS THE EXPIRATION PERIOD FOR OPERATORS' AND CHAUFFEURS' LICENSES TO CORRESPOND WITH EXISTING LANGUAGE IN THE SECTION;"

S. B. No. 115, upon reconsideration, then passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Rees.

Absent and not voting was Senator Sowards.

S. B. No. 115 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 116 was read the second time.

Committee report read and adopted.

On motion of Senator Kerr, S. B. No. 116 was amended as follows:

Page 2, line 7, after the word "Weber" insert the word "State".

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

Mr. Parry Sorenson appeared before the Committee of the Whole.

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

S. B. No. 116 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 5; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Memmott, Miller, Rees, Sowards, D. Taylor, S. Taylor and Waddingham.

Voting in the negative were: Senators Holman, Lambert, Mantes, Stacey and Mr. President.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

SPECIAL ORDER

S. B. No. 134 being a Special Order of Business, was before the Senate.

S. B. No. 134 was read the second time.

Committee report read and adopted.

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

Mr. E. Virgil Norton, State Insurance Commissioner, appeared before the Committee of the Whole.

Mr. Conway A. Ashton, General Counsel, Beneficial Life Insurance Company, appeared before the Committee of the Whole.

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

On motion of Senator Browning, S. B. No. 134 was amended as follows:

Item	*Page*	*Line*	*Remarks*
1.	1	1	After "31-3-3," add the word "AND".
2.		3	Delete the word "BY".
3.		6	After "31-6-14," insert the word "AND".
4.		16	After "31-31-5," insert the word "AND".
5.		17, 18	After "31-33-2," delete the following "UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 56, LAWS OF UTAH 1957,"
6.		20	After the word "UTAH;" insert the following "PROVIDING FOR".
7.		21	After the word "TRANSACTIONS;" insert the following "PROVIDING FOR."
8.		22	After the word "MUTUAL" insert a comma.
9.		25	After the word "UTAH" change the colon to a semicolon and insert the following "PROVIDING FOR".
10.		26	After the word "FUNCTIONS" change the colon to a semicolon and insert the following "PROVIDING FOR".
11.	2	2	After the word "STATE;" insert the following "PROVIDING FOR".
12		4	After the word "RATES;" insert the following "PROVIDING FOR".
13.		5	After the word "THEREFROM;" insert the following "PROVIDING FOR" and delete the word "AND".
14.		8	Delete the "1" and insert "5".
15.		9	Change the following sections "31-3-4.1, 31-5-2.1, 31-5-3, 31-5-8.1" to the following "31-3-4.5, 31-5-2.5, 31-5-3.5, 31-5-8.5,"
16.		10	Change section "31-17-10.1" to "31-17-10.5", after "31-20-1" insert the following ", 31-20-2, 31-20-3, 31-20-4, 31-20-5, 31-20-6, 31-20-7, 31-20-8,", and delete the word "to" and the word "inclusive".
17.	2	11	After "31-22-1" insert the following ", 31-22-1.5, 31-22-2, 31-22-3, 31-22-4, 31-22-5, 31-22-6, 31-22-7, 31-22-8, 31-22-9,

Item	*Page*	*Line*	*Remarks*
			31-22-10, 31-22-11, 31-22-12, 31-22-13, 31-22-14, 31-22-15, 31-22-16, 31-22-17,", delete the word "to" and the word "inclusive", after "31-23-1" insert the following ", 31-23-2, 31-23-3, 31-23-4, 31-23-5, 31-23-6, 31-23-7, 31-23-8, 31-23-9, 31-23-10, 31-23-11, 31-23-12, 31-23-13, 31-23-14, 31-23-15, 31-23-16, 31-23-17,", delete the word "to" and the word "inclusive", and delete the following "31-27-2.1,".
18.		12	Delete the following "31-27-22,", change "31-29-35.1" to read "31-29-35.5", after "31-35-1" insert the following ", 31-35-2, 31-35-3, 31-35-4, 31-35-5,", and delete the word "to" and the word "inclusive".
19.		13	After "31-36-1" insert the following ", 31-36-2, 31-36-3, 31-36-4, 31-36-5, 31-36-6,", and delete the word "to" and the word "inclusive".
20.	3	14	After the word "ACT" change the period to a semicolon.
21.		19	After "31-20-5" insert the following ", 31-20-6, 31-20-7,", and delete the word "to".
22.		21	After "1961," insert the following "31-22-1.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 64, LAWS OF UTAH 1961,".
23.		23	After "31-22-4" insert the following ", 31-22-7, 31-22-8, 31-22-9, 31-22-10,", and delete the word "to" and the word "INCLUSIVE".
24.		25	After "31-23-2" insert the following ", 31-23-3,", and delete the word "to".
25.		26	Delete the word "INCLUSIVE".
26.		27	After "1953" insert the following ", 31-33-24, 31-33-33, UTAH CODE ANNOTATED 1953 AS ENACTED BY CHAPTER 56, LAWS OF UTAH 1957".
27.	4	1	Delete "Secs." and insert the word "Sections", and after "31-3-3," insert the word "and".

Item	*Page*	*Line*	*Remarks*
28.		2	Capitalize the word "chapter".
29.	4	3	Capitalize the word "laws" in both places, capitalize the word "chapter", and delete the word "by".
30.		5	After "31-6-14," insert the word "and".
31.		7	Capitalize the word "laws".
32.		16, 17	Delete the following "Utah Code Annotated 1953, as enacted by Chapter 56, Laws of Utah 1957".
33.		18	Capitalize the word "laws".
34.	5	4	Before the word "including" insert a comma within the bracket.
35.	8	16	Remove the underlining from the figure "(1)".
36.	9	2	Delete the following "[the commission or]".
37.		7	Delete the following "[the commission or]".
38.		15	Delete the word "the" as it appears secondly in this line, and underline the comma.
39.		23	Delete the word "above" and insert in its place the following "of this section".
40.		24	Delete the figure "(100)", and remove the hyphen from the word "sub-section".
41.	26	14	Delete the figure "(2)" and the figure "(4)".
42.	10	14	Remove the underlining from the period.
43.		27	Underline the word "all".
44.		28	Underline the word "parties", and remove the underlining from the period.
45.	11	11	Insert a comma after the word "County".
46.		14	Insert a comma after the word "review".
47.	12	2	Before "[Said" insert the figure "(3)", and insert a comma after the word "year".
48.		4	Delete the figure "(3)".

Item	Page	Line	Remarks
49.		11	Change the colon to a semicolon.
50.		18	Remove the hyphen from the word "subsection".
51.		19	Change the colon to a semicolon.
52.	12, 13	10, 15, 21, 23, 25, 28, 1, 4, 6 and 8	All paragraphs under subsections (1) and (2) are to be in the form of paragraphs as to indentation and format.
53.	14	7	This line is not to begin a new paragraph.
54.	15	26	Remove the underlining from the comma in "continue,".
55.	16	10	Delete the comma.
56.	17	14	Change the colon to a semicolon.
57.	18	27	Place underlining under the comma.
58.	19	21	Delete the comma.
59.		26	Delete the words "six months", and insert the words "two years".
60.	19, 20	29	All paragraphs under section 31-8-1 (1) are to be in the form of paragraphs as to indentation and format.
61.	20	8	This line is not to begin a paragraph.
62.		10	Delete the following "Utah Code Annotated, 1953,"
63.		27	Change "|For" to "|for".
64.	21	1	Underline the figure "(1)".
65.		4	After the first word "Minimum" insert the word "Capital", and after the second word "Minimum" insert the word "surplus".
66.		5	Delete the word "Capital" and the word "Surplus".
67.		14	Change the figure "|50,000.00] to "|25,000.00].
68.		15	Remove the underlining from the figure "$300,000.00".
69.		20	Remove the underlining from the figure "$300,000.00".

Item	*Page*	*Line*	*Remarks*
70.		24	Delete the words "Life" and "Title" and insert the words "life" and "title" in their place, and remove the underlining from the figure "$400,000.00".
71.	22	7	After the word "under" insert the word "subsection", after the figure "(1)" insert the following "of this section", and delete the word "above".
72.		15	After the word "vehicle," delete the word "or".
73.		29	Undrline the following "Except as provided in section 31-11-11, insurers [Insurers]".
74.	23	10	Remove the underlining from the period after the figure "$700,000.00."
75.	24	3	Place brackets around the period, and insert after the bracketed period the following ";".
76.		4	Hyphenate the word "reinsurer".
		5	Hyphenate the second word "reinsurance".
77.		18	After the word "him" insert "[.]" and underline the semicolon.
78.	24, 25	29, 3, and 9	All paragraphs under section 31-12-2 (1) are to be in the form of paragraphs as to indentations and format.
79.	26	3	All paragraphs under section 31-13-12 (2) are to be in the form of paragraphs as to indentations and format.
80.	27	21	After the figure "(3)" insert the following "of this section", and delete the word "above".
81.		27	After the figure "(6)" insert the following "of this section".
82.	27, 28, and 29	27, 8, 15, 18, 8, 10 and 18	All paragraphs under section 31-13-22 (6) are to be in the form of paragraphs as to indentations and format.
83.	32	9	Delete the comma.

Item	*Page*	*Line*	*Remarks*
84.	30, 31 and 32	25, 1, 5, 18, 24, 8 and 14	All paragraphs under section 31-14-1 (2) are to be in the form of paragraphs as to indentations and format.
85.	33	10	After the word "insurers" insert the following "; provided, that the insurance is not placed in a nonadmitted insurer".
86.		28	Delete the following "chapter in respect".
87.		29	Delete the following "to transactions governed thereby and the basis for this".
88.	34	3	Underline the comma after the word "application".
89.		10	Delete the comma after the figure "$25.00" and replace it with a period.
90.		11	Section 31-15-3 (2) is to be in the form of a paragraph as to indentation and format.
91.		25	After the word "location" insert a comma.
92.		28	After the word "thereon" insert "[.]", and underline the semicolon
93.	35	5	Delete the comma.
94.		9	After the word "commissioner" underline the comma.
95.		10	After the word "commissioner" underline the comma.
96.		12	After the word "commissioner" underline the comma.
97.		19	The word "percent" is to read "per cent".
98.		21	The word "percent" is to read "per cent".
99.	36	6	Delete the word "Such" and insert the word "such".
100.		8	Delete the period and insert a colon.
101.		12	The word "percent" is to read "per cent".
102.		14	After the word "commissioner" insert the following "may remit the penalty in a case where the commissioner".
103.		21	Delete the word "The" and insert the word "the".

Item	*Page*	*Line*	*Remarks*
104.		22	Delete the word "The" and insert the word "the".
105.		23	Delete the word "Willful" and insert the word "willful".
106.		24	Underline the semicolon.
107.		26	Remove the underlining under the period.
108.	37	13	Place brackets around the following "the city of", and after the word "Lake" insert the word "City".
109.	37	14, 18	The figures "(1)" and "(2)" are not to begin paragraphs.
110.		19	Delete the words "city of", and after the word "Lake" insert the word "City".
111.	38	18	Delete the word "if" and insert the word "If".
112.		20	Delete the word "upon" and insert the word "Upon".
113.	41	12, 13	Between lines 12 and 13 insert as a new paragraph the following "(2) If the commissioner finds that the applicant is so qualified that the license fee has been paid, he shall issue the license. Otherwise, the commissioner shall refuse to issue the license."
114.		19	Delete the word "in" and insert the word "is".
115.	42	4	After the word "not" insert the word "to".
116.		5	After the word "renewed" delete the comma and insert the following ". As to each such appointment not to be renewed,"
117.	43	10	Underline the words "to persons".
118.		11	After the word "travel" insert the word "insurance".
119.		22	Remove the underlining under the period.
120.		27	Underline the semicolon.
121.		29	Underline the semicolon.
122.	44	1	Underline the semicolon.

Item	*Page*	*Line*	*Remarks*
123.		2	Underline the semicolon.
124.		3	Underline the semicolon.
125.		4	Underline the semicolon.
126.		5	Underline the semicolon.
127.		6	Underline the semicolon.
128.		14	Delete the word "hereof".
129.		19	Delete the first word "the".
130.		22	After the word "licenses" delete the comma.
131.	45	8	After the word "promised" insert a comma, after the word "receive" insert the word "any", after the word "of" insert the word "the", and after the word "procuring" insert the word "of".
132.		19	After the word "person" insert a comma.
133.	46	13	Place brackets around the word "hereof".
134.	47	13	Delete the word "hereof", and remove the underlining under the comma.
135.	49	3	Correct the spelling of the word "applicants".
136.	50	28	Underline the word "chapter".
137.	51	11	Underline the first comma.
138.	52, 53	17, 23, 2, 5, and 15	All paragraphs under sections 31-18-2 (3), 31-18-2 (4), and 31-18-3 (1) are to be in the form of paragraphs as to indentation and format.
139.	53	10	After the word "section" insert the following "uniformity among insurers in any matters within the scope of this section".
140.	54	4	Underline the first comma.
141.	55	4	Delete the word "unincorporate" and insert the word "unincorporated".
142.		6	Place brackets around the asterisk.
143.		7	After the word "or" insert the word "a", and remove the underlining under the word "combination".

Item	*Page*	*Line*	*Remarks*
144.		15	Delete the word "the" and insert the word "its".
145.		17	Delete the word "agreements" and insert the word agreement".
146.		25	Remove the underlining under the period.
147.		27	After the word "organization" insert the following "ceases to meet the requirements of this subsection. Every rating organization".
148.		28	After the word "agreement" insert the following ", or association, or its certificate of incorporation, or trust agreement,".
149.	56	7	After the word "subdivision" insert a comma.
150.	57	22	Place brackets around the letter "(b)" and insert the figure "(6)". This newly numbered subsection (6) is to be in paragraph form as to indentation and format.
151.	58	2	Underline the word "to".
152.		20	After the figure "(2)" insert the following "of this section", and delete the word "above".
153.		25	Delete the word "code" and insert the word "Code".
154.	58, 59	29, 3	All paragraphs under section 31-19-5 (1) are to be in the form of paragraphs as to indentation and format.
155.	59	2	Underline the word "such", and after the word "such" insert the following [the]".
156.	60	5	After the word "classifications" delete the comma and insert the word "and", after the word "rules" insert a semicolon, and after the word "; and" insert the word "promulgate".
157.		13	Underline the comma.
158.		14	Underline the comma.

Item	*Page*	*Line*	*Remarks*
159.		15	Delete the second word "the".
160.		20	After the word "of" insert "[,]", and underline the "s" in the word "payments"
161.		24	After the word "policy" insert a comma.
162.	61	2	After the word "office" insert a comma.
163.		3	After the word "policy" delete the following "or some".
164.		4	Delete the word "interest in the policy", and underline the words "or contract".
165.		6	After the word "years" insert a comma.
166.		9	After the word "upon" insert the word "the".
167.		14	After the word "to" insert a comma, and after the word "commute".
168.	61	27	Delete the word "title" and insert the word "Title".
169.	62	5	After the word "companies" and inside the bracket insert the following "of chapters", underline the word "Chapters", and underline the figures "27, 28".
170.		6	After the figure "28" and inside the bracket, insert a comma, and delete the word "agents" and insert the word "agent's".
171.		7	Underline the word "adjuster's".
172.		9	Underline the comma.
173.	63	25	Immediately inside the bracket and after the word "fund." insert the following "The amount of increase shall not be greater than the amount in the withdrawing insurer's Title Insurance Surplus Fund nor".
174.			After the word "Fund" " and inside the bracket insert a period. Underline the word "not".
175.	64		Place section 31-26-1, page 64, line 24 and foreward, and section 31-26-3, page 65, line 16 and foreward, in proper sequence order before 31-27-1, page 64, line 3 and foreward.

Item	*Page*	*Line*	*Remarks*
176.		6	Delete the following "pursuant to section (2) of" and insert the word "in".
177.		7	Underline the word "such".
178.		22	After the word "suspend" insert a comma,
179.	65	1	Place brackets around the following "Utah Code Annotated, 1953,", and delete the following "as amended,".
180.		20	After the word "business" insert a comma.
181.	66	16	The paragraph "(a)" beginning on this line should be written as a paragraph as to indentation and format. Delete "(a)".
182.	67	9	Delete the words "as otherwise", and insert the following "other than as".
183.		26	Delete the period and insert the following ", except as provided in section 31-31-11".
184.		28	Insert brackets around the word "amended".
185.	68	21	Underline the following "mutual benefit".
186.		22	Delete the period after the word "code", remove the brackets, delete the word "applicability" and insert th word "nonapplicability".
187.	68, 69	25, 27, 29, 6, 14, 21 and 23	All paragraphs under section 31-33-2 (1) are to be in the form of paragraphs as to indentation and format.
188.	70	5	After the figure "31-33-6." insert the following "A provision as follows: GRACE PERIOD:".
189.		6	This line is not to begin a new paragraph but is to be part of the paragraph beginning on line 5.
190.		14	After the comma within the brackets, and also within the brackets, insert the word "unless", and underline the following ": Unless".
191.		19	Change section "31-2-3.1," to read "31-2-3.5,".

Item	*Page*	*Line*	*Remarks*
192.		20	Change the following sections "31-3-4.1, 31-5-2.1, 31-5-3.1, 31-5-8.1," to read as follows "31-3-4.5, 31-5-2.5, 31-5-3.5, 31-5-8.5,".
193.		21	Change section "31-17-10.1," to read "31-17-10.5,", after "31-20-1" insert the following ", 31-20-2, 31-20-3, 31-20-4, 31-20-5, 31-20-6, 31-20-7, 31-20-8,", delete the word "to", and delete the word "inclusive".
194.		22	After "31-22-1", insert the following ", 31-22-1.5, 31-22-2, 31-22-3, 31-22-4, 31-22-5-, 31-22-6, 31-22-7, 31-22-8, 31-22-9, 31-22-10, 31-22-11, 31-22-12, 31-22-13, 31-22-14, 31-22-15, 31-22-16, 31-22-17,", delete the words "to" in both places, delete the word "inclusive" in both places, after "31-23-1" insert the following ", 31-23-2, 31-23-3, 31-23-4, 31-23-5, 31-23-6, 31-23-7, 31-23-8, 31-23-9, 31-23-10, 31-23-11, 31-23-12, 31-23-13, 31-23-14, 31-23-15, 31-23-16, 31-23-17,", and delete the following "31-27-2.1,".
195.	70	23	Delete any misprint appearing between "31-27-14," and "31-29-35.1,", change "31-29-35.1," to read "31-29-35.5,", after "31-35-1" insert the following ", 31-35-2, 31-35-3, 31-35-4, 31-35-5,", delete the word "to", and delete the word "inclusive".
196.		24	After "31-36-1" insert the following "31-36-2, 31-36-3, 31-36-4, 31-36-5, 31-36-6, delete the word "to", delete the word "inclusive", and after the word "are" insert the word "hereby".
197.		25	Change "31-2-3.1" to read "31-2-3.5".
198.		26	After the word "for" insert a comma, and after the word "to" insert a comma.
199.	71	6	After the figure "(2)" delete the word "above" and insert the following "of this section".
200.		7	Delete the figure "(10)".
201.		8	After the word "thereof" insert a comma.
202.		15	Change "31-3-4.1." to read "31-3-4.5."

Item	*Page*	*Line*	*Remarks*
203.	72	20	Change "31-5-2.1." to read "31-5-2.5."
204.	72, 73	25, 27, 5, 7, 21, 23 and 25	All paragraphs under section 31-5-2.1 are to be in the form of paragraphs as to indentation and format.
205.	72	25	Change the figure "(a)" to read "(1)".
206.		27	Change the figure "(b)" to read "(2)".
207.	73	5	Change the figure "(c)" to read "(3)".
208.		7	Change the figure "(d)" to read "(4)".
209.		9	Delete the word "Act" and insert the word "act".
210.		11	Delete the following ", as enacted in chapter 63,".
211.		12	Delete the following "laws of Utah 1947".
212.		13	Change "31-5-3.1." to read "31-5-3.5.".
213.		17	Change "31-5-8.1." to read "31-5-8.5.".
214.	73	21, 23 and 25	All paragraphs in section 31-5-8.1 (1) are to be in the form of paragraphs as to indentation and format.
215.	74	3	Delete the figure "(3)".
216.		19	Move line to left margin, after the word "synopsis" insert the word "and certification", delete the words "and certifying, and insert at right margin under other figures the figure "5.00".
217.		20	Delete this entire line.
218.		27	Move line to left margin.
219.	75	11	Move line to left margin.
220.	76	6	After the word "property" insert a comma.
			Add "s" to purpose.
221.		12, 15	Delete the figure "(6)".
222.		18, 20	All paragraphs under section 31-14-9 (3) are to be in the form of paragraphs as to indentation and format.
223.	77	25	Move line to left margin.
224.	78	7	Change "31-17-10.1 (a)" to read "31-17-10.5 (1)".

Item	*Page*	*Line*	*Remarks*
225.		12	Change the figure "(b)" to read "(2)".
226.		12	All paragraphs under section 31-17-1.1 (a) are to be in the form of paragraphs as to indention and format.
227.		28	After the word "of" insert the word "this", and delete the word "the".
228.	79	10, 11	All paragraphs under section 39-19-8 (1) are to be in the form of paragraphs as to indentation and format.
229.		24	After the word "defined" insert the following "in this section", and delete the word "below".
230.	80	15	Delete the following "cities and counties,".
231.	81	1	After the word "in" delete the word "subdivision" and insert the word "subsection", and after the figure "(2)" delete the word "above" and insert the following "of this section".
232.	84	13	After "31-20-9" insert a comma.
233.	84	26	After the word "within" delete the figure "15" and insert the word "fifteen".
234.	87	4	After "31-22-2" delete the word "to" and insert the following "31-22-3, 31-22-4, 31-22-5, 31-22-6, 31-22-7, 31-22-8, 31-22-9, and ".
235.	87	5	Delete the word "inclusive".
236.	88	11	Delete the word "hereinafter".
237.		12	After the word "provided", and before the comma, insert the following "in this section".
238.		22	After the first word "of" insert the word "paragraph," and after the letter "(a)" delete the word "above" and insert the following "of this section".
239.	89	2	After the figure "(1)" delete the word "above" and insert the following "of this section".
240.	91	25	After the word "provisions" insert the following "of this section".

Item	Page	Line	Remarks
241.		27	After the word "known" insert the following "and may be cited", and place quotation marks around the title "Standard Nonforfeiture Law".
242.		29	After the figure "(8)", and before the second comma, insert the following "of this section".
243.	92	8	After the word "as" delete the following "may be hereinafter" and insert the word "is", and after the word "specified", but before the period, insert the following "in this section".
244.		13	After the word "as" delete the following "may be hereinafter" and insert the word "is", and after the word "specified", but before the period, insert the following "in this section".
245.		23	After the word "as" delete the following "may be hereinafter" and insert the word "is".
246.		24	After the word "specified", but before the period, insert the following "in this section".
247.	93	11	Change the semicolon to a comma.
248.	93	24	After the figure "(2)", but before the first comma, insert the following "of this section".
249.		28	After the figure "(6)", but before the comma, insert the following "of this section".
250.	94	4	After the figure "(2)", but before the second comma, insert the following "of this section".
251.		23	After the word "amount" delete the following ", as herinafter defined,".
252.	95	1	After the figure "(IV)" insert the following "of this paragraph", and delete the word "above".
253.		17	Change the letter "(A)" to read "(i)".
254.		20	Change the letter "(B)" to read "(ii)".

Item	*Page*	*Line*	*Remarks*
255.		21	Change the letter "(A)" to read "(i)", change the letter "(B)" to read "(ii)", and after the letter "(B)" insert the following "of this paragraph".
256.		23	After the letter "(a)", but before the comma, insert the following "of this subsection".
257.		25	Change the letter "(B)" to read "(ii)", and after the letter "(B" insert the following "of this paragraph".
258.		27	Change the letter "(A)" to read "(i)", after the letter "(A)", but before the period, insert the following "of this paragraph".
259.		28	After the figure "(6)", but before the comma, insert the following "of this section".
260.	97	5	After the word "paragraph" insert the letter "(a)".
261.		7	After the word "paragraph" insert the letter "(a)".
262.		8	After the phrase "graph" insert the letter "(a)".
263.		10	After the word "paragraph" insert the letter "(a)".
264.		25	After the word "paragraph" insert the letter "(b)".
265.		27	After the word "paragraph" insert the letter "(b)".
266.	97	28	After the word "paragraph" insert the letter "(b)".
267.	98	1	After the word "paragraph" insert the letter "(b)".
268.		7	After the figure "(6)" insert the following "of this section".
269.		10	After the figure "(3)", but before the comma, insert the following "of this section".
270.	99	1	After the figure "(6)", but before the comma, insert the following "of this section".

Item	*Page*	*Line*	*Remarks*
271.		6	After the word "known" insert the following "and may be cited", and place quotation marks around the title "Standard Valuation Law".
272.		8	Delete the word "hereinafter" and insert the following "in this section".
273.		16	Delete the word "herein", and after the word "required" insert the following "in this section".
274.		29	Delete the word "herein", and after the word "provided", but before the period, insert the following "in this section".
275.	100	4	After the phrase "subparagraph I", but before the fourth comma, insert the following "(repealed by this act)".
276.		27	After the phrase "subparagraph I", but before the fourth comma, insert the following "(repealed by this act)".
277.	101	5	Delete this entire line and insert in its place the following "(repealed by this act and re-enacted by this act as section 31-22-13 (6) (a))".
278.		6	Delete the following "(The Standard Nonforfeiture Law)".
279.		17	Delete the following "(the Standard Non-for-".
280.		18	Delete the following "feiture Law),".
281.	103	10	Change the figure "(1)" to read "(i)".
282.		12	Change the figure "(2)" to read "(ii)".
283.		13	Change the figure "(3)" to read "(iii)", and change the figure "(4)" to read "(iv)".
284.	103	22	After the figure "(5)" insert the following "of this section".
285.		27	Delete the word "herein", and after the word "provided", but before the comma, insert the following "in this section".
286.	105	20	Delete the word "section" and insert the word "sections", after "31-23-2" insert the following ", 31-23-3, 31-23-4 and", and delete the word "through".

Item	*Page*	*Line*	*Remarks*
287.	106	19	Delete the following "cities and counties,".
288.	109	23	Delete the phrase "liv es" and insert the word "lives".
289.	111	10	Delete the word "foregoing", and after the word "requirements" insert the following "of this section".
290.		18	After the word "the" insert the following "provisions of this section".
291.	112	6	Delete the following "(employee groups)".
292.		7	Delete this entire line and insert the following to replace this line "31-23-3, 31-23-4, or 31-23-5".
293.	113	6	Delete the following "of this chapter".
294.		9	Delete the following "of this".
295.		10	Delete the word "chapter".
296.		11	After the word "provided" insert the following "in this section", and delete the word "above".
297.		13	After the word "this" insert the word "section", and delete the word "provision".
298.		17	Delete the following "of this chapter".
299.		22	After "31-23-9" insert the following ", 31-23-10, 31-23-11, 31-23-12, 31-23-13, 31-23-14, 31-23-15, 31-23-16, 31-23-17 and", and delete the word "through".
300.		25	Change the letter "(a)" to read "(1)".
301.		26	Change the letter "(b)" to read "(2)".
302.	113	29	After the word "but" insert the following "no provision of this section", and delete the following "nothing herein".
303.	115	17	Delete the comma after "31-23-17".
304.	116	6	After the word "this" insert the word "section", and delete "provision".
305.		27	Delete the word "above".
306.	117		Delete lines 13 through 24, inclusive, or all of section 31-27-2.1.

Item	*Page*	*Line*	*Remarks*
307.	119	5	Change "31-29-35.1." to read "31-29-35.5.".
308.		6	After the figure '17" insert the following "of this title", and delete the word "hereof".
309.		7	After the word "members," delete the word "or" and insert the word "and".
310.		8	After the word "not" insert the following "applying for membership, or".
311.		11	Delete the following "the standard nonforfeiture law,".
312.		12	After the word "chapter" insert the following "shall be known and", and place quotation marks around the title "unauthorized insurers process act".
313.	120	13	Delete the words "Such service", and insert the word "Service".
314.		14	Delete this entire line and in its place insert the following "31-5-7 (1), and:".
315.		23	Change the figure "(i)" to read "(iii)".
316.		26	Change the figure "(ii)" to read "(iv)".
317.	121	6	After the letter "(b)" delete the word "herein" and insert the following "of this section"
318.	122	7	Delete the word "hereof".
319.		24	Delete the following "unauthorized insurers process".
320.		28	After the word "with" delete the following "the surplus line law or any amend-",
321.	122	28 (Cont'd)	and insert the following "chapter 15, title 31 of this code".
		29	Delete the following "ments or supplements thereto".
322.	123	19	After the word "ture" delete the word "herein provides" and insert the following "intends to provide".
323.		25	After the phrase "vided" delete the following "herein to", and insert the word "shall".

Item	*Page*	*Line*	*Remarks*
324.		28	After the figure "(1)" insert the following "The word", and delete the word "The".
		29	Between "(2)" and "Unfair", insert "The words".
325.	124	2	After the figure "(3)" delete the following " "Residents" ", and insert the following "The word "residents" ".
326.	125	7	Delete the following "hereof under the provisions of the Uniform Trade Practice".
327.		8	Delete the following "Act, or in any action,".
328.	126	3	After the word "in" delete the word "sub-section" and insert the following "subsection (3) (b)".
329.			Delete all of lines 26, 27, 28 and 29, or all of section 31-36-6.
330.	127	1	After the word "chapter" insert the following "shall be known and", and place a quotation mark before the word "Unauthorized".
331.		2	Place a quotation mark after the word "Act".
332.		7	After "31-20-5" insert the following ", 31-20-6, 31-20-7,", and delete the word "to".
333.		9	After the phrase "1961," insert the following "31-22-1.5, Utah Code Annotated 1953, as enacted by Chapter 64, Laws of Utah 1961,".
334.		10	After "31-22-4" insert the following ", 31-22-7, 31-22-8, 31-22-9, 31-22-10," and delete the word "to".
335.		11	Delete the word "inclusive".
336.		13	After "31-23-2" insert the following ", 31-23-3,", delete the word "to", and delete the word "inclusive".
337.	127	14	After the phrase "1953," insert the following "31-33-24, 31-33-33, Utah Code Annotated 1953, as enacted by Chapter 56, Laws of Utah 1957.".

Item	*Page*	*Line*	*Remarks*
338.			Delete all of lines 15, 16, 17, 18, and 19 or all of section 4 and insert in its place in paragraph form the following "Section 4. If any provision of this act, or the application of any provision to any person or circumstance, is held invalid, the remainder of this act shall not be affected thereby."
339.	32	21	After the word "company" insert "doing business in this state".
340.		22	After the word "or" insert "if any domestic insurance company shall have paid".
341.	58	Following 22	Insert on page 58, following line 22 "(5) The provisions of subsection (2) above shall also be applicable with respect to property, casualty and surety insurance contracted for by any such minor upon his own property, liabilities or other interests.".

Page 72, at the end of line 20 after the word "any" add the word "domestic".

Page 72, delete lines 27, 28 and 29.

Page 73, delete lines 1 through 6.

Page 73, line 7, change "(d)" to "(b)".

Page 110, delete lines 14 through 29.

Page 111, delete lines 1 through 29.

Page 112, delete lines 1 through 5.

Page 112, line 6, change section number 31-23-7 to 31-23-6.

Page 113, line 6, change the figures 31-23-16 to 31-23-15.

Page 113, line 9, change the figures 31-23-17 to 31-23-16.

Page 113, line 17, change the figures 31-23-15 to 31-23-14.

Page 113, line 20, change section number 31-23-8 to 31-23-7.

Page 113, line 22, change the figures 31-23-9 to 31-23-8 and the figures 31-23-18 to 31-23-17.

Page 114, line 3, change section number 31-23-9 to 31-23-8.

Page 114, line 11, change section number 31-23-10 to 31-23-9.

Page 114, line 19, change section number 31-23-11 to 31-23-10.

Page 114, line 25, change section number 31-23-12 to 31-23-11.

Page 114, line 29, change section number 31-23-13 to 31-23-12.

Page 115, line 4, change section number 31-23-14 to 31-23-13.

Page 115, line 13, change section number 31-23-15 to 31-23-14.

Page 115, line 17, change the figures 31-23-16 to 31-23-15, the figures 31-23-17 to 31-23-16, and the figures 31-23-18 to 31-23-17.

Page 115, line 16, change section number 31-23-16 to 31-23-15.

Page 116, line 12, change section number 31-23-17 to 31-23-16.

Page 116, line 18, change the figures 31-23-16 to 31-23-15.

Page 116, line 24, change section number 31-23-18 to 31-23-17.

Page 116, line 27, change the figures 31-23-16 to 31-23-15, and the figures 31-23-17 to 31-23-16.

Page 105, line 19, after the word "code" insert the following: "or group insurance issued on the lives of members of the Utah National Guard under section 39-1-62,".

S. B. No. 134 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Grover, B. Jenkins, Miller, Stacey and S. Taylor.

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

Committee report read and adopted.

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

Mr. Lowell Crandall, Legislative Council, appeared before the Committee of the Whole.

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

S. B. No. 10 was placed on the Third Reading Calendar on the following roll call:

Yeas, 22; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham (explained vote), and Mr. President.

Voting in the negative was Senator Brockbank.

Absent and not voting were: Senators Mantes and Miller.

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

Mr. Henry Y. Kasai appeared before the Committee of the Whole.

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

On motion of Senator B. Jenkins the Senate voted that when this body adjourns today it adjourn at 6:00 P.M.

S. B. No. 86 was read the second time.

Committee report read and adopted.

On motion of Senator Hunter 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:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Grover, Hammond, M. Jenkins, Mantes, Miller and Rees.

S. B. No. 86 was transmitted to the House.

S. B. No. 74 was read the second time.

Committee report read and adopted.

On motion of Senator D. Taylor, S. B. No. 74 was amended as follows:

Page 6, delete line 23, Section 7

S. B. No. 74 was placed on the Third Reading Calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Hafen, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Grover, Hammond, M. Jenkins, Mantes, Miller and Rees.

S. B. No. 75 was read the second time.

Committee report read and adopted.

S. B. No. 75 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 1; Absent, 5.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Sowards, Stacey, S. Taylor and Mr. President.

Voting in the negative was Senator Rees.

Absent and not voting were: Senators Barlow, Mantes, Miller, D. Taylor and Waddingham.

On motion of Senator Browning, the rules were suspended and the Senate voted to lift S. B. No. 128 from a Special Order and that it be placed at the head of the Third Reading Calendar for immediate consideration.

CONSIDERATION OF BILLS ON THIRD READING

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:

Yeas, 18; Nays, 4; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, Kerr, Lambert, Memmott, Rees, Stacey, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Gardner, Hunter, M. Jenkins and Sowards.

Absent and not voting were: Senators Mantes, Miller and D. Taylor.

S. B. No. 128 was transmitted to the House.

On motion of Senator Harmston, the Senate voted to suspend the rules and with unanimous consent, S. J. R. No. 13 was introduced.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 13 By Messrs. Waddingham, Harmston and Kerr

A JOINT RESOLUTION OF THE 35TH LEGISLATURE OF THE STATE OF UTAH MAKING AN ASSIGNMENT TO THE UTAH LEGISLATIVE COUNCIL TO STUDY WAIVER OF GOVERNMENTAL IMMUNITY FROM SUIT AND CONSENT OF THE STATE AND ITS POLITICAL SUBDIVISIONS TO BE LIABLE FOR THE TORTS OF THEIR AGENTS; PROVIDING FOR A COMMITTEE APPOINTED BY THE COUNCIL AND REQUESTING AN APPROPRIATION FOR THE STUDY.

S. J. R. No. 13 was read the first time and then referred to the Sifting Committee.

REPORTS OF SPECIAL COMMITTEES

March 5, 1963

Mr. President:

Your Sifting Committee reports out the following bills:

S. R. Nos. 1, 2, 3, 4, 5, 6, S. J. R. No. 11, S. B. Nos. 81, 185, 124, 190, 149, 152, 153, 154, 78, 201, 216 145, 156, 200, 180, 102, 64, 101, 110, 111, 113, 137, 165, 168, 169, 171, 172, 70, 89, 191, 197, 218, 183, 127 and 157.

Respectfully,

KLEON KERR,
Chairman

Report adopted and filed.

On motion of Senator Kerr, the Senate adjourned until Wednesday, March 6, 1963 at 10:00 A.M.

FIFTY-SECOND DAY

MORNING SESSION

March 6, 1963

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

Roll Call – All Senators present.

Prayer by Dr. Warren R. Bainbridge, First Methodist Church.

March 6, 1963

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,

WALLACE H. GARDNER,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 5, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 90, as amended by the House, WORKMENS COMPENSATION–SOLE PROPRIETOR, and the same is returned herewith for your further action.

Respectfully,
HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Hunter, the Senate voted to concur with the House amendments of S. B. No. 90 on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, M. Jenkins, Miller and Stacey.

S. B. No. 90 was transmitted to the House for the signature of the Speaker.

On motion of Senator Bernhard, the Senate voted as of today to refer all bills received from the House, directly to the Sifting Committee rather than assigning them to Standing Committees.

March 5, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 249 (Substitute) – OCCUPATIONAL DISEASE BENEFITS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 249 was read the first time and referred to the Committee on Sifting.

March 5, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 275 (substitute) – WORKEN'S COMPENSATION – TAX ON SELF INSURERS' AND USAGE, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 275 was read the first time and referred to the Committee on Sifting.

March 5, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day

passed H. B. No. 276 – INSURANCE COMPANY TAX, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 276 was read the first time and referred to the Committee on Sifting.

On motion of Senator Gardner, the rules were suspended and the Senate voted to lift H. B. Nos. 249, 275 and 276 from the Sifting Committee and place them at the head of the Second Reading Calendar.

March 5, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 11, entitled REPEAL 16TH AMENDMENT, as amended and upon reconsideration, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. J. R. No. 11 was read the first time and referred to the Committee on Sifting.

March 5, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 164 – INDIAN AFFAIRS COMMISSION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 164 was read the first time and referred to the Committee on Sifting.

March 5, 1963

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. 160 – CONTRACTOR'S BONDS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 160 was read the first time and referred to the Committee on Sifting.

March 5, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 18 – TAX EXEMPTION STUDY, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. J. R. No. 18 was read the first time and referred to the Committee on Sifting.

March 5, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 48 – COORDINATION OF REHABILITATION AGENCIES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 48 was read the first time and referred to the Committee on Sifting.

On motion of Senator D. Taylor, the Senate voted to have all bills now in Standing Committees be lifted and referred directly to the Sifting Committee.

REPORTS OF STANDING COMMITTEES

March 6, 1963

Mr. President:

Your Committee on Agriculture and Irrigation to which was referred H. B. No. 173, by Messrs. L. L. Peterson, Squire and Gunnell, has carefully considered said bill and reports the same out favorably.

Respectfully,

KLEON KERR,
Chairman

Report filed.

H. B. No. 173 was referred to the Sifting Committee.

March 6, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 214, by Messrs. Lambert, Kerr and Sowards, has carefully considered said bill and reports the same out favorably.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 214 was referred to the Sifting Committee.

March 6, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred H. B. No. 127, by Messrs. Plant and J. M. Smith, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

H. B. No. 127 was referred to the Sifting Committee.

March 6, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred H. B. No. 59, by Messrs. Gunnell, Squire, Sonntag, Kastler and Memmott, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

H. B. No. 59 was referred to the Sifting Committee.

March 6, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred H. B. No. 33, by Messrs. Sheffield, Wilkinson, Adams, Dean and Anderson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

H. B. No. 33 was referred to the Sifting Committee.

March 6, 1963

Mr. President:

Your Committee on State and Federal Affairs to which was referred S. B. No. 198, by Messrs. Lambert, Kerr and Sowards, has carefully considered said bill and reports the same out (Hold in Sifting Comm.) without recommendation.

Respectfully,

G. STANFORD REES,
Chairman

Report filed.

S. B. No. 198 was referred to the Sifting Committee.

March 6, 1963

Mr. President:

Your Committee on Education to which was referred H. B. No. 63, by Messrs. Memmott, Dean, Jones, Mrs. Vance and Mr. Green, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

JOHN T. BERNHARD,
Chairman

Report filed.

H. B. No. 63 was referred to the Sifting Committee.

March 6, 1963

Mr. President:

Your Committee on Business and Commerce to which was referred S. B. No. 223, by Messrs. Harmston and Memmott, has carefully considered said bill and reports the same out favorably.

Respectfully,

HAVEN J. BARLOW,
Chairman

Report filed.

S. B. No. 223 was referred to the Sifting Committee.

March 6, 1963

Mr. President:

Your Committee on Judiciary to which was referred H. B. No. 1, by Messrs. Anderson, Hodgson, Kastler, Sheffield and Bullock, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

H. B. No. 1 was referred to the Sifting Committee.

March 6, 1963

Mr. President:

Your Committee on Judiciary to which was referred H. B. No. 212, by Messrs. Stuart, Memmott and Green, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

ORVAL HAFEN,
Chairman

Report filed.

H. B. No. 212 was referred to the Sifting Committee.

March 6, 1963

Mr. President:

Your Committee on Health, Welfare and Institutions to which was referred H. B. No. 81, by Messrs. Aiken, Watkins and Tanner, has carefully considered said bill and reports the same out favorably.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

H. B. No. 81 was referred to the Sifting Committee.

March 6, 1963

Mr. President:

Your Committee on Health, Welfare and Institutions to which was referred H. B. No. 40, by Messrs. Redd, Mayhew and Leavitt, has carefully considered said bill and reports the same out favorably.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

H. B. No. 40 was referred to the Sifting Committee.

March 6, 1963

Mr. President:

Your Committee on Health, Welfare and Institutions to which was referred H. B. No. 106, by Messrs. Dean, Kastler, Warren, Sheffield and Gunnell, has carefully considered said bill and reports the same out favorably.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

H. B. No. 106 was referred to the Sifting Committee.

March 6, 1963

Mr. President:

Your Committee on Health, Welfare and Institutions to which was referred H. B. No. 218, by Messrs. Cochran, Poulsen, Clyde, Plant and Mrs. Vance, has carefully considered said bill and reports the same out favorably.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

H. B. No. 218 was referred to the Sifting Committee.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 9 having retained its position was before the Senate.

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

Mr. James Faust, President of the Utah State Bar Commission, appeared before the Committee of the Whole.

Mr. Arthur H. Nielsen, practicing attorney of Salt Lake City, Utah, appeared before the Committee of the Whole.

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

On motion of Senator Hunter, H. B. No. 9 was tabled.

On motion of Senator D. Taylor, H. B. No. 137 was tabled.

H. B. No. 42 having retained its position was before the Senate.

H. B. No. 42 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Hunter and Waddingham.

H. B. No. 42 was returned to the House.

On motion of Senator Sowards, H. B. No. 28 was lifted from the table and placed on the Second Reading Calendar.

On motion of Senator Hafen, H. B. No. 2 was lifted from the table and made a Special Order of Business for 11:30, today.

On motion of Senator Bernhard, H. B. No. 14 was lifted from the table and placed on the Second Reading Calendar.

On motion of Senator Grover, H. B. No. 77 was lifted from the table and placed on the Second Reading Calendar.

On motion of Senator Brockbank, H. B. Nos. 4 and 5 were lifted from the table and placed on the Third Reading Calendar.

H. B. No. 43 having retained its position was before the Senate.

H. B. No. 43 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators B. Jenkins, Mantes, Miller and Waddingham.

H. B. No. 43 was returned to the House.

H. B. No. 67 having retained its position was before the Senate.

On motion of Senator Rees, H. B. No. 67 was amended as follows:

On line 1 of the bill delete "5" and after the word "section" insert "58-22-5, Utah Code Annotated 1953, as enacted by".

On line 3, after the word "section" insert " 58-22- ".

On motion of Senator Rees, the title of H. B. No. 67 was amended as follows:

On line 1 of title after the word "AMENDING" insert "SECTION 58-22-5, UTAH CODE ANNOTATED 1953, AS ENACTED BY".

H. B. No. 67 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Hafen, Mantes, Miller and S. Taylor.

H. B. No. 67 was returned to the House.

SPECIAL ORDER

H. B. No. 2 being a Special Order of Business, was before the Senate.

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

Representative B. Z. Kastler, Jr., appeared before the Committee of the Whole.

On motion of Senator D. Taylor the Committee of the Whole was dissolved.

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

Yeas, 14; Nays, 10; Absent, 1.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Hammond, B. Jenkins, M. Jenkins, Lambert, Mantes, Miller, Rees, Sowards and D. Taylor.

Voting in the negative were: Senators Brockbank, Harmston, Holman, Hunter, Kerr, Memmott, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Barlow.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 92 was read the third time and placed on its final passage.

On motion of Senator Gardner, H. B. No. 92 was tabled.

H. B. No. 44 was read the third time and placed on its final passage.

H. B. No. 44 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Bernhard, Browning, Hunter, B. Jenkins and D. Taylor.

H. B. No. 44 was returned to the House.

H. B. No. 108 was read the third time and placed on its final passage.

On motion of Senator Waddingham, H. B. No. 108 was tabled.

H. B. No. 134 was read the third time and placed on its final passage.

On motion of Senator Kerr, H. B. No. 134 was tabled.

On motion of Senator Kerr the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

SPECIAL ORDER

S. B. No. 27 being a Special Order of Business, was before the Senate.

On motion of Senator Barlow, the rules were suspended and the Senate voted to amend the Substitute S. B. No. 27 by deleting all the body and the title and then inserting in lieu thereof the following substitute #2 to S. B. No. 27.

Substitute No. 2
S. B. No. 27 By Messrs. Barlow, Browning and G. D. Taylor

AN ACT PROVIDING FOR AN AD VALOREM TAX EXEMPTION FOR TANGIBLE PERSONAL PROPERTY WHICH IS SHIPPED BEYOND THE STATE WITHIN THE PERIOD OF TWELVE MONTHS FOLLOWING JANUARY 1, M: AND REPEALING SECTION 59-2-4, UTAH CODE ANNOTATED 1953.

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

Section 1. Tangible personal property present in Utah on January 1, m, whether manufactured, processed, produced or otherwise originating within or without the state, which is shipped to final destination outside this state within twelve months following is deemed to have acquired no situs in Utah for ad valorem property tax purposes and shall be exempt.

Section 2. The Utah State Tax Commission shall prescribe rules and regulations under which the foregoing exemption may be claimed and applied.

Section 3. The burden of proof shall be upon the the taxpayer to establish the exemption.

Section 4. Section 59-2-4, Utah Code Annotated 1953, as amended, is hereby repealed.

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

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

On motion of Senator Grover, the rules were suspended and S. B. No. 27 was read the third time and placed on its final passage.

S. B. No. 27 then passed on the following roll call:

Yeas, 16; Nays, 9; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Hunter, M. Jenkins, Kerr, Lambert, Rees, Sowards, Stacey, D. Taylor and S. Taylor.

Voting in the negative were: Senators Grover, Harmston, Holman, B. Jenkins (explained vote), Mantes, Memmott, Miller, Waddingham and Mr. President.

S. B. No. 27 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 4 having been previously read was before the Senate for its consideration.

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

Yeas, 19; Nays, 4; Absent, 2.

Voting in the affrimative were: Senators Barlow, Brockbank, Browning, Grover, Hammond, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Gardner, Harmston, Holman and Sowards.

Absent and not voting were: Senators Bernhard and Hafen.

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

On motion of Senator Lambert, the rules were suspended and the Senate voted to lift S. B. No. 174 from the Sifting Committee and that it be placed before the Senate at the head of the Second Reading Calendar for immediate consideration.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 174 was read the second time.

Committee report read and adopted.

On motion of Senator Lambert, S. B. No. 174 was amended as follows:

Page 1, delete line 4, Section 2.

On motion of Senator Lambert, the rules were suspended and S. B. No. 174 was read the third time and placed on its final passage.

S. B. No. 174 failed of passage on the following roll call:

Yeas, 10; Nays, 12; Absent, 3.

Voting in the affirmative were: Senators Barlow, Grover, Harmston, B. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards and Waddingham.

Voting in the negative were: Senators Brockbank, Browning (explained vote), Gardner, Hafen, Hammond, Holman, Hunter, M. Jenkins, Mantes, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Miller and D. Taylor.

Senator Holman served notice that on the next Legislative day he would ask the Senate to reconsider its vote by which S. B. No. 174 failed of passage.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 5 having been previously read was before the Senate for its consideration.

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

Yeas, 17; Nays, 6; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Grover, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Mantes, Memmott, Rees, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Gardner, Hafen, Holman, Lambert, Sowards and Stacey.

Absent and not voting were: Senators Bernhard and Miller.

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 further action.

COMMUNICATIONS FROM THE HOUSE

March 5, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 6 – COMPANION TO H. B. 4 and 5 CREATING AN ADVISORY COMMITTEE ON AIR POLLUTION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 6 was read the first time and referred to the Committee on Sifting.

On motion of Senator Brockbank, the rules were suspended and the Senate voted to lift H. B. No. 6 from the Sifting Committee and that it be placed at the head of the Second Reading Calendar for immediate consideration.

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

On motion of Senator Brockbank, H. B. No. 6 was tabled.

On motion of Senator Kerr, S. J. R. No. 8 was lifted from the table.

On motion of Senator Kerr, S. J. R. No. 8 was made a Special Order of Business for Thursday, March 7, 1963 at 10:30 A.M.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

SPECIAL ORDER

S. B. Nos. 105 and 217 being a Special Order of Business, were before the Senate.

On motion of Senator Bernhard, the rules were suspended and the Senate voted to amend S. B. No. 105 by deleting all the body and the title of the original S. B. No. 105 and then inserting in lieu thereof the following:

Substitute S. B. No. 105 By Messrs. G. D. Taylor, Gardner and Hunter

AN ACT AMENDING SECTIONS 53-7-16, 53-7-18, 53-7-19, 53-7-22, 53-7-24, AND 53-7-25, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 104, LAWS OF UTAH 1961, RELATING TO THE STATE-SUPPORTED MINIMUM SCHOOL PROGRAM; PROVIDING FOR AN INCREASE IN THE DISTRIBUTION UNIT AMOUNT OF THE BASIC PROGRAM; AND PROVIDING FOR A STATE-SUPPORTED LEEWAY AND BOARD LEEWAY PROGRAM AUTHORIZATION.

Be It Enacted By The Legislature Of The State Of Utah:

Section 1. Sections 53-7-16, 53-7-18, 53-7-22, 53-7-24, and 53-7-25, Utah Code Annotated 1953, as enacted by Chapter 104, Laws of Utah 1961, are amended to read:

53-7-16. Unless a different meaning is plainly required, the following words and phrases used in this act shall have the following meanings:

(a) "State-supported minimum school program" or "minimum school program" means such school program for elementary, kindergarten and high schools as may be operated and maintained for the total of the following annual costs:

(1) The cost of a basic state-supported school program.

(2) The cost of a state-supported leeway program.

(3) The cost or amount of one-half of the budget of the state board of education as approved for the biennium by the legislature.

(4) The cost or the amount of the employer contribution required by local school boards, the Union High School at Roosevelt, Utah, the state board of education and the Utah school retirement board under the provisions of the Utah School Employees' Retirement Act.

(5) The cost or amount of the employer's contribution under the terms of Title II of the Federal Insurance Contributions Act in accordance with section 67-11-5, Utah Code Annotated 1953, for the employing units, political subdivisions and instrumentalities enumerated in subparagraph 4 of this section.

—2—

(b) "Basic state-supported school program" or "basic program" means such educational program for elementary, kindergarten and high schools which can be operated and maintained for the total of the following sums:

(1) The amount derived by multiplying the number of distribution units for each school district by [$5,400.00] $6,950.00; and

(2) The cost of state-supported transportation of each school district.

(c) "Distribution unit or units" means the unit of measure or factors which are computed in accordance with the provisions of section 53-7-21 for the purpose of determining the costs of a basic program on a uniform basis for each district.

(d) "State-supported transportation" or "transportation" means the lesser of the following amounts:

(1) An amount equal to $2.00 per mile annually for the average number of miles traveled per day by each pupil who is actually transported, provided that said computation shall be applied to the transportation of each pupil regularly enrolled in kindergarten through grade six who is

actually transported one and one-half miles or more each way between home and school and each pupil regularly enrolled in grades seven through twelve who is transported two or more miles each way; or

(2) Three-fourths of the total actual transportation cost for the state.

(e) "State-supported leeway" program or "state leeway" means that portion of the costs of operation and maintenance of the state-supported minimum school program in each district which can be operated and maintained by an amount equal to the amount derived by multiplying the number of distribution units of said district by [$775.00] $150.00 or multiples of said amount as elected by the district pursuant to section 53-7-19, hereof.

Said term may be used collectively to mean the total of state-supported leeway programs of all districts.

(f) "Minimum basic tax levy" or "minimum basic levy" means the mill levy which each school district must impose in order to make its contribution toward the cost of the basic state-supported school program.

—3—

53-7-18. The state shall contribute to each district toward the cost of the basic state-supported school program in such district, that portion thereof which exceeds the proceeds of a minimum basic tax levy of [12] 17 mills imposed by such district.

In order to qualify for receipt of said state contribution toward the basic program and as its contribution toward its cost of said basic program, each school district shall impose a minimum basic tax levy of [12] 17 mills.

In the school districts wherein the proceeds of said minimum basic tax levy equal or exceed the cost of the basic state-supported school program, there shall be no contribution by the state toward the basic program. The proceeds of any said minimum basic tax levy of a school district which exceed the cost of the basic program shall be paid into the uniform school

fund as provided by law.

The amount of the state's contribution toward the cost of the state-supported transportation included in the basic program shall annually be apportioned and distributed from the uniform school fund to the several school districts on the basis of a formula to be promulgated by the state board of education. No district shall receive an amount for this purpose which exceeds that actually expended by it for transportation, exclusive of capital outlay, during the current fiscal year.

53-7-19. The state shall contribute to each district toward the cost of the state-supported leeway program in each district that portion thereof which exceeds the proceeds of [a 4-mill levy imposed by such district] each one-mill levy imposed by such district in addition to its minimum basic tax levy up to and including 4 mills.

In order to qualify for receipt of said state contribution toward its state-supported leeway program and as its contribution toward the cost of its state-supported leeway program and for the purpose of determining the size of its state-supported leeway program, each school district may impose a tax levy, in addition to its minimum basic tax levy, which may range, in multiples of one, from one mill, to and including 4 mills.

In school districts wherein the proceeds of a [4] 1-mill levy equal or exceed the cost of the $150.00 per distribution unit state-supported

—4—

leeway program in said district, there shall be no leeway contribution by the state.

[All school districts, wherein the proceeds of a 4-mill levy equal or exceed the cost of the state-supported leeway program in said district, shall impose a state-supported leeway tax levy of 4 mills. The proceeds of a said leeway tax levy of a district which exceeds the cost of its state-supported leeway program shall be paid into the uniform school fund as provided by law.]

53-7-22. A school district which qualified for the receipt of con-

tributions from the state toward its basic state-supported school program or the levy of which produces sufficient funds to pay the cost of its basic program, may by action of its local board maintain a school program of operation and maintenance in excess of its state-supported minimum program. Said additional program shall be known as the "board leeway" program and the total cost of any board leeway program shall not exceed the basic state-supported program by more than an amount equal to [13% thereof,] the number of distribution units multiplied by $500.00 or the amount which may be provided by a local levy of not to exceed [6] 4 mills, whichever amount is greater. The board leeway authority shall be in addition to the 4 mill levy authorized for the state-supported leeway program by section 53-7-19, hereof.

53-7-24. With the consent of a majority of the electors of the district voting at an election or elections held for that purpose in the manner set forth in section [53-2-12] 53-7-12, Utah Code Annotated 1953, any district may maintain a school program in excess of the cost of the program referred to in sections 53-7-22 and 53-7-23, [above] Utah Code Annotated 1953. Said additional program shall be known as the "voted leeway" program of the district. Said voted leeway program shall not exceed an amount equal to [20%] 16% of the basic program of the district.

Consideration of such additional program and of modification, increases or decreases thereof by such elections may be initiated by a petition signed by electors of the district qual to 10% of the number of electors who voted at a preceding election on said question or by action of the board of education. A subsequent election upon the question

of modifying or increasing such additional program shall not be deemed to constitute a reconsideration of the existing additional voted leeway program unless the proposition submitted to the electors expressly so states. Accordingly, a majority vote opposing said modification or increase shall not be deemed to deprive the district of authority to con-

tinue said existing voted leeway program. Nothing contained in this section shall be construed as terminating without an election, thereon, the authority of any school district to continue an existing voted additional program heretofore authorized by the voters.

53-7-25. Federal moneys received by a specific local school district which are available toward the cost of its basic state-supported minimum school program shall be deducted from its allocation of state aid for such purposes in the ratio of [one-half of the required local levy for the basic state-supported program] six and one-half mills divided by its total tax levy for current operation and maintenance; provided, that if any such deduction shall reduce federal funds available or prevent the obtaining of federal moneys in whole or in part, then no credit shall be made against the allocation of state aid to a local school district and provided further that the deduction for any school district shall not exceed the percentage which the deduction for the district for the year 1960-61 bears to the total cost of current operation and maintenance of schools in the district.

(Substitute)

S. B. No. 105 was read the third time and placed on its final passage.

S. B. No. 105 was passed on the following roll call:

Yeas, 13; Nays, 11; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Hunter, Kerr, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators Grover, Harmston, Holman, B. Jenkins (explained vote), M. Jenkins, Lambert, Mantes, Memmott, Miller, Sowards and Waddingham.

Absent and not voting was Senator Browning.

S. B. No. 105 was transmitted to the House.

On motion of Senator Rees, the enacting clause of S. B. No. 217 was struck.

On motion of Senator Hafen, H. B. No. 137 was lifted from the table and made a Special Order of Business for Thursday, March 7, 1963 at 11:00 A.M.

CONSIDERATION OF BILLS ON SECOND READING

H. J. R. No. 10 having retained its position was before the Senate.

On motion of Senator Grover the rules were suspended and H. J. R. No. 10 was read the third time and placed on its final passage.

H. J. R. No. 10 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Hafen, Hammond, Hunter, B. Jenkins, M. Jenkins, Kerr, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Harmston, Holman, Lambert, Mantes, Miller and Waddingham.

H. J. R. No. 10 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 71 having retained its position was before the Senate.

H. B. No. 71 was read the second time.

Committee report read and adopted.

On motion of Senator Rees, H. B. No. 71 was amended as follows:

Line 1 of the bill, after word "Section" delete "11", and insert "Section 58-27-11, Utah Code Annotated 1953 as enacted by".

Line 3, after the word "section" delete "1" and insert 58-27-11.

On motion of Senator Rees, the title of H. B. No. 71 was amended as follows:

Line 1 of the title after the word "section" insert "58-27-11, Utah Code Annotated 1953, as enacted by".

On motion of Senator Grover the rules were suspended and H. B. No. 71 was read the third time and placed on its final passage.

H. B. No. 71 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Hammond, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hafen and Harmston.

H. B. No. 71 was returned to the House.

H. B. No. 249 was read the second time.

Committee report read and adopted.

On motion of Senator Grover 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:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott (explained vote), Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Browning.

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 further action.

H. B. No. 275 was read the second time.

Committee report read and adopted.

On motion of Senator Hunter, H. B. No. 275 was amended as follows:

Under Section 35-3-16, line 2, delete the word "commission" insert in lieu thereof "department".

Also under the same section, line 4, delete the word "commission" insert in lieu thereof the word "department".

Sub-section "(2)" line 1, delete the word "Commission" insert in lieu thereof the word "Department".

On motion of Senator Hunter the rules were suspended and H. B. No. 275 was read the third time and placed on its final passage.

H. B. No. 275 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond and Sowards,

H. B. No. 275 was returned to the House.

H. B. No. 276 was read the second time.

Committee report read and adopted.

On motion of Senator Hunter the rules were suspended and H. B. No. 276 was read the third time and placed on its final passage.

H. B. No. 276 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Hammond.

H. B. No. 276 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Gardner, H. B. No. 92 was lifted from the table and placed at the head of the Third Reading Calendar.

On motion of Senator Gardner, the rules were suspended and the Senate voted to now consider H. B. No. 92 on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 92 having been previously read was before the Senate.

H. B. No. 92 then passed on the following roll call:

Yeas, 21; Nays, 4; Absent, 0.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor and S. Taylor.

Voting in the negative were: Senators Barlow, Kerr, Waddingham and Mr. President.

H. B. No. 92 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 28, having retained its position, was before the Senate.

On motion of Senator Hunter the rules were suspended and H. B. No. 28 was read the third time and placed on its final passage.

H. B. No. 28 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank and B. Jenkins.

H. B. No. 28 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

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

Committee report read and adopted.

On motion of Senator Harmston, H. B. No. 14 was tabled.

H. B. No. 77 having been previously read was before the Senate.

On motion of Senator Grover the rules were suspended and H. B. No. 77 was read the third time and placed on its final passage.

H. B. No. 77 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, B. Jenkins and Memmott.

H. B. No. 77 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

On motion of Senator Kerr, the Senate voted to authorize the Secretary of the Senate to write a letter to the Governor requesting that S. B. No. 8 be returned to the Senate.

A certificate and resolution congratulating Utah State University upon its seventy-fifth anniversary was submitted and read to the members of the Senate, then on motion of Senator Kerr, the Senate voted to transmit same to the House for their consideration and signature of the Speaker after which same will be referred to the Governor for his consideration and signature.

REPORTS OF SPECIAL COMMITTEES

March 6, 1963

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 118, 130, 115, 75, 74, 57, 54, 49, 149, 136, 63,

S. B. Nos. 138, 203, 222, 223, 214, 170 181, 213 and 155.

Respectfully,

KLEON KERR,
Chairman

Report adopted and filed.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 118 was read the second time.

Committee report read and adopted.

On motion of Senator Browning, the enacting clause of H. B. No. 118 was struck.

H. B. No. 118 was returned to the House.

H. B. No. 130 was read the second time.

Committee report read and adopted.

On motion of Senator Grover 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:

Yeas, 25; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

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 further action.

On motion of Senator Grover, H. B. No. 14 was lifted from the table and placed at the head of the Second Reading Calendar.

On motion of Senator Harmston, the enacting clause of H. B. No. 14 was struck.

H. B. No. 115 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins 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:

Yeas, 23; Nays, 1; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Rees.

Absent and not voting was Senator Harmston.

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 further action.

H. B. No. 75 was read the second time.

Committee report read and adopted.

On motion of Senator Rees the rules were suspended and H. B. No. 75 was read the third time and placed on its final passage.

H. B. No. 75 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator S. Taylor.

H. B. No. 75 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 74 was read the second time.

Committee report read and adopted.

On motion of Senator Rees the rules were suspended and H. B. No. 74 was read the third time and placed on its final passage.

H. B. No. 74 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, B. Jenkins,, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Holman, Hunter, D. Taylor and S. Taylor.

H. B. No. 74 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 57 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen the rules were suspended and H. B. No. 57 was read the third time and placed on its final passage.

H. B. No. 57 then passed on the following roll call:

Yeas, 19; Nays, 5; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Miller, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Holman, Mantes, Memmott, Rees and S. Taylor.

Absent and not voting was Senator Brockbank.

H. B. No. 57 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 54 was read the second time.

Committee report read and adopted.

On motion of Senator Waddingham, H. B. No. 54 was tabled.

On motion of Senator Brockbank, H. B. No. 49 was tabled.

H. B. No. 149 was read the second time.

Committee report read and adopted.

On motion of Senator Waddingham 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:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond and D. Taylor.

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 further action.

H. B. No. 136 was read the second time.

Committee report read and adopted.

On motion of Senator Brockbank, H. B. No. 136 was tabled.

H. B. No. 63 was read the second time.

Committee report read and adopted.

H. B. No. 63 was placed on the Third Reading Calendar on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond and D. Taylor.

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

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

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

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, Miller, D. Taylor and S. Taylor.

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

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

On motion of Senator B. Jenkins the rules were suspended and S. R. No. 2 was read the third time and placed on its final passage.

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

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, Miller, D. Taylor and S. Taylor.

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.

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

On motion of Senator B. Jenkins, the rules were suspended and S. R. No. 3 was read the third time and placed on its final passage.

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

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, Miller, D. Taylor and S. Taylor.

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.

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

On motion of Senator B. Jenkins, the rules were suspended and S. R. No. 4 was read the third time and placed on its final passage.

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

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, Miller, D. Taylor and S. Taylor.

S. R. No. 4 was signed by the President in open session in the presence of the Senate and was transmitted to the Secretary of State.

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

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

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

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, Miller, D. Taylor and S. Taylor.

S. R. No. 5 was signed by the President in open session in the presence of the Senate and was transmitted to the Secretary of State.

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

On motion of Senator B. Jenkins, the rules were suspended and S. R. No. 6 was read the third time and placed on its final passage.

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

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Hammond, Miller, D. Taylor and S. Taylor.

S. R. No. 6 was signed by the President in open session in the presence of the Senate and was transmitted to the Secretary of State.

On motion of Senator Waddingham, S. B. No. 185 was placed at the head of the calendar.

S. B. No. 185 was read the second time.

Committee report read and adopted.

On motion of Senator Grover the rules were suspended and S. B. No. 185 was read the third time and placed on its final passage.

S. B. No. 185 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Hammond and D. Taylor.

S. B. No. 185 was transmitted to the House.

Pursuant to a motion adopted by the Senate on this the fifty-second Legislative day, the following bills were lifted from the various Standing Committees and then referred to the Sifting Committee:

S. B. Nos. 2, 19, 103, 121, 122, 224, 225, 226, 227, 62, 208, 219, H. B. Nos. 86, 128, 64, 144, 122, 143 and H. C. R. Nos. 2 and 4.

On motion of Snator Waddingham, the rules were suspended and the Senate voted to lift S. B. No. 208 from the Sifting Committee and then place it at the head of the Second Reading Calendar.

On motion of Senator Kerr, the Senate adjourned until Thursday, March 7, 1963 at 9:30 A.M.

FIFTY-THIRD DAY

MORNING SESSION

March 7, 1963

The Senate was called to order at 9:30 A.M. President Bullen in the chair.

Roll Call – All Senators present.

Prayer by Reverend Arthur Sorenson, Tabor Lutheran Church, Salt Lake City, Utah.

March 7, 1963

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,

WALLACE H. GARDNER,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 7, 1963

Honorable Reed Bullen, President
Utah State Senate

Dear Senator Bullen:

Pursuant to the request contained in the communication of March 6, 1963, I am returning herewith S. B. No. 8, entitled "Off-Highway Gas Refund" by Messrs. Sowards, Kerr and M. Jenkins for reconsideration by your honorable body.

Yours respectfully,

GEORGE D. CLYDE,
Governor

Communication filed.

On motion of Senator Grover the Senate voted to direct a communication to the House asking for their permission, under suspension of the rules to reconsider S. B. No. 8.

COMMUNICATIONS FROM THE HOUSE

March 6, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 5th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 78, DENTAL HYGIENIST FEES.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 6, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 5th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 104, FISHING LICENSES FOR BLIND OVER 65.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 6, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 5th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 166, ISSUING PUBLIC SCHOOL BONDS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 6, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the Senate and House, Substitute S. B. No. 33, COUNTY LIBRARIES, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Browning, the Senate voted to concur with the House amendments of S. B. No. 33 on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, B. Jenkins, Miller and Waddingham.

S. B. No. 33 was transmitted to the House for the Signature of the Speaker.

March 6, 1963

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. 15, BANKING AMENDMENTS, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Browning, the Senate voted to concur with the House amendments of S. B. No. 15 on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, D. Taylor and Mr. President.

Absent and not voting were: Senators Hafen, Miller, Stacey, S. Taylor and Waddingham.

S. B. No. 15 was transmitted to the House for the signature of the Speaker.

March 6, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report, as amended by the House, as of March 6th, and passed S. B. No. 9, entitled BOY SCOUT LANDS, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

JOINT CONFERENCE COMMITTEE

To the President of the Senate and the
Speaker of the House of Representatives

Your Conference Committee on S. B. No. 9 reports as follows:

We recommend that Section one of the bill be re-written as set out below:

Section 1. Notwithstanding the provisions of section 65-1-24 and 65-1-29, Utah Code Annotated 1953, the State Land Board is hereby authorized and directed to exchange a part of Section 36, Township 2 North, Range 10 East, Salt Lake Base and Meridian, to the Federal Government for a similar amount of ground, and to lease the remaining part of said section, and the land received in said exchange to the Great Salt Lake Council of the Boy Scouts of America, for a period of 99 years for such rental and on such terms as may be mutually agreed upon by said Council and the State Land Board; provided, that said Council shall designate the land in said section to be exchanged and the land to be received in exchange.

Delete Section 2 and Section 3.

Respectfully submitted,

C. R. LOMAX,

ORVAL HAFEN,

Co-Chairmen, Senate-House
Conference Committee

Report filed.

On motion of Senator Hafen, the Senate voted to concur in the Conference Committee Report.

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

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Miller and Waddingham.

S. B. No. 9 was transmitted to the House for signature of the Speaker.

March 6, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 63, REAPPORTIONMENT OF THE LEGISLATURE, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 63, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 63 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 6, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 40, UNIFORM GIFTS TO MINORS ACT, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 40, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 40 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 6, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 93, DEVELOPMENT OF A STATE WATER PLAN, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 93, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 93 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 5, 1963

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. 205, MILK INSPECTION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 205 was read the first time and referred to the Committee on Sifting.

March 6, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 167, APPROPRIATION FOR GOVERNOR-ELECT, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 167 was read the first time and referred to the Committee on Sifting.

March 5, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 145, RELATING TO MINIMUM SPEED REQUIREMENTS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 145 was read the first time and referred to the Committee on Sifting.

March 6, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 217, HUMANE USE OF ANIMALS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 217 was read the first time and referred to the Committee on Sifting.

REPORTS OF SPECIAL COMMITTEES

March 7, 1963

Mr. President:

Your Sifting Committee reports out the following bills:
H. B. Nos. 59, 33, 40, 127, 106, 160, 144, 173, 218, 1, and 116.

Respectfully,

KLEON KERR,
Chairman

Report adopted and filed.

On motion of Senator Hafen, the rules were suspended and the Senate voted to make H. B. No. 1 a Special Order of Business for Monday, March 11, 1963 at 2:00 P.M.

On motion of Senator Hammond, the rules were suspended and the Senate voted to make H. B. No. 116 a Special Order of Business for today at 3:00 P.M.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Browning, the rules were suspended and S. B. No. 134 was placed at the head of the calendar.

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

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

On motion of Senator Brockbank, S. B. No. 134 was made a Special Order of Business for this morning at 10:45 A.M.

On motion of Senator Kerr, the Senate voted to have the President of the Senate appoint a Special Committee to refer all resolutions for special legislative studies, and that the Secretary of the Senate refer all subsequent proposed study bills to this committee. The Senate voted to have the President submit a request to the House that a similar committee be appointed in the House.

President Bullen appointed Senators Hafen, Waddingham, Kerr and B. Jenkins to act as the Special Committee on resolutions and special legislative studies.

On motion of Senator Kerr, H. J. R. No. No. 3 was lifted from the table and referred to the above Special Committee for consideration and notations, after which H. J. R. No. 3 was referred to the Sifting Committe.

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

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

Yeas, 13; Nays, 10; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Holman, B. Jenkins, M. Jenkins, Lambert, Mantes and Rees.

Voting in the negative were: Senators Brockbank, Harmston, Hunter, Kerr, Memmott, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Miller and D. Taylor.

H. B. No. 63 was read the third time and placed on its final passage.

On motion of Senator Brockbank, H. B. No. 63 was tabled.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 59 was read the second time.

Committee report read and adopted.

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

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

H. B. No. 59 was placed on the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 12; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Hunter, M. Jenkins (explained vote), Kerr, Rees, D. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators Browning, Grover, Harmston, Holman, B. Jenkins, Lambert, Mantes, Memmott, Miller, Sowards, Stacey and Waddingham.

SPECIAL ORDER

S. J. R. No. 8 being a Special Order of Business, was before the Senate.

On motion of Senator Kerr S. J. R. No. 8 was amended as follows:

Page 1, omit line 10 beginning with "Tangible" to line 14 ending with "addition".

Duplication of Freeport omitted to avoid confusion.

Page 1, line 15, "Tangible" is capitalized.

Page 1, line 17, change "shall" to "may", "free" to "exempt' then after "exempt" add "by law"

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

Yeas, 18; Nays, 5; Absent, 2.

Voting in the affirmative were: Senators Browning, Gardner, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Barlow, Grover, Hafen, Rees and D. Taylor.

Absent and not voting were: Senators Bernhard and Brockbank.

S. B. No. 134 being a Special Order of Business, was before the Senate.

S. B. No. 134 was read the third time.

On motion of Senator Waddingham, S. B. No. 134 was amended as follows:

Page 62, lines 13 and 29 delete "$200,000," then insert in lieu thereof the figure "$150,000."

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

Mr. Virgil E. Norton, State Insurance Commissioner, appeared before the Committee of the Whole.

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

S. B. No. 134 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Waddingham.

Absent and not voting were: Senators Hafen, Hunter, Mantes, D. Taylor and Mr. President.

S. B. No. 134 was transmitted to the House.

H. B. No. 137 being a Special Order of Business, was before the Senate.

H. B. No. 137 was read the third time and placed on its final passage.

On motion of Senator Hammond, H. B. No. 137 was amended as follows:

Page 1 Line 11:	Delete "is offensive to decency, or"
Page 3 Line 1 & 2:	Delete "the items shall be judged by their effect on the average youth under the age of eighteen years." and add "the test shall be: whether to the average youth under the age of eighteen years, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to the purient interest."
Page 4 Lines 22, 23, 24:	Delete: "If a jury is demanded, agreement by three-fourths of the jurors shall be necessary to reach a verdict."
Page 4 Line 26:	Delete: "within one day" and in its place insert, "as soon as possible"
Page 4 Line 27:	Delete: "two days of" and in its place insert "as soon as possible after"

Page 4 Lines 32, 33:	Delete: "The district court shall have jurisdiction to try cases arising under this"
Page 5 Lines 1, 2:	Delete: "section in any county within the district regardless of where the cause of action arises."
Page 6 Line 27:	Insert at the end of line 27: "Purient interest shall mean a shameful or morbid interest in nudity, sex, or excretion, which goes substantially beyond customary limits of candor in description or representation of such matters and is a matter which is utterly without redeeming social importance."
Page 7 Line 17:	Delete: "prescribed" and insert "proscribed"
Page 7 Line 21:	Insert at the end of line 21: "in addition, nothing in this chapter shall apply to any recognized historical society or museum, the state law library, the or city or town law library, the state library, the public library, any library of any college or university or to any archive or library under the supervision and control of the state, county, municipality, or other political subdivision."

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

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

H. B. No. 137 then passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, and D. Taylor.

Voting in the negative were: Senators Brockbank, S. Taylor and Waddingham.

Absent and not voting were: Senator Hafen and Mr. President.

H. B. No. 137 was returned to the House.

On motion of Senator B. Jenkins, H. B. No. 9 was lifted from the table and placed at the head of the Third Reading Calendar.

Senator Holman, having voted on the prevailing side moved that the Senate do re-consider its final action on S. B. No. 174.

Motion carried.

S. B. No. 174 upon reconsideration, passed upon the following roll call:

Yeas, 19; Nays, 5; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, D. Taylor, S. Taylor and Waddingham.

Voting in the negative were: Senators Hafen, Hammon, Rees, Stacey and Mr. President.

Absent and not voting was Senator Brockbank.

S. B. No. 174 was transmitted to the House.

On motion of Senator Holman, the rules were suspended and the Senate voted to lift S. B. No. 225 from the Sifting Committee and that it be placed at the head of the Second Reading Calendar for immediate consideration.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 225 was read the second time.

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

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

On motion of Senator Holman the rules were suspended and S. B. No. 225 was read the third time and placed on its final passage.

S. B. No. 225 failed of passage on the following roll call:

Yeas, 12; Nays, 13; Absent, 0.

Voting in the affirmative were: Senators Barlow, Grover, Harmston, Holman, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards and Waddingham.

Voting in the negative were: Senators Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Hunter, M. Jenkins, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

On motion of Senator Memmott, the rules were suspended and the Senate voted to place S. B. No. 155 at the head of the Second Rading Calendar for immediate consideration.

S. B. No. 155 was read the second time.

Committee report read and adopted.

On motion of Senator Memmott, the rules were suspended and S. B. No. 155 was read the third time and placed on its final passage.

S. B. No. 155 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, B. Jenkins, M. Jenkins, Memmott, Miller, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Holman, Hunter, Kerr, Lambert, Mantes and Rees.

S. B. No. 155 was transmitted to the House.

On motion of Senator Kerr the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to now consider H. B. No. 9 on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 9, having been previously read the third time was before the Senate.

On motion of Senator Waddingham, H. B. No. 9 was amended as follows:

Following the word "bar" on line 20, page 1, delete the period and insert the following: "; providing, that in any action or proceeding to enforce the prohibition against the practice of law, the accused shall be entitled to a trial by jury."

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

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

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

Yeas, 20; Nays, 5; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Waddingham.

Voting in the negative were: Senators Brockbank, Gardner (explained vote), Hammond, Hunter and Mr. President.

H. B. No. 9 was returned to the House.

On motion of Senator B. Jenkins, H. B. No. 134 was lifted from the table and placed at the head of the Third Reading Calendar.

On motion of Senator Bernhard, the Senate voted to suspend the rules and the Senate's action on H. B. No. 14 was reconsidered.

On motion of Senator Bernhard, H. B. No. 14 was tabled.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Grover, H. B. No. 33 was made a Special Order of Business for Monday, March 11, 1963 at 3:00 P.M.

On motion of Senator B. Jenkins, H. B. No. 40 was tabled.

On motion of Senator Grover the Senate recessed.

The Senate re-assembled.

SPECIAL ORDER

H. B. No. 116 being a Special Order of Business, was before the Senate.

H. B. No. 116 was read the second time.

Committee report read and adopted.

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

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

Senator Miller moved to table H. B. No. 116.

Senator Bernhard, with the aid of five Senators, requested a roll call vote on the motion to table.

H. B. No. 116 was tabled on the following roll call vote:

Yeas, 14; Nays, 11; Absent, 0.

Voting in the affirmative were: Senators Grover, Harmston, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Waddingham.

Voting in the negative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Hafen, Hammond, Holman, M. Jenkins, D. Taylor and Mr. President.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 127 was read the second time.

Committee report read and adopted.

On motion of Senator Barlow, H. B. No. 127 was tabled.

H. B. No. 106 was read the second time.

Committee report read and adopted.

On motion of Senator Hammond, H. B. No. 106 retained its position on the Second Reading Calendar.

On motion of Senator Hammond, H. B. No. 40 was lifted from the table and placed at the head of the Second Reading Calendar for immediate consideration.

H. B. No. 40 was read the second time.

Committee report read and adopted.

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

Mr. Ben Rawlins appeared before the Committee of the Whole.

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

H. B. No. 40 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Recs, Sowards, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators M. Jenkins, Miller, S. Taylor and Waddingham.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

H. B. No. 160 was read the second time.

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

Representative Robert R. Sonntag appeared before the Committee of the Whole.

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

H. B. No. 160 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Hammond, Harmston, Holman, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Bernhard, Browning, Grover, Hafen, Hunter and M. Jenkins.

H. B. No. 106 having retained its position was before the Senate.

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

Representative Ernest H. Dean appeared before the Committee of the Whole.

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

H. B. No. 106 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Grover, M. Jenkins and Miller.

Senator Hunter served notice that on the next legislative day he would ask the Senate to re-consider its vote by which S. B. No. 225 failed of passage.

COMMUNICATIONS FROM THE HOUSE

March 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the Joint Rules were suspended by the House allowing the Senate permission to recall from the Governor S. B. No. 8, by Messrs. Sowards, Kerr and M. Jenkins, entitled

OFF-HIGHWAY GAS REFUND, for reconsideration of action of the House and Senate on said bill.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate voted to suspend the rules and with unanimous consent the following bills were introduced:

INTRODUCTION OF BILLS

S. B. No. 228 By Messrs. Kerr and Hafen

AN ACT AMENDING CHAPTER 10, TITLE 63, UTAH CODE ANNOTATED 1953, AS AMENDED: PROVIDING FOR A BUILDING PROGRAM TO BE CARRIED OUT BY THE UTAH STATE BUILDING BOARD, INCLUDING PAYMENT OF THE COSTS THEREOF; PROVIDING FOR THE ISSUANCE OF STATE CERTIFICATES OF PAYMENT IN CONNECTION WITH THE TEMPORARY FINANCING OF SUCH BUILDING PROGRAM AND APPROPRIATING THE PROCEEDS OF THE SALE THEREOF FOR THE PURPOSES AUTHORIZED IN THIS ACT; PROVIDING A FUND FOR THE PAYMENT OF INTEREST ON AND THE REDEMPTION OF SAID CERTIFICATES OF PAYMENT; CLARIFYING THE BASIS FOR APPLICATION OF THE LIMITATION ON STATE INDEBTEDNESS FIXED BY SECTION 1 OF ARTICLE XIV OF THE CONSTITUTION; EXEMPTING SUCH CERTIFICATES OF PAYMENT AND THE INTEREST THEREON FROM TAXATION; PROVIDING FOR MANDAMUS ACTION IN THE SUPREME COURT UNDER CERTAIN CIRCUMSTANCES, AND MAKING SUCH CERTIFICATES OF PAYMENT LEGAL INVESTMENTS FOR PUBLIC, TRUST AND OTHER FUNDS AND SECURITY FOR FAITHFUL PERFORMANCE ON EXECUTIONS.

S. B. No. 228 was read the first time and referred directly to the Sifting Committee.

S. B. No. 229 By Messrs. Kerr and Hafen

AN ACT MAKING APPROPRIATIONS TO THE STATE BUILDING BOARD FOR BUILDING CONSTRUCTION PROJECTS, PLANNING AND LAND PURCHASES, AND FOR REPAYMENT OF LOANS AUTHORIZED BY THE THIRTY-FOURTH LEGISLATURE FOR BUILDING CONSTRUCTION PROJECTS, PLANNING AND LAND PURCHASES.

S. B. No. 229 was read the first time and referred directly to the Sifting Committee.

On motion of Senator Kerr, the Senate adjourned until Friday, March 8, 1963 at 9:30 A.M.

FIFTY-FOURTH DAY

MORNING SESSION

March 8, 1963

The Senate was called to order at 9:30 A.M. President Bullen in the chair.

Roll Call – All Senators present.

Prayer by Reverend Arthur W. Sorenson, Tabor Lutheran Church, Salt Lake City, Utah.

March 8, 1963

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,

WALLACE H. GARDNER,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

March 7, 1963

Honorable Reed Bullen
President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law

the following bill, which has been forwarded to the Secretary of State for filing.

S. B. No. 1

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of House of Representatives

Communication filed.
House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

March 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 228 – LIBERAL ARTS DEGREE AT UTAH STATE UNIVERSITY, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Bernhard, the rules were suspended and the Senate voted to give immediate consideration to H. B. No. 228.

H. B. No. 228 was read the first time.

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

Representative Cecil L. Jorgensen appeared before the Committee of the Whole.

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

On motion of Senator D. Taylor the rules were suspended and H. B. No. 228 was read the second and third times and placed on its final passage.

H. B. No. 228 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators M. Jenkins and Miller.

H. B. No. 228 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

March 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House did on March 5th appoint a Conference Committee consisting of Representatives Harding, Hodgson, Kastler, to act with a like committee from the Senate to consider H. B. No. 25, INCREASE BAR COMMISSION MEMBERSHIP.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 7, GUARDIANSHIP BILL.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 6th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 38, SALES TAX REVENUE.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 7, 1963

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. 34, LIBRARIES FOR THE BLIND, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Browning, the Senate voted to concur with the House amendments of S. B. No. 34 on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Harmston and M. Jenkins.

S. B. No. 34 was transmitted to the House for the signature of the Speaker.

March 7, 1963

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. 66 (substitute), NONRESIDENT STUDENT FEES, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Hunter the Senate refused to concur in the House amendments on S. B. No. 66 and ask the House to recede from its amendments.

March 7, 1963

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. 67, MONEY

ORDER VENDORS REGISTRATION (Substitute), and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Brockbank, the Senate voted to concur with the House amendments of S. B .No. 67 on the following roll call:

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

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, D. Taylor and Mr. President.

Voting in the negative were: Senators B. Jenkins and Rees.

Absent and not voting were: Senators S. Taylor and Waddingham.

S. B. No. 67 was transmitted to the House for the signature of the Speaker.

March 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 38, as amended by the Senate, PUBLIC SCHOOLS – POWER OF SCHOOL BOARD IN RESPECT TO PUBLIC SCHOOL LIBRARIES, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 38, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 38 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 32, LIBRARY BOARD MEMBERS – PER DIEM, that

the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 32, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 32 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 31, ESTABLISHING REGIONAL LIBRARIES, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 31, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 31 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 7, 1963

Mr. President:

I am directed 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, WORKMENS COMPENSATION – SOLE PROPRIETOR, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 90 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 112, as amended by the Senate, FISH AND GAME PROPERTY PURCHASES, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 112, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 112 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

On motion of Senator B. Jenkins, H. B. No. 49 was lifted from the table and placed at the head of the Second Reading Calendar.

On motion of Senator Bernhard, the rules were suspended and the Senate's action on H. B. No. 2 was reconsidered.

On motion of Senator Bernhard, H. B. No. 2 was placed at the bottom of the Third Reading Calendar.

On motion of Senator Brockbank, H. B. No. 2 was then made a Special Order of Business for Monday, March 11, 1963 at 10:30 A.M.

Senator Hunter, having voted on the prevailing side moved that the Senate do re-consider its final action on S. B. No. 225.

Motion carried.

On motion of Senator Hunter, S. B. No. 225 was then placed at the bottom of the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 108 was read the third time and placed on its final passage.

On motion of Senator B. Jenkins, S. B. No. 108 was amended as follows:

Page 7, section 10, line 2, delete "two thousand" then insert in lieu thereof "three thousand" then on the same line after the word "dollars" insert the words "for each claimant".

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

Mr. Franklin B. Matheson, Asst. Attorney General, appeared before the Committee of the Whole.

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

On motion of Senator Waddingham, S. B. No. 108 retained its position on the Third Reading Calendar.

S. B. No. 83 was read the third time and placed on its final passage.

S. B. No. 83 then passed on the following roll call:

Yeas, 15; Nays, 8; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Grover, Hammond, Harmston, Holman, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Sowards, D. Taylor and Waddingham.

Voting in the negative were: Senators Brockbank, Gardner, Hafen, Hunter, Rees, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators B. Jenkins and Miller.

S. B. No. 83 was transmitted to the House.

S. B. No. 116 was read the third time and placed on its final passage.

On motion of Senator Hunter, S. B. No. 116 was amended as follows:

Page 2, line 15, after the word "or" insert the words "full time".

S. B. No. 116 then passed on the following roll call:

Yeas, 13; Nays, 11; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Grover, Hafen, Hammond, B. Jenkins, M. Jenkins, Kerr, Memmott, Miller, Rees, Sowards and D. Taylor.

Voting in the negative were: Senators Brockbank, Gardner, Harmston, Holman, Hunter, Lambert, Mantes, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Browning.

S. B. No. 116 was transmitted to the House.

S. B. No. 10 was read the third time and placed on its final passage.

On motion of Senator Kerr, S. B. No. 10 was amended as follows:

Page 3, line 10, after the figure (8) insert the letter (a).

Page 3, line 27, after the period delete the balance of the line and all lines 28 through 33, and insert in lieu thereof the following:

(b) The state board of education may allow one unit for each teacher carrying on a summer developmental program in basic subjects for public elementary and secondary school students with special needs. The state board of education shall establish standards defining the terms under which these units may be allowed and approval of such programs shall be at the rate of one-third unit for each fourteen weeks. Where a school program is less than six hours per day and five days per week, unit allowance shall be prorated according to the ratio which the program bears to six hours per day and five days per week. Units allowed under this authority shall not duplicate any other units allowed under other provisions of this section.

(c) The total number of units allowed in the state under items (a) and (b) of subsection (8) shall be limited to fifteen, with priority being given to programs under item (a).

Page 4, delete lines 1 through 6.

S. B. No. 10 then passed on the following roll call:

Yeas, 17; Nays, 8; Absent, 0.

Voting in the affirmative were: Senators Bernhard, Browning, Grover, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey and D. Taylor.

Voting in the negative were: Senators Barlow, Brockbank, Gardner, Hafen, Hunter, S. Taylor, Waddingham (explained vote), and Mr. President.

S. B. No. 10 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:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators Browning, Miller, S. Tyalor and Waddingham.

S. B. No. 74 was transmitted to the House.

S. B. No. 75 was read the third time and placed on its final passage.

S. B. No. 75 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators Browning, Miller, S. Tyalor and Waddingham.

S. B. No. 75 was transmitted to the House.

On motion of Senator D. Taylor, S. J. R. No. 8 was tabled.

S. B. No. 225 was before the Senate for reconsideration.

S. B. No. 225 upon reconsideration, failed of passage on the following roll call:

Yeas, 12; Nays, 12; Absent, 1.

Voting in the affirmative were: Senators Barlow, Grover, Harmston, Holman, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards and Waddingham.

Voting in the negative were: Senators Bernhard, Brockbank, Gardner, Hafen, Hammond, Hunter, M. Jenkins, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting was Senator Browning.

S. B. No. 108 having retained its position was before the Senate.

On motion of Senator Waddingham, S. B. No. 108 was amended as follows:

Page 8, Section 11, on the fourth line, after the figure "1956" insert the following:

"and in all cases where the facility is owned or operated by a political subdivision whether or not federal reimbursement may be obtained."

On motion of Senator Barlow, S. B. No. 108 was amended as follows:

Page 7, section 10, line 2, after the word "accidents" insert a comma and add the word "damage".

S. B. No. 108 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Hafen, Hammond, Hunter and D. Taylor.

S. B. No. 108 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Kerr, S. B. No. 208 retained its position on the Second Reading Calendar.

S. J. R. No. 11 was read the second time.

Committee report read and adopted.

On motion of Senator Harmston the rules were suspended and S. J. R. No. 11 was read the third time and placed on its final passage.

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

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Brockbank, Gardner, Grover, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not votnig were: Senators Barlow, Bernhard, Browning, Hafen and Hunter.

S. J. R. No. 11 was transmitted to the House.

On motion of Senator M. Jenkins, S. B. No. 81 retained its position on the Second Reading Calendar.

S. B. No. 124 was read the second time.

Committee report read and adopted.

S. B. No. 124 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, Kerr, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Hafen, Hammond, M. Jenkins, Lambert and Miller.

On motion of Senator B. Jenkins, the rules were suspended and the Senate voted to amend the original S. B. No. 190 by deleting all the body and the title and then inserting in lieu thereof the following:

S. B. No. 190 By Messrs. B. Jenkins, Miller and Brockbank
(Substitute Bill)

AN ACT PRESCRIBING REQUIREMENTS TO BE OBSERVED BY ANY COUNTY WHICH ISSUES BONDS FOR THE PURPOSE OF ACQUIRING, IMPROVING, EXTENDING, FURNISHING AND EQUIPPING AUDITORIUM, SPORTS ARENAS, STADIUMS, CONVENTION CENTERS AND PROPERTIES AND FACILITIES CONSTITUTING A "CONVENTION COMPLEX", OR ANY PART OF THE FOREGOING.

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

Section 1. Any board of county commissioners adopting proceedings authorizing the issuance of county bonds for the purpose of acquiring, improving, extending, furnishing and equipping auditoriums, sports arenas,

stadiums, convention centers and all properties and facilities ordinarily forming part of a so-called "convention complex," or for any part or combination of the foregoing, shall in the proceedings authorizing such bonds:

1. Provide for the creation of a board of directors which, so long as any of the bonds remain outstanding either in original or refunded form, shall have complete management and control of the facilities acquired with the proceeds of the bonds. Such board shall have the number of members, possessing such qualifications and selected for such terms, and shall operate pursuant to such rules and regulations as may be provided in such proceedings. The members of such board shall serve without compensation except for reimbursement of expenses actually incurred in the performance of their duties. After the appointment and organization of any board of directors, all vacancies thereafter occurring, whether by expiration of term or otherwise, shall be filled by majority vote of the remaining members of the board. Subject to the provisions of such proceedings, the members of the board of directors shall have the powers and duties ordinarily enjoyed by the directors of a private corporation operating similar facilities.

2. Provide that all revenues of every nature derived from the operation of the facilities so acquired with bond proceeds and not expended in the reasonable and proper costs of maintaining and operating the facilities, including the making of necessary repairs and replacements, be pledged to and utilized for the payment of principal of and interest on the bonds and, if so provided, the creation of a reserve for such purpose.

This act is adopted for the purpose of eliminating or reducing so far as possible the ad valorem taxes necessary to be levied for the payment of such bonds and for the purpose of improving the security of such bonds, and accordingly the holders of the bonds from time to time shall have a vested and enforcable contract right in the provisions of this act and in the provisions of the bond proceedings adopted pursuant hereto.

Section 2. If any one or more sections, sentences, clauses, phrases or provisions of this act are for any reason held to be invalid, all remaining

parts of this act shall nevertheless continue to be valid and effective, the Legislature hereby declaring that all provisions of this act are severable.

S. B. No. 190 was read the second time.

Committee report read and adopted.

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

On motion of Senator B. Jenkins, the call of the Senate was lifted.

On motion of Senator B. Jenkins, 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:

Yeas, 20; Nays, 2; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins,Kerr, Lambert, Memmott, Miller, Sowards, Stacey, D. Taylor, S. Taylor and Waddingham.

Voting in the negative were: Senator Rees and Mr. President.

Absent and not voting were: Senators Gardner, Hafen and Mantes.

S. B. No. 190 was transmitted to the House.

S. B .No. 81 having retained its position was before the Senate.

S. B. No. 81 was read the second time.

Committee report read and adopted.

S. B. No. 81 was placed on the Third Reading Calendar on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Hafen, B. Jenkins, Rees, Stacey, D. Taylor and Waddingham.

On motion of Senator Kerr, the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

COMMUNICATIONS FROM THE HOUSE

March 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 67, PER DIEM ALLOWANCE —ENGINEERS, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
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 further action.

March 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 44, MARKING STATE OWNED VEHICLES, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 44 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

March 7, 1963

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, AMEND IRRIGA-

TION DISTRICT LAW, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
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 further action.

March 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 42, UNIFORM RECIPROCAL SUPPORT ACT, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
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 further action.

March 7, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 4, TO DEFINE AIR POLLUTION AS A PUBLIC NUISANCE, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
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 further action.

March 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 9, TO MAKE UNLICENSED

LAW PRACTICE SUBJECT TO CIVIL RATHER THAN CRIMINAL REMEDY, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,

Communication filed. Chief Clerk

H. B. No. 9 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

Mr. President: March 8, 1963

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 71, FEES–MEDICINE, ETC., and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,

Communication filed. Chief Clerk

H. B. No. 71 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

Mr. President: March 8, 1963

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 275, TAX ON SELF INSURERS AND USAGE, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,

Communication filed. Chief Clerk

H. B. No. 275 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

Mr. President: March 8, 1963

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 9, entitled BOY SCOUT LANDS, as amended by House and Senate, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,

Communication filed. Chief Clerk

S. B. No. 9 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 8, 1963

Mr. President:

I am directed 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, entitled COUNTY LIBRARIES (substitute), as amended by the House and Senate, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 33 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 8, 1963

Mr. President:

I am directed 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. 15, entitled BANKING AMENDMENTS, and the sam is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 15 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of March, 1963, approve and transmit to the Secretary of State, H. C. R. No. 1, PROPOSING AMENDMENT TO CONSTITUTION.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

Mr. President: March 7, 1963

I am directed to inform your Honorable Body that the Governor did on the 7th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 62, NATIONAL GUARD GROUP INSURANCE.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

Mr. President: March 8, 1963

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. 11, UTAH UNIFORM SECURITIES ACT, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator B. Jenkins, the Senate voted to concur with the House amendments of S. B. No. 11 on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, D. Taylor and Waddingham.

S. B. No. 11 was transmitted to the House for the signature of the Speaker.

Mr. President: March 8, 1963

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, S. C. R. No. 3, COLORADO RIVER STORAGE PROJECT, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Sowards the Senate refused to concur in the House amendments to S. C. R. No. 3 and ask the House to recede from its amendments.

March 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in the Senate amendments to H. B. No. 137, entitled OBSCENITIES, and requests the Senate to recede from its amendments.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Hafen, the Senate refused to recede from its amendments and President Bullen appointed a Conference Committee consisting of Senators Hafen, Gardner and Waddingham to act with a like Committee from the House to confer on H. B. No. 137.

On motion of Senator Kerr the rules were suspended and the Senate's action on S. B. No. 8 was reconsidered and S. B. No. 8 was before the Senate for immediate consideration.

On motion of Senator Kerr, S. B. No. 8 was amended as follows:

On page 1, line 13, after the words "United States" insert the word "government", and after the words, "and its agencies" insert ", and except sales to municipalities, counties, school districts, and every other arm or branch of the Utah state government".

S. B. No. 8, upon reconsideration then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Browning, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Hammond, Hunter and Waddingham.

S. B. No. 8 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 149 was read the second time.

Committee report read and adopted.

On motion of Senator Hunter, S. B. No. 149 was amended as follows:

Page 7, line 9, delete the word "commission" insert in lieu thereof the word "department".

On motion of Senator Gardner, S. B. No. 149 was amended as follows:

Page 2, line 32, delete the words "twenty-five" insert in lieu thereof the word "fifteen".

On motion of Senator Hafen, S. B. No. 149 was amended as follows:

Page 4, line 11, after the word "head" add the words "or heads".

On motion of Senator Hafen, S. B. No. 149 was amended as follows:

Page 7, delete lines 31, 32, and 33.

Page 8, delete lines 1 and 2 then on line 3 delete "(3)" insert in lieu thereof "(2)".

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

Mr. La Rae Howell, Director of the present Merit System Council, appaered before the Committee of the Whole.

On motion of Snator Grover the Committee of the Whole was dissolved.

On motion of Senator Grover, S. B. No. 149 was amended as follows:

Page 4, delete lines 11 to 21 inclusive then insert in lieu thereof the following:

"(d) Except as otherwise provided by law, the executive head of each department, office or agency, whether appointed by the governor, or by a governing board or commission, not more than one confidential secretary for each such head or each full time commissioner, and one other declared position within each department, office or agency as determined by the governing head for each five hundred (500) employees or part thereof in excess of five hundred (500) employees. Employees and positions having merit system status under the Utah joint merit system shall continue to have merit system status under this act. Only after a public hearing by, and with the approval of, the merit system council may positions once established as being covered under the merit system be subject to being declared or considered exempt, however positions may be abolished without public hearing.

S. B. No. 149 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 6; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Hunter, B. Jenkins (explained vote), M. Jenkins, Kerr, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Voting in the negative were: Senators Brockbank, Holman, Lambert, Miller, S. Taylor and Waddingham (explained vote).

On motion of Senator Kerr 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 Hafen, the Senate voted to suspend the rules and with unanimous consent S. B. No. 230 was introduced.

INTRODUCTION OF BILLS

S. B. No. 230 By Mr. Hafen

AN ACT AMENDING SECTION 64-4-1, UTAH CODE ANNOTATED 1953, TO PROVIDE THAT MONEYS RECEIVED FROM CONVERSION OF REAL AND PERSONAL PROPERTY BY THE UTAH STATE FAIR ASSOCIATION, AND PAID INTO THE STATE TREASURY AND PLACED TO THE CREDIT OF THE STATE FAIR ASSOCIATION MAINTENANCE FUND, SHALL NOT LAPSE AT THE END OF A BIENNIUM BUT BE CONTINUED ON INTO THE NEXT BIENNIUM; AND SECTION 64-4-7, UTAH CODE ANNOTATED 1953, TO PROVIDE THAT MONEYS RECEIVED FROM LEASING OF THE ASSOCIATION'S PROPERTY AND PAID INTO THE STATE TREASURY AND PLACED TO THE CREDIT OF THE STATE FAIR ASSOCIATION MAINTENANCE FUND, SHALL NOT LAPSE AT THE END OF A BIENNIUM, BUT BE CONTINUED INTO THE NEXT BIENNIUM: AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 64-4-11, UTAH CODE ANNOTATED 1953, PROVIDING THAT THE

STATE FAIR ASSOCIATION MAINTENANCE FUND SHALL BE A CONTINUING FUND AND SHALL NOT REVERT TO THE GENERAL FUND OF THE STATE AT THE END OF ANY BIENNIUM.

S. B. No. 230 was read the first time and referred directly to the Sifting Committee.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 152 was read the second time.

Committee report read and adopted.

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

Mr. Glen L. Caroll appeared before the Committee of the Whole.

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

S. B. No. 152 was placed on the Third Reading Calendar on the following roll call:

Yeas, 13; Nays, 7; Absent, 5.

Voting in the affirmative were: Senators Barlow, Browning (explained vote), Grover, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott (explained vote), Miller and Sowards.

Voting in the negative were: Senators Gardner, Hafen, Mantes, Rees (explained vote), Stacey, D. Taylor and S. Taylor.

Absent and not voting were: Senators Bernhard, Brockbank, Hunter, Waddingham and Mr. President.

S. B. No. 153 was read the second time.

Committee report read and adopted.

S. B. No. 153 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Holman, Hunter and Waddingham.

S. B. No. 154 was read the second time.

Committee report read and adopted.

On motion of Senator Grover the rules were suspended and S. B. No. 154 was read the third time and placed on its final passage.

S. B. No. 154 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Hunter and Waddingham.

S. B. No. 154 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

March 8, 1963

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. 27, EXEMPTION FOR PERSONAL PROPERTY (substitute) and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Barlow, the Senate voted to concur with the House amendments of S. B. No. 27 on the following roll call:

Yeas, 14; Nays, 7; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Hafen, Hammond, Harmston, Hunter, M. Jenkins, Kerr, Rees, Stacey, S. Taylor and Mr. President.

Voting in the negative were: Senators Grover, Holman, B. Jenkins (explained vote), Lambert, Mantes, Miller and Sowards.

Absent and not voting were: Senators Brockbank, Memmott, D. Taylor and Waddingham.

S. B. No. 27 was transmitted to the House for the Signature of the Speaker.

On motion of Senator Kerr, S. B. No. 208 was tabled.

On motion of Senator Kerr, S. B. No. 78 was tabled.

On motion of Senator Rees, S. B. No. 138 was tabled.

On motion of Senator Miller, S. B. No. 197 was tabled.

On motion of Senator Mantes, H. B. No. 144 was tabled.

On motion of Senator Holman, H. B. No. 49 was tabled.

On motion of Senator Kerr, the Senate voted to have the following bills on the Second Reading Calendar re-committed to the Sifting Committee.

S. B. Nos. 201, 216, 145, 156, 200, 180, 102, 64, 101, 110, 111, 113, 137, 165, 168, 169, 171, 172, 70, 89, 191, 218, 183, 127, 157, 203, 222, 223, 214, 170, 181, 213, H. B. Nos. 173 and 218.

On motion of Senator Kerr, the Senate adjourned until Saturday, March 9, 1963 at 9:00 A.M.

FIFTY-FIFTH DAY

MORNING SESSION

March 9, 1963

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

Roll Call – All Senators present.

Prayer by Reverend Arthur W. Sorenson, Tabor Lutheran Church, Salt Lake City, Utah.

March 9, 1963

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,

WALLACE H. GARDNER,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 30, as amended by the Senate, FIREMEN'S PENSION BILL (substitute), that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 30, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 30 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be tranmsitted to the Governor.

March 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 44, BUSINESS CORPORATION ACT, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 44, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 44 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 73 (substitute), DAMAGE TO TELEPHONE PROPERTY, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 73, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 73 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 104, MINOR PARENT ADOPTIONS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 104, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 104 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 195, as amended by the Senate, JUDICIAL RETIREMENT, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 195, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 195 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 8, 1963

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. 115, CERTIFICATION OF DRIVERS LICENSE LAW, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate refused to concur in the House amendments on S. B. No. 115 and ask the House to recede from its amendments.

March 8, 1963

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. 43, MODEL MARKETABLE TITLE ACT, and the same is returned herewith for your further action. further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Waddingham, the Senate voted to concur with the House amendments of S. B. No. 43 on the following roll call:

Yeas, 25; Nays, 0; Absent, 0.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins ,Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

S. B. No. 43 was transmitted to the House for the signature of the Speaker.

March 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 177, GEOLOGICAL AND MINERALOGICAL SURVEY AND WATER RESEARCH LABORATORY, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 177 was read the first time and referred to the Committee on Sifting.

March 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 238, COMPOSITION OF BOARD OF GEOLOGICAL SURVEY, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 238 was read the first time and referred to the Committee on Sifting.

March 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 239, FUNDS FOR UTAH GEOLOGICAL AND MINEROLOGICAL SURVEY, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 239 was read the first time and referred to the Committee on Sifting.

March 8, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. C. R. No. 3, PUBLIC SCHOOL STUDY, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. C. R. No. 3 was read the first time and referred to the Committee on Sifting.

REPORTS OF SPECIAL COMMITTEES

March 9, 1963

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 214, 165, 168, 169, 171, 172, 70, 226, 227, 228, 127, 229, 230, 181, S. J. R. No. 12, S. B. Nos. 201, 101, 218, 136, 137, 203, 222, 223, 102, 89, 191, 216, 160, 170, 139, 140, 141, 142, 143, 144, 145, 146, 166, 189, 209, 206, 204 and 107.

Respectfully,

KLEON KERR,
Chairman

Report adopted and filed.

On motion of Senator Hafen, the enacting clause of S. B. No. 191 was struck.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 124 was read the third time and placed on its final passage.

On motion of Senator B. Jenkins, S. B. No. 124 retained its position on the Third Reading Calendar.

S. B. No. 81 was read the third time and placed on its final passage.

S. B. No. 81 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Browning, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Hafen, M. Jenkins and D. Taylor.

S. B. No. 81 was transmitted to the House.

On motion of Senator Grover, S. B. No. 149 retained its position on the Third Reading Calendar.

S. B. No. 152 was read the third time and placed on its final passage.

On motion of Senator Miller, S. B. No. 152 retained its position on the Third Reading Calendar.

S. B. No. 153 was read the third time and placed on its final passage.

On motion of Senator Memmott, S. B. No. 153 retained its position on the Third Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 214 was read the second time.

Committee report read and adopted.

On motion of Senator Kerr 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:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, B. Jenkins, Memmott, Miller and Stacey.

S. B. No. 214 was transmitted to the House.

S. B. No. 165 was read the second time.

Committee report read and adopted.

On motion of Senator S. Taylor the rules were suspended and S. B. No. 165 was read the third time and placed on its final passage.

S. B. No. 165 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Hunter, Kerr and Miller.

S. B. No. 165 was transmitted to the House.

S. B. No. 168 was read the second time.

Committee report read and adopted.

S. B. No. 168 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Brockbank, Browning,

Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Hunter, M. Jenkins and Stacey.

S. B. No. 169 was read the second time.

Committee report read and adopted.

On motion of Senator S. Taylor the rules were suspended and S. B. No. 169 was read the third time and placed on its final passage.

S. B. No. 169 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank and Hunter.

S. B. No. 169 was transmitted to the House.

S. B. No. 171 was read the second time.

Committee report read and adopted.

S. B. No. 171 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Lambert and Miller.

S. B. No. 172 was read the second time.

Committee report read and adopted.

On motion of Senator S. Taylor the rules were suspended and S. B. No. 172 was read the third time and placed on its final passage.

S. B. No. 172 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Hunter, Lambert, and Miller.

S. B. No. 172 was transmitted to the House.

S. B. No. 70 having been previously read was before the Senate.

On motion of Senator Kerr the rules were suspended and S. B. No. 70 was read the third time and placed on its final passage.

S. B. No. 70 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Hammond, Mantes and Rees.

S. B. No. 70 was transmitted to the House.

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

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

Senator Bernhard moved to have H. B. No. 116 lifted from the table.

Senator Grover further moved that the motion to lift H. B. No. 116 be tabled.

Senator Bernhard, with the aid of five Senators, requested a roll call vote on the preceding motion.

Senator Grover's motion carried on the following roll call:

Yeas, 14; Nays, 10; Absent, 1.

Voting in the affirmative were: Senators Grover, Harmston, Hunter, B. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Barlow, Bernhard, Browning, Gardner, Hafen, Hammond, Holman, M. Jenkins, Kerr and D. Taylor.

S. B. No. 226 was read the second time.

On motion of Senator Hafen the rules were suspended and S. B. No. 226 was read the third time and placed on its final passage.

S. B. No. 226 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Browning, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, B. Jenkins, Miller, Sowards and D. Taylor.

S. B. No. 226 was transmitted to the House.

S. B. No. 227 was read the second time.

On motion of Senator Waddingham, S. B. No. 227 was tabled.

On motion of Senator Grover, 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. 149 was before the Senate.

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

Mr. Richard A. Van Winkle, former Chairman, State Road Commission, appeared before the Comittee of the Whole.

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

On motion of Senator B. Jenkins, S. B. No. 149 was made a Special Order of Business for this afternoon at 2:00 P.M.

On motion of Senator Barlow, the Senate voted to show in the corrected revised Journal that the Senate did vote and concur in the House amendments to S. B. No. 27 and that such action be entered upon the pages of the fifty-fourth day Journal.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 228 was read the second time.

On motion of Senator Kerr, S. B. No. 228 was made a Special Order of Business for this afternoon at 2:30 P.M.

S. B. No. 127 was read the second time.

Committee report read and adopted.

On motion of Senator Stacey the rules were suspended and S. B. No. 127 was read the third time and placed on its final passage.

S. B. No. 127 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Sowards, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Holman, Hunter, Miller, Rees, S. Taylor and Waddingham.

S. B. No. 127 was transmitted to the House.

S. B. No. 229 was read the second time.

On motion of Senator Hunter, S. B. No. 229 was made a Special Order of Business for 2:30 this afternoon to be considered along with S. B. No. 228.

S. B. No. 230 was read the second time.

Committee report read and adopted.

On motion of Senator Grover the rules were suspended and S. B. No. 230 was read the third time and placed on its final passage.

S. B. No. 230 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Browning, B. Jenkins and Rees.

S. B. No. 230 was transmitted to the House.

S. B. No. 181 was read the second time.

Committee report read and adopted.

S. B. No. 181 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Hafen, Hunter and Waddingham.

S. J. R. No. 12 was read the second time.

Committee report read and adopted.

On motion of Senator Rees the rules were suspended and S. J. R. No. 12 was read the third time and placed on its final passage.

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

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner,

Grover, Hammond, Harmston, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Hafen, Holman, Hunter, Miller and D. Taylor.

S. J. R. No. 12 was transmitted to the House.

S. B. No. 201 was read the second time.

Committee report read and adopted.

S. B. No. 201 was placed on the Third Reading Calendar on the followin roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Browning, Hammond, D. Taylor and Waddingham.

On motion of Senator Kerr, the rules were suspended and the Senate voted to amend the original S. B. No. 101 by deleting all the body and the title and then inserting in lieu thereof the following:

S. B. No. 101 By Messrs. Kerr and Sowards
(Substitute Bill)

AN ACT AMENDING SECTION 4-2-3, UTAH CODE ANNOTATED 1953, RELATING TO THE LABELING OR TAGGING OF SEEDS; PROVIDING FOR RECITALS ON TAG OR LABEL WHEN SEED IS OFFERED FOR SALE.

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

Section 1. Section 4-2-3, Utah Code Annotated 1953, is amended to read:

Section 4-2-3. Each container of agricultural or vegetable seed which is sold, offered for sale, or exposed for sale, within this state for sowing

purposes shall bear thereon or have attached thereto in a conspicuous place a plainly written or printed label or tag in the English language, giving the following information:

(1) For agricultural seeds –

(a) Commonly accepted name of (a) (i) kind, or (b) (ii) kind and variety, of each agricultural seed component in excess of 5 per cent of the whole, and the percentage by weight of each in the order of its predominance. Where more than one component is required to be named, the word "mixture" or the word "mixed" shall be shown conspicuously on the label.

Exception is made to rye grain only, which shall be named if found in any amount, giving the percentage by weight or the number of rye seeds found per pound. The word "mixture" or the word "mixed" is not required if the rye grain found is less than 5 per cent of the whole.

(b) Lot number or other lot identification.

(c) Origin, if known, of alfalfa, red clover, and field corn. If the origin is unknown, that fact shall be stated.

(d) Percentage by weight of all weed seeds.

(e) The name and approximate number of each kind of noxious-weed seed for which tolerance is permitted.

(A) Per ounce in Agrostis spp., Poa spp., Rhodes grass, timothy, orchard grass, fescues, alsike and white clover, reed canary grass, Dallis grass, rye grass, foxtail millet, alfalfa, red clover, sweet-clovers, lespedezas, smooth brome, crimson clover, Brassica spp., flax, Agropyron spp., and other agricultural seeds of similar size and weight, or mixtures within this group, and

(B) Per pound in proso, Sudan grass, wheat, oats, rye, barley, buckwheat, sorghums, vetches, and other agricultural seeds of a size and weight

similar to or greater than those within this group, or any mixtures within this group.

(f) For seed mixtures for lawn and/or turf purposes in containers of 50 pounds or less:

(1) The word "mixed" or "mixture".

(2) The headings "fine-textured grasses" and "coarse kinds" in 8-point or larger type on a contrasting background and thereunder in tabular form in uniform size type no larger than the heading nor smaller than 8-point.

(3) Commonly accepted name in order of its predominance, of the kind or the kind and variety of each agricultural seed present in excess of 5 per cent of the whole and determined to be a "fine-textured grass" or a "coarse kind" in accordance with the rules and regulations under this act.

(g) Net weight.

(h) Percentage by weight of agricultural or crop seeds other than those required to be named on the label.

(i) Percentage by weight of inert matter.

(j) For each named agricultural seed:

(A) Percentage of germination, exclusive of hard seed;

(B) Percentage of hard seed, if present;

(C) Total germination and hard seed;

(D) The calendar month and year the test was completed to determine such percentages.

(k) Name and address of the person who labeled said seeds, or who sells, offers, or exposes said seed for sale within this state.

(1) The country or state of origin of all imported seeds.

(2) For vegetable seeds –

(a) Name of kind and variety of seed.

(b) For seeds which germiate less than the standard last established by the state board of agriculture under this act;

(A) Percentage of germination, exclusive of hard seed;

(B) Percentage of hard seed, if present;

(C) The calendar month and year the test was completed to determine such prcentages;

(D) The words "Below Standard" in not then 8-point type; and

(c) Name and address of the person who labeled said seed, or who sells, offers, or exposes said seed for sale within this state.

S. B. No. 101 was read the second time.

Committee report read and adopted.

On motion of Senator Grover the rules were suspended and S. B. No. 101 was read the third time and placed on its final passage.

S. B. No. 101 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes,Mcmmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Barlow, Browning, Hunter, Miller and Waddingham.

S. B. No. 101 was transmitted to the House.

S. B. No. 218 was read the second time.

Committee report read and adopted.

On motion of Senator Hafen, S. B. No. 218 retained its position on the Second Reading Calendar.

S. B. No. 136 was read the second time.

Committee report read and adopted.

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

Mr. Bernarr S. Furse, Asst. Dir. Research, Utah Department of Public Instruction, appeared before the Committee of the Whole.

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

On motion of Senator Kerr the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

COMMUNICATIONS FROM THE HOUSE

March 9, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 8th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 228, USU DEGREE OF LIBERAL ART.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 9, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 79, COUNTY BONDS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 79, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 79 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 9, 1963

Mr. President:

I am directed 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, entitled LIBRARIES FOR THE BLIND, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 34 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 9, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in opene session, in the presence of the House, S. B. No. 67, entitled MONEY ORDER VENDORS REGISTRATION ACT, (substitute), and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 67 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 9, 1963

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. 36, MINIMUM LEVY – LIBRARIES (Substitute), and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Barlow, the Senate voted to concur with the House amendments of S. B. No. 36 on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Miller, Rees, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Lambert, Mantes, Memmott, Sowards and D. Taylor.

S. B. No. 36 was transmitted to the House for the signature of the Speaker.

March 9, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 190, COMMON TRUST FUNDS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 190 was read the first time and referred to the Committee on Sifting.

March 9, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 191, ANTI-TRUST STOCK DISTRIBUTIONS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 191 was read the first time and referred to the Committee on Sifting.

March 9, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 192, DEDUCTIBILITY OF CONTRIBUTIONS TO A TRUST, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 192 was read the first time and referred to the Committee on Sifting.

March 9, 1963

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 Sonntag, Dean and Halladay to act with a like committee from the Senate to consider H. B. No. 137, OBSCENITIES.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 9, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 186 – VACANCIES ON LOCAL BOARDS OF EDUCATION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 186 was read the first time and referred to the Committee on Sifting.

March 9, 1963

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. 200 – ADOPTION STATUTE, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 200 was read the first time and referred to the Committee on Sifting.

March 9, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 197, INCORPORATION OF PERSONS RENDERING PROFESSIONAL SERVICES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 197 was read the first time and referred to the Committee on Sifting.

UNFINISHED BUSINESS

S. B. No. 136 being Unfinished Business, was before the Senate.

On motion of Senator Bernhard the rules were suspended and S. B. No. 136 was read the third time and placed on its final passage.

S. B. No. 136 then passed on the following roll call:

Yeas, 19; Nays, 2; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Memmott, Miller, Rees, Sowards, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Lambert and Stacey.

Absent and not voting were: Senators Brockbank, Browning, Mantes and D. Taylor.

S. B. No. 136 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 218 having retained its position, was before the Senate.

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

Mr. Dwight Freeman appeared before the Committee of the Whole.

Senator Frank E. Moss, Senator from the great state of Utah, appeared before the Committee of the Whole to introduce the United States Senator from the 50th state of Hawaii, Mr. Daniel Onai, who addressed members of the Senate in the Committee of the Whole.

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

S. B. No. 218 was placed on the Third Reading Calendar on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning and Waddingham.

On motion of Senator B. Jenkins, 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. 201 was read the third time and placed on its final passage.

On motion of Senator B. Jenkins, S. B. No. 201 was amended as follows:

Page 18, line 1, after the word "ballot" insert the words "for all contested offices".

Page 19, on line 1, delete "there are three or more candidates who have".

Page 19, on line 2 delete the words "filed for an office and where"

S. B. No. 201 then passed on the following roll call:

Yeas, 17; Nays 5; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, Kerr, Mantes, Memmott, Miller, Rees, S. Taylor and Mr. President.

Voting in the negative were: Senators Hunter, M. Jenkins, Lambert, Sowards and Stacey.

Absent and not voting were: Senators Browning, D. Taylor and Waddingham.

Senator Barlow served notice that on the next Legislative day he would ask the Senate to re-consider its final action on S. B. No. 201.

On motion of Senator Hafen 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:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Browning, D. Taylor and Waddingham.

S. B. No. 218 was transmitted to the House.

SPECIAL ORDER

S. B. No. 149 being a Special Order of Business, was before the Senate.

S. B. No. 149 was read the third time and placed on its final passage.

On motion of Senator B. Jenkins, S. B. No. 149 was amended as follows:

Page 4, line 2, delete the period insert a comma then add "and all staff and personnel attached to the offices of such popularly elected officers."

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

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

On motion of Senator B. Jenkins, S. B. No. 149 was tabled.

S. B. Nos. 228 and 229 being a Special Order of Business, were before the Senate.

On motion of Senator Kerr, S. B. Nos. 228 and 229 were further made a Special Order of Business for Monday, March 11, 1963 at 9:15 A.M.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 137 was read the second time.

Committee report read and adopted.

On motion of Senator Harmston the rules were suspended and S. B. No. 137 was read the third time and placed on its final passage.

S. B. No. 137 then passed on the following roll call:

Yeas, 15; Nays, 6; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Lambert, Mantes, Memmott, Miller, D. Taylor and Waddingham.

Voting in the negative were: Senators Brockbank, M. Jenkins, Kerr, Rees, Stacey and Mr. President.

Absent and not voting were: Senators Browning, Gardner, Sowards and S. Taylor.

S. B. No. 137 was transmitted to the House.

On motion of Senator Waddingham, S. B. No. 208 was lifted from the table.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to amend the original S. B. No. 208 by deleting all the body and the title and then inserting in lieu thereof the following:

Substitute S. B. No. 208 By Mr. Waddingham

AN ACT AMENDING SECTION 59-21-1, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 7, LAWS OF UTAH 1959, FIRST SPECIAL SESSION, PROVIDING FOR A REDUCTION IN THE OLEOMARGARINE TAX.

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

Section 1. Section 59-21-1, Utah Code Annotated 1953, as enacted by Chapter 7, Laws of Utah 1959, First Special Session, is amended to read:

59-21-1. There is imposed and there shall be paid to the state tax commission an excise tax upon the first sale, use, storage or consumption of oleomargarine in the state of Utah at the rate hereinafter set forth:

1. Upon oleomargarine, not artificially colored, [five cents per pound or fractional part thereof.] there shall be no tax.

2. Upon oleomargarine, artificially colored, [ten] five cents per pound or fraction thereof.

3. All sales made to the state of Utah, its departments and institutions, and all sales of twenty-five pounds or more made to charitable institutions, to be used in the conduct of their regular charitable activities, are exempt from the payment of the tax imposed herein.

The above tax shall be paid by the manufacturer, jobber, distributor, or retailer; provided, however, in the event the articles are purchased outside the state of Utah and brought into the state of Utah for use, storage or consumption, said tax shall be paid by the user, storer or consumer.

S. B. No. 208 was read the second time.

On motion of Senator Waddingham the rules were suspended and S. B. No. 208 was read the third time and placed on its final passage.

S. B. No. 208 failed of passage on the following roll call:

Yeas, 11; Nays, 11; Absent, 3.

Voting in the affirmative were: Senators Barlow, Brockbank, Grover, Hafen, Harmston, Holman, B. Jenkins, Mantes, Memmott, Miller and Waddingham.

Voting in the negative were: Senators Bernhard, Hammond, Hunter, M. Jenkins, Kerr, Lambert, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators Browning, Gardner and S. Taylor.

Senator Sowards served notice that on the next Legislative day he would ask the Senate to reconsider its vote by which S. B. No. 208 failed of passage.

On motion of Senator Kerr, the Senate recessed.

COMMUNICATIONS FROM THE HOUSE

March 9, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments and passed S. B. No. 8, entitled HIGHWAY GAS REFUND, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 8, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 8 was signed by the President upon reconsideration in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 9, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day receded from its amendments and passed Substitute S. B. No. 66, NON RESIDENT STUDENT FEES, that the Speaker of the House has

this day signed in open session, in the presence of the House, Substitute S. B. No. 66, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 66 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 9, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day upon reconsideration refused to concur in the Conference Committee Report, said House Conference Committee members have been dismissed and the Speaker of the House has this day appointed another conference committee consisting of Representatives Kastler, Tim Monroe and Lomax, to act with a like committee from the Senate to consider S. B. No. 25, entitled HOMESTEAD EXEMPTIONS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Kerr the original Conference Committe appointed to confer on S. B. No. 25 has been dismissed and President Bullen appointed another Conference Committee consisting of Senators Rees, B. Jenkins and Lambert to act with the like committee from the House to confer on S. B. No. 25.

On motion of Senator Brockbank, the Senate voted to suspend the rules and with unanimous consent S. B. Nos. 231 and 232 were introduced.

INTRODUCTION OF BILLS

S. B. No. 231 By Messrs. Brockband, Waddingham and S. Taylor

AN ACT REQUIRING THE UTAH BOARD OF LOAN COMMISSIONERS, UPON REQUEST OF THE UTAH STATE BUILDING BOARD, TO NEGOTIATE A LOAN OR LOANS FROM THE UTAH STATE

TREASURER IN A TOTAL AGGREGATE AMOUNT NOT TO EXCEED $10,000,000 FOR THE UTAH STATE BUILDING BOARD TO PROVIDE FUNDS TO FINANCE STATE BUILDING CONSTRUCTION PROJECTS AUTHORIZED BY LAW; AUTHORIZING THE ISSUANCE OF ANTICIPATION NOTES UNDER CERTAIN CONDITIONS; AND PROVIDING FOR REPAYMENT OF SAID LOAN OR LOANS.

S. B. No. 231 was read the first time.

On motion of Senator Brockbank, the rules were suspended and the Senate voted to make S. B. No. 231 as a Special Order of Business for Monday, March 11, 1963 at 9:15 A.M.

S. B. No. 232 By Messrs. Brockbank, Waddingham and S. Taylor

AN ACT MAKING APPROPRIATIONS TO THE STATE BUILDING BOARD FOR BUILDING CONSTRUCTION PROJECTS, PLANNING AND LAND PURCHASES; AUTHORIZING THE BORROWING OF FUNDS FOR BUILDING CONSTRUCTION PROJECTS; AND PROVIDING LOAN COSTS.

S. B. No. 232 was read the first time.

On motion of Senator Brockbank, the rules were suspended and the Senate voted to make S. B. No. 232 as a Special Order of Business for Monday, March 11, 1963 at 9:15 A.M.

On motion of Senator Mantes, the rules were suspended and the Senate voted to now consider the salary bills on Second Reading which include S. B. Nos. 139, 140, 141, 142, 143, 144, 145 and 146.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 139 was read the second time.

Committee report read and adopted.

S. B. No. 139 was placed on the Third Reading Calendar on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Gardner and S. Taylor.

S. B. No. 140 was read the second time.

Committee report read and adopted.

S. B. No. 140 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 1; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Voting in the negative was Senator Waddingham.

Absent and not voting were: Senators Brockbank, Browning, Gardner and S. Taylor.

S. B. No. 141 was read the second time.

Committee report read and adopted.

S. B. No. 141 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Gardner and S. Taylor.

S. B. No. 142 was read the second time.

Committee report read and adopted.

S. B. No. 142 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Gardner and S. Taylor.

S. B. No. 143 was read the second time.

Committee report read and adopted.

S. B. No. 143 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Gardner and S. Taylor.

S. B. No. 144 was read the second time.

Committee report read and adopted.

S. B. No. 144 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Gardner and S. Taylor.

S. B. No. 145 was read the second time.

Committee report read and adopted.

S. B. No. 145 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Gardner and S. Taylor.

S. B. No. 146 was read the second time.

Committee report read and adopted.

S. B. No. 146 was placed on the Third Reading Calendar on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Gardner and S. Taylor.

On motion of Senator Harmston, the rules were suspended and the Senate voted to now consider S. B. No. 223 by placing it at the head of the Second Reading Calendar.

S. B. No. 223 was read the second time.

Committee report read and adopted.

S. B. No. 223 was placed on the Third Reading Calendar on the following roll call:

Yeas, 20; Nays, 2; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Grover,

Hafen, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Brockbank and Hammond.

Absent and not voting were: Senators Browning, Gardner and S. Taylor.

S. B. No. 203 was read the second time.

On motion of Senator Hunter the rules were suspended and S. B. No. 203 was read the third time and placed on its final passage.

S. B. No. 203 then passed on the following roll call:
Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Gardner and S. Taylor.

S. B. No. 203 was transmitted to the House.

On motion of Senator Kerr, the Senate adjourned until Monday, March 11, 1963 at 9:00 A.M.

FIFTY-SEVENTH DAY

MORNING SESSION

March 11, 1963

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

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

Prayer by Pastor Kenneth H. Tuttle, Central Christian Church, Salt Lake City, Utah.

March 11, 1963

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,

WALLACE H. GARDNER,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 9, 1963

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. 168, NURSE PRACTICE ACT, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 168 was read the first time and referred to the Committee on Sifting.

March 11, 1963

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, DEBT MANAGEMENT ACT, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 206 was read the first time and referred to the Committee on Sifting.

March 9, 1963

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. 240, INJUNCTION AGAINST VIOLATIONS OF SALES TAX, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 240 was read the first time and referred to the Committee on Sifting.

REPORTS OF SPECIAL COMMITEES

March 11, 1963

Mr. President:

Your Sifting Committee reports out the following bills:

H. B. Nos. 64, 81, 217, 197, 173, 218, 143, 186; S. B. Nos. 200, 196, 183, 157, 110, 111 and 113.

Respectfully,

KLEON KERR,
Chairman

Report adopted and filed.

SPECIAL ORDER

S. B. Nos. 228, 229, 231 and 232 being a Special Order of Business, were before the Senate.

S. B. Nos. 228 and 229 were previously read.

S. B. No. 231 was read the second time.

S. B. No. 232 was read the second time.

On motion of Senator Brockbank, S. B. Nos. 228, 229, 231 and 232 were made a Special Order of Business for this afternoon at 3:30 P.M.

On motion of Senator Bernhard, H. B. No. 14 was lifted from the table and placed as a Special Order for this morning at 10:00 A.M.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 134 having retained its position was before the Senate.

On motion of Senator Hafen, H. B. No. 134 was amended as follows:

Line 7, page 1: After the word "person" delete the comma and insert the word "or", and place a bracket between the word "corporation" and th word "or".

Line 8, page 1: Insert a bracket after the word "Utah".

H. B. No. 134 then passed on the following roll call:

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

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Hunter and Rees.

Absent and not voting were: Senators Browning and Miller.

H. B. No. 134 was returned to the House.

H. B. No. 59 was read the third time and placed on its final passage.

H. B. No. 59 then passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, D. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators Miller, Sowards and Waddingham.

Absent and not voting were: Senators Browning and Stacey.

H. B. No. 59 was signed by the President in open session in the presence of th Senate and was returned to the House for further action.

SPECIAL ORDER

H. B. No. 14 being a Special Order of Business, was before the Senate for reconsideration.

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

Representative Robert Clyde appeared before the Committee of the Whole.

Mr. E. Earl Greenwood appeared before the Committee of the Whole.

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

On motion of Senator Bernhard, H. B. No. 14 was amended as follows:

Page 2, delete sub-section "(d)" then re-number "(e)" to read "(d)".

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

H. B. No. 14, upon reconsideration failed of passage on the following roll call:

Yeas, 8; Nays, 15; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Hammond, Holman, Hunter, M. Jenkins, Lambert and Mr. President.

Voting in the negative were: Senators Brockbank, Gardner, Grover, Hafen, Harmston, B. Jenkins, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Waddingham.

Absent and not voting were: Senators Browning and Kerr.

H. B. No. 14 was returned to the House.

SPECIAL ORDER

H. B. No. 2 being a Special Order of Business, was before the Senate for reconsideration.

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

Mr. Sheldon R. Brewster appeared before the Committee of the Whole.

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

H. B. No. 2, upon reconsideration failed of passage on the following roll call:

Yeas, 9; Nays, 14; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Grover, Hafen, Hammond, Holman, M. Jenkins, Mantes and Rees.

Voting in the negative were: Senators Brockbank, Gardner, Harmston, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Miller, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning and D. Taylor.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 40 was read the third time and placed on its final passage.

H. B. No. 40 then passed on the following roll call:

Yeas, 19; Nays, 1; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Voting in the negative was Senator Waddingham.

Absent and not voting were: Senators Browning, Hunter, Mantes, Miller and S. Taylor.

H. B. No. 40 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 160 was read the third time and placed on its final passage.

On motion of Senator B. Jenkins, H. B. No. 160 was amended as follows:

Page 3, beginning on line 8 delete "(1) has within 30 days after furnishing the first". Then delete lines 9, 10, 11, 12, 13 and part of line 14 down to and including "(2)".

Page 3, line 8, delete the House amendment by deleting the colon after the word "unless" then delete the brackets around the word "[he]" and the words "such claimant" after "(1)".

Page 3, line 14, delete the brackets around the word "[and]" then delete the following new material inserted by the House "provided, however, such thirty day notice shall not be required if the claim is for rental of motor operated machinery or is for material furnished for the repair of motor operated machinery,".

Page 3, line 14, delete the word "and" after "(2)".

On motion of Senator Hafen, H. B. No. 160 retained its position on the on the Third Reading Calendar.

H. B. No. 106 was read the third time and placed on its final passage.

H. B. No. 106 then passed on the following roll call:

Yeas, 18; Nays, 3; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Mantes, Memmott, Sowards (explained vote), Stacey, D. Taylor and Mr. President.

Voting in the negative were: Senators Lambert, Miller (explained vote) and Rees.

Absent and not voting were: Senators Browning, B. Jenkins, S. Taylor and Waddingham.

H. B. No. 106 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Grover, the rules were suspended and the Senate voted to clear the Third Reading Calendar before proceeding to the Second Reading.

S. B. No. 153 having retained its position was before the Senate.

S. B. No. 153 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner,

Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hunter and D. Taylor.

S. B. No. 153 was transmitted to the House.

S. B. No. 168 was read the third time and placed on its final passage.

S. B. No. 168 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Hunter and D. Taylor.

S. B. No. 168 was transmitted to the House.

S. B. No. 171 was read the third time and placed on its final passage.

S. B. No. 171 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, M. Jenkins and D. Taylor.

S. B. No. 171 was transmitted to the House.

S. B. No. 152 having retained its position was before the Senate.

S. B. No. 152 then passed on the following roll call:

Yeas, 16; Nays, 4; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank,

Grover, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards and Waddingham.

Voting in the negative were: Senators Gardner, Hafen, Rees and Stacey.

Absent and not voting were: Senators Browning, B. Jenkins, D. Taylor, S. Taylor and Mr. President.

S. B. No. 152 was transmitted to the House.

S. B. No. 181 was read the third time and placed on its final passage.

On motion of Senator Hunter, S. B. No. 181 was amended as follows:

Page 2, delete entire paragraph 3, lines 11, 12, 13 and 14.

S. B. No. 181 then passed on the following rol lcall:

Yeas, 20; Nays, 3; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Stacey, S. Taylor and Waddingham.

Voting in the negative were: Senators Rees (explained vote), Sowards and Mr. President.

Absent and not voting were: Senators Browning and D. Taylor.

S. B. No. 181 was transmitted to the House.

On motion of Senator Miller, S. B. No. 197 was lifted from the table and placed at the head of the Second Reading Calendar.

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:

Yeas, 14; Nays, 9; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, M. Jenkins, Kerr, Mantes, Rees, Sowards and Waddingham (explained vote).

Voting in the negative were: Senators Grover, Hunter, B. Jenkins, Lambert, Memmott, Miller, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Browning and D. Taylor.

S. B. No. 139 was transmitted to the House.

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:

Yeas, 15; Nays, 7; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Mantes, Rees and Sowards.

Voting in the negative were: Senators Grover, Lambert, Memmott, Miller, Stacey, S. Taylor and Waddingham.

Absent and not voting were: Senators Browning, D. Taylor and Mr. President.

S. B. No. 140 was transmitted to the House.

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:

Yeas, 17; Nays, 4; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Mantes, Memmott, Rees, Sowards and Waddingham.

Voting in the negative were: Senators Lambert, Miller, Stacey and S. Taylor.

Absent and not voting were: Senators Browning, Kerr, D. Taylor and Mr. President.

S. B. No. 141 was transmitted to the House.

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:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning and D. Taylor.

S. B. No. 142 was transmitted to the House.

S. B. No. 143 was read the third time and placed on its final passage.

S. B. No. 143 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning and D. Taylor.

S. B. No. 143 was transmitted to the House.

S. B. No. 144 was read the third time and placed on its final passage.

S. B. No. 144 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning and D. Taylor.

S. B. No. 144 was transmitted to the House.

S. B. No. 145 was read the third time and placed on its final passage.

S. B. No. 145 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning and D. Taylor.

S. B. No. 145 was transmitted to the House.

S. B. No. 146 was read the third time and placed on its final passage.

S. B. No. 146 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning and D. Taylor.

S. B. No. 146 was transmitted to the House.

On motion of Senator Kerr the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

COMMUNICATIONS FROM THE GOVERNOR

March 11, 1963

Honorable Reed Bullen, President
Utah State Senate
Building

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bills, which have been forwarded to the Secretary of State for filing:

S. B. No. 38 S. B. No. 112 S. B. No. 40

Yours sincerely,

ROLAND G. ROBINSON, JR.
Administrative Assistant

Communication filed.

House notified of Governor's action.

March 11, 1963

Honorable Reed Bullen
President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bills, which have been forwarded to the Secretary of State for filing.

S. B. No. 32 S. B. No. 63 S. B. No. 93

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of House of Representatives

Communication filed.

House notified of Governor's action.

March 11, 1963

The Honorable Reed Bullen
President of the Utah State Senate
and
Members of the State Senate

Gentlemen:

In accordance with the power vested in me by the Constitution and Laws of the State of Utah, I herewith appoint and recommend to your honorable body for confirmation the individuals named on the attached pages for service on the State Boards and Commissions designated.

Yours sincerely,

GEORGE D. CLYDE,
Governor

TOURIST AND PUBLICITY COUNCIL:

Mr. Gus P. Backman, Salt Lake City, appointed to a four year term, expiring Jaune 30, 1967.

Mr. J. W. Corbin, Moab, appointed to a four year term, expiring June 30, 1967.

Mr. Kenneth Sowards, Vernal, appointed to a four year term, expiring June 30, 1967.

UNIVERSITY OF UTAH BOARD OF REGENTS:

Mr. Carvel Mattsson, Richfield, appointed to a four year term, expiring June 30, 1967.

Mr. Reed W. Brinton, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

Mr. Richard L. Evans, Salt Lake City, appointed to a four tear term, expiring June 30, 1967.

UTAH STATE UNIVERSITY BOARD OF TRUSTEES:

Mr. Henry R. Hurren, Logan, appointed to a four year term, expiring June 30, 1967.

Mr. Phillip A. Bullen, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

Mr. Norman D. Salisbury, Logan, appointed to a four year term, expiring June 30, 1967.

COORDINATING COUNCIL OF HIGHER EDUCATION:

Mr. D. Jay Wilson, Ogden, appointed to a six year term, expiring June 30, 1969.

Mr. Morris S. Rosenblatt, Salt Lake City; appointed to a six year term, expiring June 30, 1969.

BOARD OF AGRICULTURE:

George Q. Spencer, Spanish Fork, appointed to a six year term, expiring March 1, 1969.

INDUSTRIAL COMMISSION:

CARLYLE F. GRONNING, Milford, appointed to a six year term, expiring March 1, 1969.

INSTITUTE OF FINE ARTS:

Mrs. Irene Staples, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

Mrs. Helene Parker, American Fork, appointed to a four year term, expiring June 30, 1967.

Mr. Everett Thorpe, Logan, appointed to a four year term, expiring June 30, 1967.

Mr. Theodore L. Cannon, Salt Lake City, appointed to a four year term, expiring June 30, 1967.
Mrs. Ruby G. Christensen, Springville, appointed to a four year term, expiring June 30, 1967.

INSURANCE COMMISSIONER:

Mr. E. Virgil Norton, Salt Lake City, appointed to a four year term, expiring March 31, 1967.

LIQUOR CONTROL COMMISSION:

Mr. J. W. Pace, Delta, appointed to a six year term, expiring June 30, 1969.

TAX COMMISSION:

Mr. Donald T. Adams, Monticello, appointed to a four year term, expiring February 28, 1967.

LIBRARY COMMISSION:

Mr. Golden Black, Delta, appointed to a six year term, expiring July 1, 1969.

Mr. Jesse Anderson, Ogden, appointed to a six year term, expiring July 1, 1969.

FISH AND GAME COMMISSION:

Mr. K. E. Bullock, Provo, appointed to a six year term, expiring March 1, 1969.

PARK AND RECREATION COMMISSION:

Mr. James D. Moyle, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

UNIFORM STATE LAWS COMMISSION:

Mr. A. Pratt Kesler, Salt Lake City, appointed to a six year term, expiring June 30, 1969.

PUBLIC SAFETY COMMISSION:

Mr. J. C. Newman, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

ADVISORY COUNCIL FOR SCHOOL FOR DEAF AND BLIND:

Mr. Ray G. Wenger, Salt Lake City, appointed to a five year term, expiring March 1, 1968.

COUNCIL ON CRIMINAL JUSTICE ADMINISTRATION:

Rev. Frank Brusatto, Salt Lake City, appointed to a six year term, expiring May 8, 1969.

Mr. K. Roger Bean, Layton, appointed to fill unexpired term of Mr. J. Francis Fowles, expiring May 8, 1963, and appointed to a six year term, expiring May 8, 1969.

Communication referred to the Special Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 9th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 5, ENFORCE AIR POLLUTION.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 11, 1963

The Honorable Reed Bullen
Utah State Senate
State Capitol

Mr. President:

By action of the House, a committee consisting of Representatives Gunnell, Harward, Dean and Vance was appointed to act with a similar committee from the Senate to make study of all resolutions and suggestions pertaining to the Legislative Council studies for the interim term, and to come up with a bill and program for the action of both houses.

Respectfully,

CHARLES WELCH, JR.,
Speaker

Communication filed.

March 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 9th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 74, NURSING SCHOOL BOARD OF REVIEW.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 9th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 75, CEMETERIES.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 9th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 77, DIRECTOR OF REGISTRATION.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendment (or amendments) to S. C. R. No. 3, COLORADO RIVER STORAGE PROJECT, and has appointed a Conference Committee consisting of Representatives Tanner, Cooper and Lambert, to act with a like committee from the Senate on this bill.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Waddingham, President Bullen appointed a Conference Committee consisting of Senators Sowards, Waddingham and S. Taylor to act with a like Committee from the House to confer on S. C. R. No. 3.

March 11, 1963

Mr. President:

I am directed 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, entitled UTAH UNIFORM SECURITIES ACT, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 11 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, S. B. No. 27, entitled FREEPORT LEGISLATION, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 27 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 11, 1963

Mr. President:

I am directed 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. 36, entitled MINIMUM LEVY – LIBRARIES, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 36 was signed by the President in open session in the prsence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 11, 1963

Mr. President:

I am directed 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, entitled MODEL MARKETABLE TITLE ACT, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 43 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 278, SUPPLEMENTAL APPROPRIATION FOR THE BIENNIUM ENDING JUNE 30, 1963, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 278 was read the first time and referred to the Committee on Sifting.

March 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 279, SUPPLEMENTAL APPROPRIATION – INHERITANCE TAX APPRAISERS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 279 was read the first time and referred to the Committee on Sifting.

March 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 230, ADMINISTRATION STATE INSURANCE FUND, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 230 was read the first time and referred to the Committee on Sifting.

SPECIAL ORDER

H. B. No. 1 being a Special Order of Business, was before the Senate.

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

Mr. Rex Hansen, Judge Reginal Garff, Mr. LaMont B. Gunderson, Mr. H. C. Shoemaker, Mr. Neil Schaerer, Mr. John Farr Larson, Mr. Joseph Tite, and Mr. David K. Watkiss appeared before the Committee of the Whole.

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

On motion of Senator Hafen, the rules were suspended and the Senate voted to amend H. B. No. 1 by deleting all the body and the title of the original H. B. No. 1 and then inserting in lieu thereof the following:

H. B. No. 1
(Substitute H. B. No. 1)

By Messrs. Anderson, Hodgson, Kastler, Sheffield and Bullock

AN ACT RELATING TO THE JUVENILE COURTS: PROVIDING FOR THE METHOD OF THE APPOINTMENT OF JUVENILE COURT JUDGES, PROVIDING THAT THE PUBLIC WELFARE COMMISSION SHALL HAVE NO AUTHORITY TO SUPERVISE, INSTRUCT, CONTROL, OR DIRECT THE JUVENILE COURT JUDGES OR TO INFLUENCE HOW THEY SHOULD HANDLE OR DECIDE ANY CASE, NOR TO ALTER, REVERSE OR OVERRULE AND ADJUDICATION OF JUVENILE COURTS: PROVIDING A METHOD OF ESTABLISHING JUVENILE COURT DISTRICTS: FIXING THE SALARY OF JUVENILE COURT JUDGES: AND AMENDING SECTIONS 55-10-1, AND 55-10-3, AND 55-10-4, UTAH CODE ANNOTATED, 1953; REPEALING SECTION 55-10-3.1, UTAH CODE ANNOTATED, 1953, AS AMENDED BY CHAPTER 113, LAWS OF UTAH, 1957, ENACTING A NEW SECTION TO BE KNOWN AS SECTION 55-10-48.1, AND PROVINDING EFFECTIVE DATES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF UTAH:

Section 1. Section 55-10-1, Utah Code Annotated, 1953, is amended to read:

55-10-1. The public welfare commission shall [have the general control and supervision over] have general administrative responsibility and shall perform the administrative functions and duties of the juvenile courts and probation officers. [The commission shall have the power to fix the salaries of the judges of the juvenile courts, probation officers and other officers and employees, subject to the standards established by the department of finance.]

Nothing herein contained shall be interpreted to grant to the public welfare commission, and it shall not have, any authority to supervise, instruct, direct or control the juvenile court judges as to their judicial decisions, or to influence in any way how they shall handle or decide any case, nor shall the public welfare commission have any right to alter, reverse or overrule any adjudication of a juvenile court.

[It] The public welfare commission shall provide, according to procedure established by the department of finance, court rooms, necessary equipment, supplies and other incidentals. The cost of maintaining said courts, and the expenses of the probation work shall be paid out of the general funds of the state [or other funds available to the commission for such purposes.]

Section 2. Section 55-10-3, Utah Code Annotated, 1953, as amended by Chapter 113, Laws of Utah, 1957, is amended to read:

55-10-3. In each [judicial] juvenile court district of the state, as presently constituted, or in such juvenile court districts as the [commission with the approval of the] governor shall establish, upon recommendation of the Juvenile Court Judges,

— 2 —

there shall be a special court of record to be known as the juvenile court. On July 1, [1957] 1963, and each six (6) years thereafter the [commission] governor shall appoint for each district a judge of the juvenile court in accordance with the provisions of this act.

The governors appointment shall be made from a list of persons whose names shall be submitted to him by a committee of five members, constituted as follows: one member, who shall act as chairman, to be designated by the governor; the chief justice of the state supreme court; one member designated by the state bar association; one by the state department of public welfare; and one by the state department of public instruction.

When this section becomes effective, the governor shall inform the said justice, association, and departments of their duties under this section and as soon as practicable shall call a meeting of the members of the committee. The members' necessary expenses in attending meetings and transacting business of the committee shall be paid by the state.

The number of persons on the list submitted by the committee shall be at least double the number of judges to be appointed. Each such judge shall be a member of the Utah State Bar in good standing and shall be chosen because of his special qualifications for juvenile court work and without regard to political affiliation and shall be chosen as provided [hereinafter] herein, and shall hold office for a term of six years, and until his successor is appointed and qualified; PROVIDED, that the judge may be removed by the [commission] governor for cause. The salaries of such judges shall be [fixed by the commission of public welfare according to standards to be established by the department of finance. No juvenile judge's salary may be reduced during the term of office for which he has been appointed.] $9,500.00 per year. No judge of a juvenile court shall practice law during the term of his

office, and no judge shall have a partner who practices law. All judges appointed under this act shall serve in full-time positions.

Section 3. Section 55-10-4 is amended to read:

55-10-4. The judge of the juvenile court in each district shall, [by and with the advice and consent of the commission and the department of finance] appoint a clerk of the juvenile court and such deputy clerks as he shall deem necessary, who shall keep a record of the proceedings of the court and perform all clerical work and discharge such duties as the judge may assign to him. The clerk shall have power to issue all process and notices required to be issued and shall also have

— 3 —

power to take and certify acknowledgments and administer oaths. In addition thereto the clerk may be a probation officer. He shall receive a salary to be fixed according to standards established by the department of finance.

Section 4. Section 55-10-48.1 is enacted to read as follows:

55-10-48.1 An order entered under section 55-10-48 against a parent or other person may be enforced by contempt proceedings, and shall also have the effect of a judgment at law. In addition to other remedies, the court may issue an order to any employer, trustee, financial agency, or other person, firm, or corporation, indebted to the parents of either of them, or indebted to any other person ordered to make payment under this section. The Utah Rules of Civil Procedure relating to garnishments shall apply to proceedings under this section.

Section 5. Section 55-10-3.1 as enacted by Chapter 113, Laws of Utah 1957 is repealed.

Section 6. This act shall take effect on July 1, 1963, except that Section 2 of this act shall take effect June 1, 1963.

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

Committee report read and adopted.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

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

Miss Elizabeth Bonnemort and Mr. Douglas Johnston appeared before the Committee of the Whole.

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

UNFINISHED BUSINESS

H. B. No. 1 being Unfinished Business, was before the Senate.

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

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

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Voting in the negative were: Senators S. Taylor and Waddingham.

Absent and not voting were: Senators Browning and Kerr.

Senator Sowards having voted on the prevailing side moved that the Senate do re-consider its final action on S. B. No. 208.

S. B. No. 208 was placed on the Third Reading Calendar to be reconsidered.

Senator Barlow having voted on the prevailing side moved that the Senate do re-consider its final action on S. B. No. 201.

Motion carried.

S. B. No. 201 was placed on the Third Reading Calendar to be reconsidered.

On motion of Senator Harmston, the rules were suspended and the Senate's action on H. B. No. 2 was reconsidered and was then placed on the Third Reading Calendar for reconsideration.

On motion of Senator Kerr, S. B. No. 78 was lifted from the table and placed on the Second Reading Calendar in its regular order.

On motion of Senator Holman, S. J. R. No. 8 was lifted from the table and placed on the Second Reading Calendar in its regular order.

On motion of Senator Mantes, the rules were suspended and S. B. No. 166 was made a Special Order of Business for Tuesday, March 12, 1963 at 9:00 A.M.

On motion of Senator Mantes, the rules were suspended and the Senate voted to make S. B. No. 107 a Special Order of Business for Tuesday, March 12, 1963 at 9:15 A.M.

SPECIAL ORDER

H. B. No. 33 being a Special Order of Business, was before the Senate.

On motion of Senator Kerr, H. B. No. 33 was further made a Special Order of Business for Tuesday, March 12, 1963 at 9:30 A.M.

S. B. Nos. 228, 229, 231 and 232 being a Special Order of Business, were before the Senate.

On motion of Senator Kerr, S. B. Nos. 228, 229, 231 and 232 were further made a Special Order of Business for Tuesday, March 12, 1963 at 11:00 A.M.

On motion of Senator Harmston, H. B. No. 63 was lifted from the table and placed at the head of the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 160 having retained its position was before the Senate.

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

Representative Sonntag appeared before the Committee of the Whole.

Mr. Glen Swenson,, Chairman of the Building Board, appeared before the Committee of the Whole.

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

H. B. No. 160 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Browning.

H. B. No. 160 was transmitted to the House.

On motion of Senator Kerr, the Senate adjourned until Tuesday, March 12, 1963 at 9:00 A.M.

FIFTY-EIGHTH DAY

MORNING SESSION

March 12, 1963

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

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

Prayer by Pastor Kenneth H. Tuttle, Central Christian Church, Salt Lake City, Utah.

March 12, 1963

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,

WALLACE H. GARDNER,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 9, 1963

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. 214, SCHOOL INDEBTEDNESS ELECTIONS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 214 was read the first time and referred to the Committee on Sifting.

March 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 19, NON-PROFIT HOSPITAL SERVICE DIRECTORS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 195 was read the first time and referred to the Committee on Sifting.

March 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, H. B. No. 124, REAL ESTATE BROKER, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 124 was read the first time and referred to the Committee on Sifting.

March 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 247, REDUCTION OF POINTS IN DRIVING VIOLATIONS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 247 was read the first time and referred to the Committee on Sifting.

March 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 21, GOVERNMENTAL IMMUNITY (Substitute), and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. J. R. No. 21 was read the first time and referred to the Committee on Sifting.

March 11, 1963

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. 105, SCHOOL FINANCE FORMULA (substitute), and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Bernhard, the Senate refused to concur in the House amendments on S. B. No. 105 and ask the House to recede from its amendments.

On motion of Senator B. Jenkins, H. B. No. 49 was lifted from the table and placed at the bottom of the Second Reading Calendar.

SPECIAL ORDER

S. B. No. 166 being a Special Order of Business, was before the Senate.

S. B. No. 166 was read the second time.

Committee report read and adopted.

S. B. No. 166 was placed on the Third Reading Calendar on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Hammond, Harmston, Holman, Hunter, B. Jenkins, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Grover, Hafen, M. Jenkins, Kerr, Rees and D. Taylor.

S. B. No. 107 was read the second time.

Committee report read and adopted.

On motion of Senator Stacey, S. B. No. 107 was amended as follows:

Page 3, line 11, delete "or highway".

Page 2, line 16, delete the word "or".

Page 2, line 17, delete "highway".

Page 2, line 19, delete "or highway".

Page 2, line 21, delete "or highways".

Page 2, line 24, delete "or highway".

Page 2, line 27, delete "or highway".

Page 2, line 30, delete "or highway".

Page 2, line 33, delete "or highway".

Page 3, line 4, delete "or highway".

Page 3, line 7, delete "or highway".

Page 3, line 17, delete "or highway".

Page 3, line 24, delete "or highway".

On motion of Senator Stacey, the title of S. B. No. 107 was amended as follows:

Line 3, delete the word "HIGHWAYS" insert in lieu thereof the word "ROADS".

Line 8, delete the words "AND HIGHWAYS".

Line 11, delete the words "AND HIGHWAYS".

S. B. No. 107 was placed on the Third Reading Calendar on the following roll call:

Yeas, 17; Nays, 1; Absent, 7.

Voting in the affirmative were: Senators Brockbank, Gardner, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Mantes, Memmott, Miller, Rees, Stacey, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Lambert.

Absent and not voting were: Senators Barlow, Bernhard, Browning, Grover, Hafen, Sowards and D. Taylor.

H. B. No. 33 was read the second time.

Committee report read and adopted.

On motion of Senator Barlow, H. B. No. 33 was amended as follows:

Page 2, line 23, delete the word "names" insert in lieu thereof the word "means".

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

Mr. Thomas C. Adams appeared before the Committee of the Whole.

Mr. Richard Layton appeared before the Committee of the Whole.

Mr. William Holt appeared before the Committee of the Whole.

Mr. Harold Tippetts appeared before the Committee of the Whole.

Mr. C. R. Griffin, Mayor, Escalante, Utah, appeared before the Committee of the Whole.

Mr. William H. Daleabout, Consolidated Western Steel, appeared before the Committee of the Whole.

On motion of Senator M. Jenkins the Committee of the Whole was dissolved.

On motion of Senator B. Jenkins, H. B. No. 33 was amended as follows:

Page 4, line 18, delete the word "directed" insert in lieu thereof the word "authorized".

On motion of Senator Barlow 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:

Yeas, 22; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Gardner.

Absent and not voting were: Senators Browning and Hafen.

H. B. No. 33 was returned to the House.

On motion of Senator Mantes, the rules were suspended and the Senate voted to lift H. B. No. 144 from the table and place it on the Second Reading Calendar.

On motion of Senator Hunter, the rules were suspended and the Senate voted to lift H. B. No. 136 from the table and place it following H. B. No. 144 on the Second Reading Calendar.

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

CONSIDERATION OF BILLS ON SECOND READING

Substitute H. B. No. 144 was read the second time.

Senator Barlow, with the aid of five Senators, requested a roll call vote on the following proposed amendments:

Page 5, line 19, insert the following:

"Section 2. Section 59-15-5.5, Utah Code Annotated 1953, is enacted to read:

59-15-5.5 As compensation to the vendor for his expense in accounting for and remitting the tax levied under the provisions of section 59-15-5, each vendor shall be allowed a deduction of 2%, but not to exceed $50.00 from the amount of the tax collected in any one calendar year and remitted to the state tax commission, but no vendor shall receive more than one allowance regardless of the number of branches or outlets owned or controlled by the vendor.

Page 1, line 7 of title, change the period to a comma and insert "AND ENACTING A NEW SECTION 59-15-5.5, UTAH CODE ANNOTATED 1953, ALLOWING A RETAILER WHO HAS COLLECTED SALES TAXES COMPENSATION FOR HIS EXTRA ACCOUNTING WORK".

Proposed Barlow amendments to H. B. No. 144 failed on the following roll call:

Yeas, 9; Nays, 14; Absent, 2.

Voting in the affirmative were: Senators Barlow, Holman, B. Jenkins, Kerr, Memmott, Sowards, Stacey, Waddingham and Mr. President.

Voting in the negative were: Senators Bernhard, Brockbank, Gardner, Grover, Hammond, Harmston, Hunter, M. Jenkins, Lambert, Mantes, Miller, Rees, D. Taylor and S. Taylor.

Absent and not voting were: Senators Browning and Hafen.

On motion of Senator B. Jenkins, H. B. No. 144 was amended as follows:

Page 1, in Section 59-15-2, sub-section (b) of the underlined material, after the word "of" insert "tangible personal".

Page 2, in Section 59-15-4, sub-section (a) in line 2 of the underlined material after the word "sold" and following the comma insert the words "tangible personal".

H. B. No. 144 was placed on the Third Reading Calendar on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Browning, Hafen and Waddingham.

On motion of Senator Brockbank, the rules were suspended and the Senate voted to lift S. B. No. 219 from the Sifting Committee and place it as a Special Order of Business for 11:00 A.M. this morning.

On motion of Senator Brockbank, the rules were suspended and the Senate voted to lift S. B. No. 156 from the Sifting Committee and place it as a Special Order of Business for 11:00 A.M. this morning.

SPECIAL ORDER

S. B. Nos. 228, 229, 231, 232, 219 and 156 being a Special Order of Business, were before the Senate.

S. B. No. 228, 229, 231 and 232, having been previously read were before the Senate.

S. B. No. 219 was read the second time.

S. B. No. 156 was read the second time.

Committee report read and adopted.

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

Dr. ElRoy Nelson appeared before the Committee of the Whole.

On motion of Senator Kerr the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

The Senate re-assembled and continued as a Committee of the Whole with Unfinished Business.

Dr. ElRoy Nelson further appeared before the Committee of the Whole.

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

On motion of Senator Grover the Senate recessed.

The Senate re-assembled.

UNFINISHED BUSINESS

S. B. Nos. 228, 229, 231, 232, 219 and 156, being Unfinished Business, were before the Senate.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to place S. B. Nos. 231 and 232 at the head of the Second Reading Calendar in proper numerical order.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to amend S. B. No. 231 by deleting all the body and the title of the original S. B. No. 231 and then inserting in lieu thereof the following:

S. B. No. 231 (Substitute) By Messrs. Brockbank, Waddingham and S. Taylor

AN ACT REQUIRING THE UTAH STATE BOARD OF LOAN COMMISSIONERS, UPON REQUEST OF THE UTAH STATE BUILDING BOARD, TO NEGOTIATE A LOAN OR LOANS FROM THE UTAH STATE TREASURER IN A TOTAL AGGREGATE AMOUNT NOT TO EXCEED $10,000,000 FOR THE UTAH STATE BUILDING BOARD TO PROVIDE FUNDS TO FINANCE STATE BUILDING CONSTRUCTION PROJECTS AUTHORIZED BY LAW; AUTHORIZING THE ISSUANCE OF ANTICIPATION NOTES UNDER CERTAIN CONDITIONS; AND PROVIDING FOR REPAYMENT OF SAID LOAN OR LOANS.

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

Section 1. Upon request of the Utah State Building Board, the State Board of Loan Commissioners shall immediately negotiate a loan or loans to the extent authorized herein from fund balances under the control of the state treasurer, the proceeds of which loan or loans are to be used to finance state building projects authorized by law and shall direct the state treasurer to make available to the state building board the sum or sums of money from time to time required by the building board to pay contractual obligations incurred by the state building board pursuant to the loan commitment negotiated pursuant to this act. The loan authorization specified by this act shall not at any time exceed the total aggregate amount of $10,000,000 for the purposes herein provided for and no interest shall be payable upon any fund balances under the control of the state treasurer; and provided that nothing herein shall be construed as authorizing or re-

quiring the lending of any fund or funds otherwise limited or restricted in such use by the constitution of the State of Utah.

Section 2. The state treasurer shall make the aforementioned loan or loans from state funds under his control and by utilizing such funds for such loan or loans in accordance with the following priority:

First, from non-interest bearing demand deposits in banks or other depositories which will not impair the ability of the state treasurer to redeem outstanding warrants;

Second, by liquidating time deposits in banks or other depositories; said state treasurer to first liquidate such time deposits in accordance with a priority which will result in the liquidation of those time deposits bearing the least rate of interest first, and the greatest rate of interest last, provided, however, that in the event funds can be obtained by the state board of loan commissioners by the issuance of anticipation notes bearing a rate of interest less than the rate of interest being received by the state on the time deposits referred to, the board of loan commissioners is authorized to, and shall issue such anticipation notes and thus secure funds from private sources with which to make the loans for construction purposes authorized by this act.

Section 3. The appropriation made by this act shall be used for the construction and expenditure costs herein authorized, and the state building board, from such appropriation, shall pay principal installments on any loan obligations incurred for building projects authorized by law, and in no instance shall the total expended exceed $18,000,000 for building and repayment of loans incurred for such building project.

On motion of Senator Waddingham, S. B. No. 232 was amended as follows:

Page 1, line 17, following the word "law" change the period to a comma, and insert the following language: "provided, however, that the directions to the state board of loan commissioners as herein set forth shall be deemed mandatory and not permissive, any laws of the State of Utah to the contrary, notwithsanding."

On motion of Senator Kerr, S. B. Nos. 228 and 229 were placed at the head of the Second Reading Calendar.

On motion of Senator B. Jenkins, the enacting clause of S. B. No. 219 was struck.

On motion or Senator B. Jenkins, S. B. No. 229 was placed at the head of the Second Reading Calendar.

On motion of Senator Brockbank, the rules were suspended and the Senate voted to place S. B. No. 156 immediately following S. B. No. 228.

On motion of Senator Kerr the rules were suspended and the Senate voted to now consider S. B. No. 228.

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

On motion of Senator B. Jenkins, the call of the Senate was lifted.

S. B. No. 228 having been previously read was before the Senate.

S. B. No. 228 was placed on the Third Reading Calendar on the following roll call:

Yeas, 23; Nays, 1; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Gardner,M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Waddingham.

Voting in the negative was Mr. President.

Absent and not voting was Senator Browning.

On motion of Senator Kerr, S. B. No. 229 was tabled.

On motion of Senator B. Jenkins, S. B. No. 156 was tabled.

S. B. No. 231 having been previously read was before the Senate.

S. B. No. 231 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 5; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Harmston, Holman, Hunter, B. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Waddingham.

Voting in the negative were: Senators Grover, Hammond, M. Jenkins, Kerr and Mr. President.

Absent and not voting was Senator Browning.

S. B. No. 232 having been previously read was before the Senate.

S. B. No. 232 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 5; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Harmston, Holman, Hunter, B. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Waddingham.

Voting in the negative were: Senators Grover, Hammond, M. Jenkins, Kerr and Mr. President.

Absent and not voting was Senator Browning.

SPECIAL COMMUNICATION FROM THE OFFICE OF THE ATTORNEY GENERAL

March 12, 1963

Senator Reed Bullen
President of the Senate
Senate Chambers
Building

Dear Senator Bullen:

It has been called to the attention of the Attorney General that in preparing S. J. R. No. 5 the drafter of said resolution inadvertently failed to include in said draft amendments to Article XIII, Section 2 of the Utah State Constitution, which said amendments took effect January 1, 1963, and which amendments were not included in the 1953 Code.

It is the opinion of the Attorney General that for the purpose of placing this proposed amendment in proper form for presentation to the voters of this state, S. J. R. No. 5 should be recalled for the purpose of instructing the Secretary of the Senate to correct the wording of said resolution to conform with the present provisions of the Utah State Constitution as it was amended in the 1960 and 1962 general election.

This correction as to form will in no way affect the intent or purpose of the resolution as approved by this session of the Utah State Legislature.

Very truly yours,

A. PRATT KESLER,
Attorney General

Communication filed.

On motion of Senator Barlow, the Senate voted to submit a request to the House to suspend the Joint Rules of the Legislature in order to recall S. J. R. No. 5 from the Secretary of State to make the corrections referred to in the preceding communication from the Attorney General.

COMMUNICATIONS FROM THE GOVERNOR

March 12, 1963

Honorable Reed Bullen
President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bill, which has been forwarded to the Secretary of State for filing.

S. B. No. 90, WORKMAN'S COMPENSATION EMPLOYER DEFINITION

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of House of Representatives

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendment (or amendments) to S. B. No. 115, DRIVER LICENSES CLASSIFICATION, and has appointed a Conference Committee consisting of Representatives Clyde, Evans and Wilkinson, to act with a like committee from the Senate on this bill.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Kerr, the President appointed a Conference Committee consisting of Senators Stacey, Miller and M. Jenkins to act with a like committee from the House to confer on S. B. No. 115.

March 12, 1963

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, and passed S. B. No. 25, HOMESTEAD EXEMPTIONS, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

JOINT CONFERENCE COMMITTEE REPORT

March 12, 1963

To the President of the Senate and the
Speaker of the House of Representatives

The joint conference committee consisting of Senators Rees, Chairman, Lambert and B. Jenkins and Representatives Kastler, Chairman, Lomax and J. W. Monroe having met and carefully reconsidered S. B. No. 25 do agree and recommend to the House and Senate that said bill be amended as follows:

Line 6: The sum of $10,000 be deleted and the sum $4,000 be substituted therfor.

Line 7: The sum $3,000 be deleted and the sum $1500 be substituted therefor and the sum $1,000 be deleted and the sum $600 be substituted therefor and that S. B. No. 25 be not amended in any other particular.

Respectfully submitted,

G. STANFORD REES,
Chairman, Senate Committee

B. Z. KASTLER, JR.,
Chairman, House Committee

Report filed.

On motion of Senator Grover, the Senate voted to concur in the Joint Conference Committee report.

S. B. No. 25 then passed on the following roll call:

Yeas, 23; Nays, 1; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Hunter.

Absent and not voting was Senator Browning.

S. B. No. 25 was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

March 12, 1963

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, CREATION OF GREAT SALT LAKE AUTHORITY, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
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 further action.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurrd in Senate amendments to H. B. No. 134, FALSE ADVERTISERS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 134 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 160, CONTRACTOR'S BONDS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 160 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 157, CAPITAL IMPROVEMENTS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 157 was read the first time and referred to the Committee on Sifting.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 158, CLAIMS AGAINST COUNTIES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 158 was read the first time and referred to the Committee on Sifting.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 274, SIZE OF VEHICLES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 274 was read the first time and referred to the Committee on Sifting.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 159, COVERING CANALS AND DITCHES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 159 was read the first time and referred to the Committee on Sifting.

March 11, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, on reconsideration, H. J. R. No. 7, EXPENSES OF LEGISLATORS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. J. R. No. 7 was read the first time and referred to the Committee on Sifting.

March 11, 1963

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. 8, BUDGET SESSION OF THE LEGISLATURE, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. J. R. No. 8 was read the first time and referred to the Committee on Sifting.

March 9, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, Substitute H. B. No. 211, TOBACCO ADVERTISING, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 211 was read the first time and referred to the Committee on Sifting.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 11th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 28, LIVESTOCK DEAL LICENSE.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 11th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 44, MARKING STATE OWNED VEHICLES.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 11th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 57, ABATEMENT OF WEEDS – UNSIGHTLY OBJECTS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 11th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 67, PER DIEM ALLOWANCE – ENGINEERS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 11th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 71, MEDICINE FEES, ETC.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 11th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 92, COSMOTOLOGISTS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 11th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 115, DEPOSIT OF COUNTY TAXES.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 11th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 130 – ELECTIONS – REGISTRATIONS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 12, 1963

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. 14, EDUCATION IN SCHOOLS ON HARM OF TOBACCO AND ALCOHOL, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. J. R. No. 14 was read the first time and referred to the Committee on Sifting.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this passed H. B. No. 155, MINOR'S DRIVER'S LICENSES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 155 was read the first time and referred to the Committee on Sifting.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 156, EXCHANGING MINOR'S LICENSES FOR REGULAR LICENSES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 156 was read the first time and referred to the Committee on Sifting.

March 12, 1963

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. 161, MEETINGS OF BOARD – CITIES OF THE FIRST AND SECOND CLASS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 161 was read the first time and referred to the Committee on Sifting.

March 12, 1963

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. 261, LICENSING AND ACCREDITING OF PRIVATE TRADE, TECHNICAL, BUSINESS AND CORRESPONDENCE SCHOOLS, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 261 was read the first time and referred to the Committee on Sifting.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. J. R. No. 15 – STUDY BY LEGISLATIVE COUNCIL, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. J. R. No. 15 was read the first time and referred to the Committee on Sifting.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 281 – TOBACCO POSSESSION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 281 was read the first time and referred to the Committee on Sifting.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, H. B. No. 185 – EXTENSION OF FREE PUBLIC SCHOOLS AGE LIMITATION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 185 was read the first time and referred to the Committee on Sifting.

JOINT CONFERENCE COMMITTEE REPORT

March 12, 1963

JOINT CONFERENCE REPORT ON H. B. No. 11

Mr. President and Mr. Speaker:

Your Joint Committee recommends that the Senate concur in the Senate Amendment.

Respectfully,

ORVAL HAFEN,
Chairman, Senate Committee

ALLEN L. HODGSON,
Chairman, House Committee

Report filed.

On motion of Senator Hafen, the Senate voted to adopt the Joint Conference Committee Report and concur in the Senate amendment.

H. B. No. 11 failed of passage on the following roll call:

Yeas, 1; Nays, 22; Absent, 2.

Voting in the affirmative was Senator Hunter.

Voting in the negative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning and D. Taylor.

H. B. No. 11 was returned to the House.

JOINT CONFERENCE COMMITTEE REPORT

March 9, 1963

JOINT COMMITTEE REPORT ON H. B. No. 25:

Mr. President and Mr. Speaker:

Your Joint Committee concurs in the Senate Amendment to H. B. No. 25, and recommends that the same be adopted as passed by the Senate.

Respectfully,

ORVAL HAFEN,
Chairman, Senate Committee

RAY M. HARDING,
Chairman, House Committee

Report filed.

On motion of Senator Hafen, the Senate voted to concur in the Conference Committee Report.

H. B . No. 25 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning and Kerr.

H. B. No. 25 was returned to the House.

JOINT CONFERENCE COMMITTEE REPORT

March 9, 1963

JOINT CONFERENCE COMMITTEE REPORT:

Mr. President and Mr. Speaker:

Your Joint Conference Committee on H. B. No. 137 reports as follows:

Change the amendments made by the Senate as follows:

The amendment on page 2 and page 6, the word "purient" is used. This should be changed to "prurient".

On page 4, line 26, change the words "as soon as possible" to read "within a reasonable time".

On page 4, line 27, change the words, "as soon as possible after" to read "within a reasonable time".

Respectfully,

ORVAL HAFEN,
Chairman, Senate Committee

ROBERT R. SONNTAG,
Chairman, House Committee

Report filed.

On motion of Senator Hafen the Senate voted to concur in the Conference Committee Report.

H. B. No. 137 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning and Kerr.

H. B. No. 137 was returned to the House.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

COMMUNICATIONS FROM THE HOUSE

March 12, 1963

Mr. President:

I am directed by the House to inform your Honorable Body that the House did this day suspend the Joint Rules of the Legislature, and concurred in the request of the Senate to recall from the Secretary of State and to reconsider our action in Senate Joint Resolution No. 5, FREEPORT AMENDMENT, to correct deletions from the bill.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Barlow the rules were suspended and S. J. R. No. 5 was before the Senate for reconsideration.

On motion of Senator Barlow, the rules were suspended and the Senate voted to amend S. J. R. No. 5 by deleting all the body and the title of the original S. J. R. No. 5 and then inserting in lieu thereof the following:

S. J. R. No. 5 By Messrs. Barlow, Browning and G. D. Taylor

A JOINT RESOLUTION PROPOSING TO AMEND ARTICLE XIII, SECTION 2, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO AN AD VALOREM TAX EXEMPTION; PROVIDING THAT TANGIBLE PERSONAL PROPERTY WHICH IS SHIPPED FROM UTAH WITHIN A PERIOD OF ONE YEAR MAY BE EXEMPTED FROM AD VALOREM TAX.

Be it resolved by the Legislature of the State of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:

Section 1. It is proposed to amend Article XIII, Section 2 of the Constitution of the State of Utah to read as follows:

Section 2. All tangible property in the state, not exempt under the laws of the United States, or under this constitution, shall be taxed in proportion to its value, to be ascertained as provided by law. The property of the state, counties, cities, towns, school districts, municipal corporations and public libraries, lots with the buildings thereon used exclusively for

either religious worship or charitable purposes, and places of burial not held or used for private or corporate benefit, shall be exempt from taxation. Tangible personal property present in Utah on January 1, m., which is held for sale or processing and which is shipped to final destination outside this state within 12 months may be deemed by law to have acquired no situs in Utah for purposes of ad valorem property taxation and may be exempted by law from such taxation, whether manufactured, processed or produced or otherwise originating within or without the state. Water rights, ditches, canals, reservoirs, power plants, pumping plants, transmission lines, pipes and flumes owned and used by individuals or corporations for irrigating land within the stated owned by such individuals or corporations, or the individual members thereof, shall not be separately taxed as long as they shall be owned and used exclusively for such purposes. Power plants, power transmission lines and other property used for generating and delivering electrical power, a portion of which is used for furnishing power for pumping water for irrigation purposes on lands in the state of Utah, may be exempted from taxation to the extent that such property is used for such purposes. These exemptions shall accrue to the benefit of the users of water so pumped under such regulations as the legislature may prescribe. The taxes of the indigent poor may be remitted or abated at such times and in such manner as may be provided by law. The legislature may provide for the exemption from taxation of homes, homesteads, and personal property, not to exceed $2,000 in value for homes and homesteads, and all household furnishings, furniture, and equipment used exclusively by the owner thereof at his place of abode in maintaining a home for himself and family. Property not to exceed $3,000 in value, owned by disabled persons who served in any war in the military service of the United States or of the state of Utah and by the unmarried widows and minor orphans of such disabled persons or of persons who while serving in the military service of the United States or the state of Utah were killed in action or died as a result of such service may be exempted as the legislature may provide.

The legislature shall provide by law for an annual tax sufficient, with

other sources of revenue, to defray the estimated ordinary expenses of the state for each fiscal year. For the purpose of paying the state debt, if any there be, the legislature shall provide for levying a tax annually, sufficient to pay the annual interest and to pay the principal of such debt, within twenty years from the final passage of the law creating the debt.

Section 3. The Secretary of State is directed to submit this proposed amendment to the electors of the state of Utah at the next general election in the manner provided by law.

Section 4. If adopted by the electors of this state, this amendment shall take effect upon January 1, 1965.

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

Yeas, 19; Nays, 3; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Miller, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Grover, Holman and Mantes.

Absent and not voting were: Senators Browning, Memmott and Stacey.

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

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

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

On motion of Senator Grover, S. B. No. 149 was lifted from the table and placed at the head of the Third Reading Calendar.

On motion of Senator Grover, 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 Grover, S. B. No. 149 retained its position on the Third Reading Calendar.

H. B. No. 63, having been previously read was before the Senate.

On motion of Senator Brockbank, H. B. No. 63 was amended as follows:

Page 4, Section 4, after the word "exceed" delete "40" insert in lieu thereof "20".

H. B. No. 63 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Browning.

H. B. No. 63 was returned to the House.

S. B. No. 124, having been previously read and retaining its position was now before the Senate.

On motion of Senator Brockbank the title of S. B. No. 124 was amended as follows:

Page 1, lines 11 and 12: Delete the following: 'AND APPROPRIATE $250,000 TO FINANCE SUCH COVERAGE."

Page 10: Delete all of subsection (4) – lines 18 through 23 inclusive and insert in their place the following: "(4) All departments and agencies of the state shall be required to reimburse the general funds of the state equivalent amounts to the amounts paid by the state under this section."

S. B. No. 124 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Browning.

S. B. No. 124 was transmitted to the House.

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:

Yeas, 16; Nays, 8; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, D. Taylor and Waddingham.

Voting in the negative were: Senators Brockbank, Hammond, M. Jenkins, Kerr, Sowards, Stacey, S. Taylor and Mr. President.

Absent and not voting was Senator Browning.

H. B. No. 1 was read the third time and placed on its final passage.

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

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

H. B. No. 1 failed of passage on the following roll call:

Yeas, 11; Nays, 13; Absent, 1.

Voting in the affirmative were: Senators Barlow, Gardner, Grover, Hafen, Hammond, Hunter, Kerr, Mantes, Memmott, Miller and Rees.

Voting in the negative were: Senators Bernhard, Brockbank, Harmston, Holman, B. Jenkins, M. Jenkins, Lambert, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Browning.

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

On motion of Senator Hunter, 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. 136, having been previously read was before the Senate.

On motion of Senator Hunter, H. B. No. 136 was amended as follows:

Page 2, line 16, after the word "offence" delete the semi-colon insert a period and remainder of the line.

Pag 2, delete lines 17, 18, 19 and 20.

Page 2, delete lines 27, 28 and 29.

Page 3, delete lines 15, 16, 17, 18 and 19.

Page 3, line 22, delete "(1)".

Page 5, delete lines 1 - 33 inclusive.

Page 6, delete lines 1 - 30 inclusive.

On motion of Senator Hunter the title of H. B. No. 136 was amended as follows:

Line 13 of the title, delete "AND FOR A TAX ON ALL TOBACCO PRODUCTS."

H. B. No. 136 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 2; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators Brockbank and Sowards.

Absent and not voting were: Senators Browning, Grover, Memmott and Waddingham.

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

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 2 was before the Senate for reconsideration.

On motion of Senator Harmston, H. B. No. 2 was amended as follows:

Page 2, line 9, after the word "buildings" delete the comma insert the word "or", then delete the comma at the end of the line.

Page 2, line 10 delete the words "motels and hotels".

Page 2, line 11, delete the comma following the word "building, then insert the word "or" and at the end of the line also delete the comma.

Page 2, line 12, delete the words "motel or hotel".

H. B. No. 2, upon reconsideration, then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Browning, Memmott and Waddingham.

H. B. No. 2 was returned to the House.

On motion of Senator Kerr, the rules were suspended and the Senate voted to now consider H. B. No. 144.

H. B. No. 144 was read the third time and placed on its final passage.

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

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

On motion of Senator B. Jenkins, the title of H. B. No. 144 was amended as follows:

Line 8, after the word "OF" insert the words "TANGIBLE PERSONAL".

H. B. No. 144 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning and Memmott.

On motion of Senator Kerr, the Senate adjourned until Wednesday, March 13, 1963 at 8:30 A.M.

FIFTY-NINTH DAY

MORNING SESSION

March 13, 1963

The Senate was called to order at 8:30 A.M. President Bullen in the chair.

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

Prayer by Pastor Kenneth H. Tuttle, Central Christian Church, Salt Lake City, Utah.

March 13, 1963

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,

WALLACE H. GARDNER,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 172, under suspension of the rules, MINERAL LEASE AFTER OPTIONS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 172, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 172 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 171, under suspension of the rules, EXTENSION LAND LEASES, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 171, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 171 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 169, under suspension of the rules, PROCEEDINGS BEFORE THE UTAH STATE LAND BOARD, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 169, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 169 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 168, under suspension of the rules, REMOVAL OF

LAND LEASE LIMITATIONS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 168, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 168 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 48, as amended by the Senate, FINANCE LAW, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 48, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 48 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 49, PREPARATION OF STATE WARRANTS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 49, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 49 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 51, under suspension of the rules, BOARD OF EDUCATION TRAVEL EXPENSES, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 51, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 51 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 52, under suspension of rules, FISH AND GAME DIRECTOR'S SALARY, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 52, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 52 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 53, under suspension of the rules, BUDGETARY CONTROL, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 53, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 53 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 54, under suspension of the rules, LAND PURCHASES, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 54, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 54 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 55, under suspension of the rules, WELFARE PROPERTY SALES, that the Speaker of the House has this day signed in open session in the presence of the House, S. B. No. 55, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 55 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 59, under suspension of rules, SALARY OF DI-

RECTOR OF PUBLIC HEALTH, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 59, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 59 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 226, under suspension of rules, FEES FOR CORPORATIONS SOLE, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 226, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 226 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 215, under suspension of rules, PROTECTING THE MENTALLY ILL, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 215, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 215 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 155, under suspension of the rules, COAL PIPE LINE EMINENT DOMAIN, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 155, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 155 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 101, Substitute Bill, under suspension of the rules, LABELING OR TAGGING SEEDS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 101, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 101 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 86, under suspension of rules, APPROPRIATION TO WATER AND POWER BOARD, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 86, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 86 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. J. R. No. 5 (substitute), FREEPORT AMENDMENT, that the Speaker of the House has this day signed in open session, in the presence of the House, S. J. R. No. 5, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. J. R. No. 5 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day, under suspension of the rules and upon reconsideration, passed, as amended by the House, H. B. No. 198, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 198 was read the first time and referred to the Committee on Sifting.

March 12, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed substitute bill H. B. No. 105, on reconsideration, TOBACCO AND BEER, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 105 was read the first time and referred to the Committee on Sifting.

March 12, 1963

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. 47, BOARD OF EXAMINERS LAW, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Brockbank, the Senate refused to concur in the House amendments on S. B. No. 47 and ask the House to recede from its amendments.

March 12, 1963

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. 50, under suspension of the rules, DISTRICT ATTORNEYS' CLERKS' SALARIES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Brockbank, the Senate voted to concur with the House amendments of S. B. No. 50 on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Browning, Grover, Stacey and Waddingham.

S. B. No. 50 was transmitted to the House for the signature of the Speaker.

REPORTS OF SPECIAL COMMITTEES

March 13, 1963

Mr. President:

Your Sifting Committee reports out the following bills:

S. B. Nos. 194, 180, 213, 198, 220, 159, 193, 151, 64, H. B. Nos. 122, 206, H. C. R. No. 2, H. B. Nos. 124, 157, 158, 45, 168, 211, 200, 212, 155, 156, 190, 191, 192, 177, 238, 239, 195, H. C. R. No. 4, H. B. Nos. 48, 205, S. B. No. 45, and H. J. R. No. 21.

Respectfully,

KLEON KERR,

Chairman

Report adopted and filed.

On motion of Senator B. Jenkins, the rules were suspended and the Senate's final action on H. B. No. 144 was reconsidered.

H. B. No. 144 was before the Senate for reconsideration.

On motion of Senator B. Jenkins, H. B. No. 144 was amended as follows:

Page 2, line 1, after the word "both" insert the words "tangible personal"

Page 2, line 2, after the word "other" insert the words "tangible personal"

Page 4, Sec. 59-15-9, line 10, after the word "sold", insert "tangible personal".

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

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

H. B. No. 144, upon reconsideration, then passed on the following roll call:

Yeas, 22; Nays, 2; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators B. Jenkins (explained vote) and Miller.

Absent and not voting was Senator Browning.

H. B. No. 144 was returned to the House.

On motion of Senator Grover, S. B. No. 227 was lifted from the table and placed on the Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 227 was read the third time and placed on its final passage.

S. B. No. 227 then passed on the following roll call:

Yeas, 18; Nays, 2; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators B. Jenkins and Lambert.

Absent and not voting were: Senators Brockbank, Browning, Hafen, Miller and Waddingham.

S. B. No. 227 was transmitted to the House.

On motion of Senator D. Taylor, the rules were suspended and the Senate's action on S. B. No. 223 was reconsidered.

On motion of Senator D. Taylor, S. B. No. 223 was placed at the bottom of the Third Reading Calendar for reconsideration.

On motion of Senator Grover, the Senate voted to now consider House Bills on the Third Reading Calendar and then consider bills on the Second Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 136 was read the third time and placed on its final passage.

H. B. No. 136 then passed on the following roll call:

Yeas, 20; Nays, 4; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators B. Jenkins, Miller, Sowards and Waddingham.

Absent and not voting was Senator Browning.

H. B. No. 136 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 64 was read the second time.

On motion of Senator Harmston, H. B. No. 64 was amended as follows:

Page 3, lines 8 and 9 reinsert the words ", except as may be modified by the board."

On motion of Senator Harmston the rules were suspended and H. B. No. 64 was read the third time and placed on its final passage.

H. B. No. 64 then passed on the following roll call:

Yeas, 20; Nays, 3; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen (explained vote), Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, D. Taylor, S. Taylor and Waddingham.

Voting in the negative were: Senators Hunter (explained vote), Rees and Mr. President.

Absent and not voting were: Senators Browning and Grover.

H. B. No. 64 was returned to the House.

On motion of Senator D. Taylor, the rules were suspended and the Senate voted to now consider S. B. No. 194.

S. B. No. 194 was read the second time.

Committee report read and adopted.

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

On motion of Senator D. Taylor, the call of the Senate was lifted.

S. B. No. 194 was placed on the Third Reading Calendar on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins,

M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Browning and Waddingham.

On motion of Senator Barlow, 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. 201 was before the Senate for reconsideration:

On motion of Senator Barlow, S. B. No. 201 was amended as follows:

Page 18, line 33, delete "70%" insert in lieu thereof "80%".

On motion of Senator B. Jenkins, S. B. No. 201 was amended as follows:

Page 19, following line 17, add "Section 2. This act shall take effect January 1, 1964."

S. B. No. 201, upon reconsideration, then passed on the following roll call:

Yeas, 16; Nays, 1; Absent, 8.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees and Mr. President.

Voting in the negative was Senator Sowards.

Absent and not voting were: Senators Browning, Grover, M. Jenkins, Miller, Stacey, D. Taylor, S. Taylor and Waddingham.

S. B. No. 201 was transmitted to the House.

On motion of Senator Kerr, the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 13, 1963

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 108, under suspension of the rules, GENERAL HIGHWAY LAWS, that the Speaker of the House has this day signed in open session in the presence of the House, S. B. No. 108, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 108 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: March 13, 1963

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 134, as amended by the Senate, INSURANCE CODE, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 134, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 134 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: March 12, 1963

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 190, under suspension of rules, CIVIC AUDITORIUM, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 190, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 190 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to S. B. No. 105, entitled SCHOOL FINANCE FORMULA, and has appointed a Conference Committee consisting of Representatives Harward, Sonntag and Green to act with a like committee from the Senate on this bill.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Bernhard, President Bullen appointed a Conference Committee consisting of Senators Bernhard, Hunter and Mantes, to act with a like committee from the House to confer on S. B. No. 105.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 13, entitled STATE AGENCY FOR SURPLUS PROPERTY, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 13 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 12th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 249, OCCUPATIONAL DISEASE BENEFITS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Grover, the rules were suspended and the Senate voted to now consider H. B. No. 168 and place it at the head of the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 168 was read the second time.

H. B. No. 168 was placed on the Third Reading Calendar on the following roll call:

Yeas, 15; Nays, 0; Absent, 10.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, Stacey and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Harmston, Holman, M. Jenkins, Mantes, Miller, D. Taylor, S. Taylor and Waddingham.

H. B. No. 81 was read the second time.

Committee report read and adopted.

H. B. No. 81 was placed on the Third Reading Calendar on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Harmston, Holman, Miller and Waddingham.

On motion of Senator Memmott, the Senate voted to suspend the rules and with unanimous consent S. B. No. 233 was introduced.

INTRODUCTION OF BILLS

S. B. No. 233 By Messrs. Memmott, Bernhard and B. Jenkins

AN ACT RELATING TO UNEMPLOYMENT COMPENSATION; PROVIDING THAT BENEFITS SHALL BE PAYABLE TO A PERSON OTHERWISE QUALIFIED FOR SUCH BENEFITS AFTER HAVING RECEIVED WORKMEN'S COMPENSATION OR OCCUPATIONAL DISEASE COMPENSATION.

S. B. No. 233 was read the first time.

On motion of Senator Memmott the rules were suspended and S. B. No. 233 was read the second and third times and placed on its final passage.

S. B. No. 233 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hammond, Hunter, M. Jenkins, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Hafen, Harmston, Holman, B. Jenkins, Kerr, Miller and Waddingham.

S. B. No. 233 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 217 was read the second time.

On motion of Senator Kerr, H. B. No. 217 retained its position on the Second Reading Calendar.

On motion of Senator Mantes, 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 Mantes, S. B. No. 166 was placed at the head of the calendar.

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:

Yeas, 14; Nays, 2; Absent, 9.

Voting in the affirmative were: Senators Bernhard, Gardner, Grover, Hammond, Hunter, M. Jenkins, Lambert, Mantes, Memmott, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators Barlow and Sowards.

Absent and not voting were: Senators Brockbank, Browning, Hafen, Harmston, Holman, B. Jenkins, Kerr, Miller and Waddingham.

S. B. No. 166 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 197 was read the second time.

Committee report read and adopted.

On motion of Senator Kerr, H. B. No. 197 retained its position on the Second Reading Calendar.

H. B. No. 173 was read the second time.

Committee report read and adopted.

On motion of Senator Barlow, H. B. No. 173 was amended as follows:

Page 2, delete line 15, Section 3.

On motion of Senator Kerr the rules were suspended and H. B. No. 173 was read the third time and placed on its final passage.

H. B. No. 173 then passed on the following roll call.

Yeas, 14; Nays, 0; Absent, 11.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hammond, B. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, D. Tyalor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Hafen, Harmston, Holman, Hunter, M. Jenkins, Mantes, Miller, Stacey and Waddingham.

H. B. No. 173 was returned to the House.

H. B. No. 218 was read the second time.

Committee report read and adopted.

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

Representative Hubert Cochran appeared before the Committee of the Whole.

Mr. Russell Davis appeared before the Committee of the Whole.

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

H. B. No. 218 was placed on the Third Reading Calendar on the following roll call:

Yeas, 16; Nays, 0; Absent, 11.

Voting in the affirmative were: Senators Barlow, Bernhard, Grover, Hammond, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Gardner, Hafen, Harmston, Holman, Miller, D. Taylor and Waddingham.

H. B. No. 143 was read the second time.

Committee report read and adopted.

On motion of Senator Rees the rules were suspended and H. B. No. 143 was read the third time and placed on its final passage.

H. B. No. 143 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators Bernhard, Gardner, Grover, Hammond, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank, Browning, Hafen, Harmston, Holman, Miller, Sowards and Waddingham.

H. B. No. 143 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Rees, S. B. No. 138 was lifted from the table.

On motion of Senator Rees, the enacting clause of S. B. No. 138 was struck.

H. B. No. 186 was read the second time.

On motion of Senator Kerr the rules were suspended and H. B. No. 186 was read the third time and placed on its final passage.

H. B. No. 186 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hammond, Harmston, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Sowards, Stacey D. Taylor and Mr. President.

Absent and not voting were: Senators Borckbank, Browning, Hafen, Holman, Miller, Rees, S. Taylor and Waddingham.

H. B. No. 186 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator M. Jenkins, the rules were suspended and the Senate voted to now consider S. B. No. 196.

S. B. No. 196 was read the second time.

Committee report read and adopted.

On motion of Senator Kerr the rules were suspended and 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:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Häfen, Mantes, Miller, S. Taylor and Waddingham.

S. B. No. 196 was transmitted to the House.

H. B. No. 49 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins, H. B. No. 49 was amended as follows:

Page 5, delete lines 9 and 10.

On motion of Senator B. Jenkins, the title of H. B. No. 49 was amended as follows:

Line 7 of the title after the word "BUILDINGS." delete the remainder of line 7, lines 8 and 9 inclusive.

On motion of Senator B. Jenkins the Senate resolved itself into a Committee of the Whole.

Representative Della L. Loveridge appeared before the Committee of the Whole.

On motion of Senator B. Jenkins the Committee of the Whole was dissolved.

On motion of Senator Grover, H. B. No. 49 was amended as follows:

Page 1, line 3: Delete the words ", or alteration".

Page 1, line 4: Delete the words "of any existing school plant is to be made,".

Page 1, line 4: Before the word "the", insert the word "and".

H. B. No. 49 was placed on the Third Reading Calendar on the following roll call:

Yeas, 18; Nays, 1; Absent, 6.

Voting in the affirmative were: Senators Bernhard, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Miller, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Voting in the negative was Senator Rees.

Absent and not voting were: Senators Barlow, Brockbank, Browning, Hafen, Memmott and Waddingham.

H. B. No. 122 was read the second time.

Committee report read and adopted.

On motion of Senator Grover the rules were suspended and H. B. No. 122 was read the third time and placed on its final passage.

H. B. No. 122 then passed on the following roll call:

Yeas, 19; Nays, 1; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, S. Taylor and Mr. President.

Voting in the negative was Senator Rees.

Absent and not voting were: Senators Brockbank, Browning, M. Jenkins, D. Taylor and Waddingham.

H. B. No. 122 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

COMMUNICATIONS FROM THE HOUSE

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 99, under suspension of the rules, TRANSFERRING

THE HIGHWAY PATROL RETIREMENT, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 99, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 99 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 97, under suspension of the rules, PRISON AND INDUSTRIAL SCHOOL PENSION, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 97, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 97 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, S. B. No. 96, under suspension of the rules, TRANSFER OF SCHOOL EMPLOYEES' RETIREMENT, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 96, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 96 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: March 13, 1963

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 95, under suspension of the rules, TRANSFER OF PUBLIC EMPLOYEES' RETIREMENT, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 95, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 95 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: March 13, 1963

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 94, under suspension of rules, UTAH STATE RETIREMENT OFFICE, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 94, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 94 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: March 13, 1963

I am directed 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, HOMESTEAD EXEMPTIONS, and th same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 25 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 13, 1963

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 9, and passed H. B. No. 25, INCREASE BAR COMMISSION FROM 7 TO 9 MEMBERS, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
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 further action.

March 13, 1963

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 9, and passed H. B. No. 137, OBSCENITIES, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 137 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

March 13, 1963

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, and passed S. C. R. No. 3, COLORADO RIVER STORAGE PROJECT, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

JOINT CONFERENCE COMMITTEE REPORT

March 12, 1963

S. C. R. No. 3 AMENDMENTS

The joint conference committee consisting of Representatives Tanner, Chairman, Cooper and Lambert and Senators Sowards, Chairman, Sam Taylor and Waddingham having met and carefully considered the amendments of S. C. R. No. 3 as proposed by the Senate and have agreed to the following amendments:

On page 1, 4th line of the 3rd paragraph, after the word "of" delete the word "the" and insert the word "a".

On page 2, line 3 of section 1, after the word "of" delete the word "the" and insert the word "a".

VASCO M. TANNER,
Chairman, House Committee

LELAND SOWARDS,
Chairman, Senate Committee

Report filed.

On motion of Senator Sowards, the Senate voted to concur in the Conference Committee Report.

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

Yeas, 16; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators Bernhard, Brockbank, Gardner, Grover Hafen, Hammond, Harmston, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Rees, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Barlow, Browning, Holman, M. Jenkins, Memmott, Miller, Sowards, D. Taylor and Waddingham.

S. C. R. No. 3 was transmitted to the House for the signature of the Speaker.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 185, under suspension of the rules, COUNTY IMPROVEMENT DISTRICTS, that the Speaker of the House has this day

signed in open session, in the presence of the House, S. B. No. 185, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 185 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 13, 1963

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, TO PERMIT LEASING OF PUBLIC AIRPORT PROPERTY, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
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 further action.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 144, SALES AND USE TAXES, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 144 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this dayday refused to concur in the Senate amendments to H. B. No. 63 entitled

DISTRIBUTION UNITS FOR VOCATIONAL TRAINING, and requests the Senate to recede from its amendments.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Brockbank, the Senate refused to recede from its amendments and President Bullen appointed a Conference Committee consisting of Senators Brockbank, Stacey and Harmston to act with a like committee from the House to confer on H. B. No. 63.

March 13, 1963

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. 218, WASATCH MOUNTAIN STATE PARK, under suspension of the rules, that the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Harmston, the Senate voted to concur with the House amendments of S. B. No. 218 on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Browning, Hafen, Memmott, D. Taylor and Waddingham.

S. B. No. 218 was transmitted to the House for the signature of the Speaker.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, S. J. R. No. 12, under suspension of the rules, WATER SHED PROTECTION, that the Speaker of the House has this day signed in open

session, in the presence of the House, S. J. R. No. 12, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. J. R. No. 12 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

Mr. President: March 13, 1963

I am directed to inform your Honorable Body that the House has this day rejected S. B. No. 68, entitled WITHDRAWAL OF AREA FROM MUNICIPALITIES, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

Mr. President: March 13, 1963

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, S. B. No. 80, INTER-RACIAL MARRIAGES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Grover, the Senate voted to concur with the House amendments of S. B. No. 80 on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Browning, D. Taylor and Waddingham.

S. B. No. 80 was transmitted to the House for the signature of the Speaker.

On motion of Senator Grover, the Senate voted to suspend the rules and S. B. No. 177 was lifted from the Sifting Committee and placed at the head of the Second Reading Calendar.

On motion of Senator Kerr, the Senate recessed.

The Senate re-assembled.

COMMUNICATIONS FROM THE GOVERNOR

March 13, 1963

The Honorable Reed Bullen

President of the Utah State Senate

and

Members of the State Senate

Gentlemen:

In accordance with the power vested in me by the Constitution and Laws of the State of Utah, I herewith appoint and recommend to your honorable body for confirmation the following named individuals for service on the State Boards and Commissions designated.

INSTITUTE OF FINE ARTS:

Mrs. Glenn J. Beeley, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

PARK AND RECREATION COMMISSION:

Mr. John Levering, Moab, appointed to a four year term, expiring June 30, 1967.

FINANCE DEPARTMENT ADVISORY COUNCIL:

Mr. Nelson W. Aldrich, Salt Lake City, to fill unexpired term of Mr. Ames K. Bagley, expiring March 1, 1968.

ADVISORY COUNCIL FOR SCHOOL FOR DEAF AND BLIND:

Mrs. Marjorie Winegar, Bountiful, to fill unexpired term of Mr. Keith Winegar, expiring July 15, 1967.

BOARD OF FORESTRY AND FIRE CONTROL:

Mr. Harold S. Coons, Ogden, appointed to a six year term, expiring June 30, 1969.

Mr. Max C. Gardner, Salt Lake City, appointed to a six year term, expiring June 30, 1969.

Mr. Earl Bunn, Parowan, appointed to a six year term, expiring June 30, 1969.

UTAH STATE UNIVERSITY BOARD OF TRUSTEES:

Mr. E. O. Larson, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

Mrs. Lucile O. Petty, Ogden, appointed to a four year term, expiring June 30, 1967.

Mr. Alva R. Snow, Roosevelt, appointed to a four year term, expiring June 30, 1967.

COMMITTEE ON CHILDREN AND YOUTH:

Mrs. Helen B. Ure, Salt Lake City, appointed to a six year term, expiring June 30, 1969.

Mr. Neil D. Schaerrer, Salt Lake City, appointed to a six year term, expiring June 30, 1969.

PUBLIC SERVICE COMMISSION, BUSINESS REGULATION COMMISSION, SECURITIES COMMISSION AND TRADE COMMISSION:

Mr. Raymond W. Gee, Salt Lake City, appointed to a six year term, expiring March 1, 1969.

Yours sincerely,

GEORGE D. CLYDE,
Governor

Communication referred to the Special Committee on Appointments.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Grover, the rules were suspended and the Senate voted to now consider S. B. No. 177.

S. B. No. 177 was read the second time.

Committee report read and adopted.

On motion of Senator Harmston the rules were suspended and S. B. No. 177 was read the third time and placed on its final passage.

S. B. No. 177 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Hafen and Hunter.

S. B. No. 177 was transmitted to the House.

H. B. No. 217 having retained its position was before the Senate.

On motion of Senator Bernhard the rules were suspended and H. B. No. 217 was read the third time and placed on its final passage.

H. B. No. 217 then passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover (explained vote), Hafen, Harmston, Holman, Hunter, B. Jenkins (explained vote), Kerr, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Hammond, M. Jenkins and Lambert.

Absent and not voting was Senator Browning.

H. B. No. 217 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 206 was read the second time.

On motion of Senator B. Jenkins 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:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank and Browning.

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 further action.

On motion of Senator Memmott, 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 Memmott the rules were suspended and S. B. No. 223 was placed at the head of the calendar for reconsideration at this time.

On motion of Senator Waddingham, S. B. No. 223 was tabled.

CONSIDERATION OF BILLS ON SECOND READING

H. C. R. No. 2 was read the second time.

Committee report read and adopted.

On motion of Senator Rees the rules were suspended and H. C. R. No. 2 was read the third time and placed on its final passage.

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

Yeas, 17; Nays, 6; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Hafen, Harmston, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Grover, Hammond, Holman, B. Jenkins, Miller and S. Taylor.

Absent and not voting were: Senators Brockbank and Browning.

H. C. R. No. 2 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Sowards, the rules were suspended and the Senate voted to now consider S. B. No. 157.

S. B. No. 157 was read the second time.

Committee report read and adopted.

On motion of Senator Lambert the rules were suspended and S. B. No. 157 was read the third time and placed on its final passage.

S. B. No. 157 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham (explained vote) and Mr. President.

Absent and not voting were: Senators Brockbank, Browning and D. Taylor.

S. B. No. 157 was transmitted to the House.

On motion of Senator Miller, the rules were suspended and the Senate voted to now consider S. B. No. 197.

S. B. No. 197 was read the second time.

Committee report read and adopted.

On motion of Senator Waddingham the rules were suspended and S. B. No. 197 was read the third time and placed on its final passage.

S. B. No. 197 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow and Browning.

S. B. No. 197 was transmitted to the House.

On motion of Senator Waddingham, S. B. No. 223 was lifted from the table, the rules were suspended and S. B. No. 223 was placed at the head of the Third Reading Calendar for reconsideration.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 223 was before the Senate for reconsideration.

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

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

On motion of Senator Memmott, S. B. No. 223 was amended as follows:

Strike the new material on lines one and two of page 2 and insert on line 3, page 2, after "; or" –

dirt, asphalt paving, earth, crushed stone, non-metallic rock, sand, gravel hauled in dump trucks in bulk or

S. B. No. 223, upon reconsideration, then passed on the following roll call:

Yeas, 13; Nays, 10; Absent, 1.

Voting in the affirmative were: Senators Barlow, Gardner, Grover, Hafen, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees and Waddingham.

Voting in the negative were: Senators Bernhard, Brockbank, Hammond, M. Jenkins, Miller (explained vote), Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting was Senator Browning.

S. B. No. 223 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 124 was read the second time.

On motion of Senator Hafen, H. B. No. 124 retained its position on the Second Reading Calendar.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to now consider S. B. No. 228.

On motion of Senator B. Jenkins the Senate recessed.

The Senate re-assembled.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Waddingham, the rules were suspended and the Senate voted to amend S. B. No. 228 by deleting all the body and the title of the original S. B. No. 228 and then inserting in lieu thereof the following:

S. B. 228 (Substitute) By Messrs. Kerr, Brockbank, S. J. Taylor, Hafen, and Waddingham

AN ACT AMENDING CHAPTER 10, TITLE 63, UTAH CODE ANNOTATED 1953, AS AMENDED: PROVIDING FOR A BUILDING PROGRAM TO BE CARRIED OUT BY THE UTAH STATE BUILDING BOARD, INCLUDING PAYMENT OF THE COSTS THEREOF; PROVIDING FOR THE ISSUANCE OF STATE CERTIFICATES OF PAYMENT IN CONNECTION WITH THE TEMPORARY FINANCING OF SUCH BUILDING PROGRAM AND APPROPRIATING THE PROCEEDS OF THE SALE THEREOF FOR THE PURPOSES AUTHORIZED IN THIS ACT; PROVIDING A FUND FOR THE PAYMENT OF INTEREST ON AND THE REDEMPTION OF SAID CERTIFICATES OF PAYMENT; CLARIFYING THE BASIS FOR APPLICATION OF THE LIMITATION ON STATE INDEBTEDNESS FIXED BY SECTION 1 OF ARTICLE XIV OF THE CONSTITUTION; EXEMPTING SUCH CERTIFICATES OF PAYMENT AND THE INTEREST THEREON FROM TAXATION; PROVIDING FOR MANDAMUS ACTION IN THE SUPREME COURT UNDER CERTAIN CIRCUMSTANCES, AND MAKING SUCH CERTIFICATES OF PAYMENT LEGAL INVESTMENTS FOR PUBLIC, TRUST AND OTHER FUNDS AND SECURITY FOR FAITHFUL PERFORMANCE ON EXECUTIONS.

Be It Enacted by the Legislature of the State of Utah:

Section 1. Chapter 10, Title 63, Utah Code Annotated 1953, as heretofore amended, is further amended through the addition thereto of Section 63-10-7.1 to 63-10-7.15, which sections shall read as follows:

63-10-7.1. The following building and expansion program is hereby prescribed to be carried out by the Utah State Building Board (hereinafter sometimes called "The Board") in such order and at such time or times

as said Board may determine. Said Board may construct or otherwise acquire any or all buildings and facilities hereinafter set forth, may acquire and improve sites therefor, may furnish and equip such buildings, may provide parking facilities, and may remodel, alter, repair and improve existing buildings and facilities as hereinafter set forth, however as to each of the State Institutions hereafter set forth, the Board shall proceed, in so far as may be practicable, in the completion of the projects, in the order as set forth below:

UNIVERSITY OF UTAH: $19,738,000	A (7,530,000)	B (6,140,000)	C (6,068,000)
			Estimated Costs
Medical Center			$ 1,500,000
Utilities & Campus Development			600,000
Law Building			225,000
Business Building (I)			221,000
Utilities			1,037,000
Merrill Engineering Building (III)			2,173,000
College of Business Building (II)			1,142,000
Physics Building			1,700,000
Chemistry Building			2,985,000
Biological Science Building			2,755,000
Library			3,000,000
Pharmacy Building			705,000
Alterations, Repairs & Improvements			1,695,000

UTAH STATE UNIVERSITY $8,373,000	A (3,180,000)	B (3,535,000)	C (1,658,000
			Estimated Costs
Library-Classroom Building (I)			$ 600,000
Utilities			450,000

Hydraulics Laboratory (II)	650,000
Library-Classroom Building (II)	1,195,000
Experiment Station	633,000
Land Purchase	65,000
Chemistry Building Remodel	125,000
Television Transmitter	130,000
Auditorium-Fine Arts Center	2,800,000
Vet-Science Building Expansion	300,000
Livestock Pavillion	125,000
Industrial Tech-Ed Replacement	500,000
Main Building Remodel	300,000
Alterations, Repairs & Improvements	500,000

WEBER STATE COLLEGE:		A	B	C
	$6,636,390	(3,681,390)	(2,330,000)	(625,000)
				Estimated Costs
Fine Arts Building (I)				$ 900,000
Library-Classroom Building				1,500,000
Fine Arts Building (II)				1,000,000
Campus Development				355,000
Land Purchase				81,390
Science Building				2,230,000
Administration-Classroom Building				570,000

COLLEGE OF SOUTHERN UTAH:		A	B	C
	$1,519,000	(1,215,000)	(54,000)	(250,000)
				Estimated Costs
Physical Education Center				$ 990,000
Land Purchase				75,000
Administration Building Remodel				150,000
Alterations, Repairs & Improvements				54,000
Fine Arts Center				250,000

		A	B	C
SNOW COLLEGE:	$889,500	(404,500)	(380,000)	(105,000)

	Estimated Costs
Library-Classroom Building	$ 250,000
Physical Education Facility	300,000
Alterations, Repairs & Improvements	104,500
Maintenance and Storage Facility	175,000
Land Purchase	60,000

		A	B	C
CARBON COLLEGE:	$806,000	(476,000)	(160,000)	(170,000)

	Estimated Costs
Science Building	$ 332,000
Main Building Remodel	290,000
Physical Education Facilities	24,000
Music Building Replacement	120,000
Campus Development	50,000

		A	B	C
DIXIE COLLEGE:	$688,970	(486,170)	(122,300)	(80,500)

	Estimated Costs
Science Building	$ 210,130
Land Purchase	16,500
Library	224,540
Campus Development	35,000
Administration Building	122,300
Custodial Building	80,500

		A	B
SALT LAKE TRADE TECHNICAL INSTITUTE:	$1,828,000	(1,450,000)	(378,000)

	Estimated Costs
Classroom-Administration Building	$1,400,000
Automotive Shops	378,000
Alterations, Repairs & Improvements	50,000

		A	B
UTAH TRADE TECHNICAL INSTITUTE:	$280,000	(250,000)	(30,000)

	Estimated Costs
Land Purchase	$ 250,000
Campus Development	30,000

		A	B
SCHOOLS FOR THE DEAF AND BLIND:	$1,075,700	(465,000)	(610,700)

	Estimated Costs
Fire Alarm System	$ 16,000
Classroom-Dormitory Building	417,000
Primary Hall Remodel	33,000
Vocational Building	577,700
Alterations, Repairs & Improvements	32,000

		A	B
STATE TRAINING SCHOOL:	$715,000	(565,000)	(150,000)

	Estimated Costs
Kitchen Facilities	$ 270,000
Boys' and Girls' Cottage	250,000
Sewage Treatment Facilities	45,000
Alterations, Repairs & Improvements	150,000

STATE HOSPITAL: $33,000

	Estimated Costs
Building Additions	$ 33,000

		A	B	C
STATE INDUSTRIAL SCHOOL:	$905,000	(625,000)	(30,000)	(250,000)

	Estimated Costs
Girls' Cottage	$ 150,000
Boys' Cottage	175,000
School Addition	250,000

Kitchen and Dining Renovation	30,000
Gymnasium	250,000
Alterations, Repairs & Improvements	50,000

UTAH STATE PRISON: $1,500,000 (A $1,500,000)

	Estimated Costs
Minimum Security Compound	$1,500,000

HISTORICAL SOCIETY: $ 249,000 (C $ 249,000)

	Estimated Costs
Archives Building	$ 241,000
Alterations, Repairs & Improvements	8,000

DEPARTMENT OF HEALTH: $218,440 (A 218,440)

	Estimated Costs
Alterations & Remodeling	$ 218,440

STATE CAPITOL AND FACILITIES: $1,107,000 (A $1,107,000)

	Estimated Costs
Parking Facilities and Plaza	$ 180,000
Capitol Heating Facilities	183,000
Capitol Elevators	63,000
Alternate Site of Government	50,000
Capitol Building Remodeling	631,000

GRAND TOTAL $46,562,000

63-10-7.2. Whenever the Board advises the State Board of Loan Commissioners (hereinafter sometimes referred to as "the Commissioners") that anyone or more of the building projects authorized by this Act is ready to be advertised for bids, and if sufficient appropriated funds are not available

to proceed with the letting of the contract for which bids are to be requested, the Commissionrs shall, subject to the provisions of Section 63-10-7.3 of this act, negotiate a loan or loans to the extent authorized herein from fund balances under the control of the state treasurer, the proceeds of which loan or loans are to be used to finance state building projects authorized by law and shall direct the state treasurer to make available to the state building board the sum or sums of money from time to time required by the building board to pay contractual obligations incurred by the state building board pursuant to the loan commitment negotiated pursuant to this act. The loan authorization specified by this act shall not at any time exceed the total aggregate amount of $10,000,000 for the purposes herein provided for and no interest shall be payable upon any fund balances under the control of the state treasurer; and provided that nothing herein shall be construed as authorizing or requiring the lending of any fund or funds otherwise limited or resticted in such use by the constitution of the State of Utah.

63-10-7.3. The state treasurer shall make the aforementioned loan or loans from state funds under his control and by utilizing such funds for such loan or loans in accordance with the following priority:

First, from non-interest bearing demand deposits in banks or other depositories which will not impair the ability of the state treasurer to redeem outstanding warrants;

Second, by liquidating time deposits in banks or other depositories; said state treasurer to first liquidate such time deposits in accordance with a priority which will result in the liquidaton of those time deposits bearing the least rate of interest first, and the greatest rate of interest last, provided, however, that in the event funds can be obtained by the state board of loan commissioners by the issuance of certificates of payment as authorized in the act bearing a rate of interest less than the rate of interest being received by the state on the time deposits referred to, the board of loan commissioners is authorized and directed to, and shall issue certificates of payment as authorized in the act and thus secure funds from private sources with which to make loans for construction purposes authorized by this act.

63-10-7.4. The cost of the improvements described in Section 63-10-7.1 may be paid, and loans from the State Board of Loan Commissioners under the provisions of Chapter 160 and Chapter 190, Laws of Utah 1961, and of Section 63-10-7.2 and Section 63-10-7.3 of this act, in connection with the improvements described in Section 63-10-7.1, may be repaid, from the proceeds of the allocation to the Board of the additional sales and use taxes imposed from July 1, 1963 to June 30, 1969 pursuant to Senate Bill 91 as such proceeds are received by the Board. However, in order to permit and facilitate the temporary financing of the cost of such improvements, the Board may from time to time, in order to pay for all or part of the cost of the improvements described in Section 63-10-7.1, including the preparation of plans and specifications and the payment of all fiscal, legal, engineering and other costs and expenses properly incident thereto and to the issuance of the certificates, cause to be anticipated through the issuance of certificates of payment of the State, the receipt by the Board of the allocation of the proceeds of the additional sales and use taxes imposed from July 1, 1963 to June 30, 1969, pursuant to the provisions of Senate Bill 91 and in anticipation of the receipt of any other State revenues not derived from the levy of ad valorem taxes, including, but without limitation, the State's share of the proceeds of the sales and use taxes imposed pursuant to the provisions of Chapters 15 and 16 of Title 59, Utah Code Annotated 1953, as amended. Such certificates shall be authorized, sold and issued by the State Board of Loan Commissioners (hereinafter sometimes referred to as "the Commissioners") pursuant to request contained in a resolution or resolutions to be adopted by the Board. The estimated costs appearing in Section 63-10-7.1 shall not constitute a limitation on the amount of certificate proceeds which may be expended for any project but certificates issued pursuant hereto shall never be outstanding in an amount in excess of $10,000,000, at any one time, or in an amount in excess of that permitted by Section 1 of Article XIV of the Constitution. In compliance with the interpretations of said Article XIV heretofore made by the Supreme Court of Utah, the value of the taxable property in the State for purposes of applying the debt limitation contained in Section 1 of Article XIV aforesaid, shall be considered

to be 100% of the reasonable, fair cash value of such taxable property as computed from the last assessment for State purposes completed previous to the issuance of such certificates.

63-10-7.5. The certificates of payment issued hereunder shall bear such date or dates and shall mature at such time or times not later than July 1, 1970 as prescribed by the Commissioners. Such certificates shall bear interest at a rate or rates not in excess of 4% per annum, with a maximum rate not to exceed that specified in the resolution of the Board requesting the issuance of the certificates. There are hereby pledged to the payment of principal of and interest and redemption premiums on such certificates of payment, so much as may be necessary of the allocation to the Board of the additional sales and use taxes imposed from July 1, 1963 to June 30, 1969, pursuant to Senate Bill 91 and other State revenues, including, but without limitation, the State's share of the proceeds of the sales and use taxes imposed pursuant to the provisions of Chapters 15 and 16, Title 59, Utah Code Annotated 1953, as amended, allocated to the payment thereof under the terms of the resolution of the Board requesting the issuance of the certificates and after the issuance thereof, the continued imposition and collection of the sales and use taxes and other revenues pledged in an amount fully sufficient to pay such principal and interest shall be irrevocable and it is hereby expressly recognized and affirmed that the holders of such certificates from time to time shall enjoy a vested contract right in the continued levy, collection and allocation of all such taxes, fees and other sources of revenue and may bring all legal action and do all other things needful to the enforcement of such vested contract right, and it is hereby expressly provided that the Board shall repay loans from the State Board of Loan Commissioners as authorized in Section 63-10-7.2 only from the proceeds of the aforesaid allocation of sales and use taxes and other revenues as are not required for the payment of principal of and interest and redemption premiums of certificates of payment issued by the Board of Loan Commissioners under the provisions of this act.

63-10-7.6. The Commissioners in providing for the issuance of certifi-

cates hereunder shall comply with any requirements contained in the resolution or resolutions of the Board requesting the issuance of such certificates, including provision as to the manner in which such certificates are to be sold, but subject to such limitation shall have full discretion in fixing the terms and details thereof, and may provide for the issuance of said certificates in such form, either coupon or registered, with such conversion privileges and executed in such manner (which may include the use of facsimile signatures) and payable in such medium and at such place or places and subject to such terms of redemption with or without premium, and containing such terms, covenants and provisions as the Commissioners may by resolution or resolutions provide.

Any such resolution may provide for the exchange of any such certificates after issuance for certificates or larger or smaller denominations in such manner as may be provided in the authorizing resolution, provided the certificates in changed denominations shall be exchanged for the original certificates in like aggregate principal amounts and in such manner that no overlapping interest is paid and such certificates in changed denominations shall bear interest at the same rate or rates, shall mature on the same date or dates, shall be in the same form except for an appropriate recital as to the exchange, and shall in all other respects as to denominations and numbers, be identical with the original certificates surrendered for exchange. Where any exchange is made pursuant to this paragraph, the certificates surrendered by the holders at the time of exchange shall be cancelled, any such exchange shall be made only at the request of the holders of the certificates to be surrendered, and the Commissioners may require all expenses incurred in connection with such exchange, including the authorization and issuance of the new certificates, to be paid by such holders.

63-10-7.7. All certificates issued hereunder except those fully registered, shall be fully negotiable within the meaning and for all the purposes of the negotiable instruments law as said law is now or may hereafter be in effect in the State of Utah.

63-10-7.8. The State Auditor shall register all certificates issued hereunder in a book to be kept by him for that purpose. The Auditor shall draw a warrant or warrants on the State Treasurer for the amount of interest falling due on such certificates on each interest payment date, for the amount of principal falling due thereon on each date on which principal falls due, and for the amount of redemption premiums falling due on such certificates on any interest payment date. Such warrant or warrants shall be drawn at least ten days previous to the date on which any such payments of principal, interest or redemption premiums fall due and such sum as may be necessary is hereby appropriated and set aside from the sales tax revenues and other pledged revenues, if any, deposited with the State Treasurer, or in case there be not sufficient money available from such sources, such sum as may be necessary is hereby appropriated and set aside from the general fund of the State or from such other fund as may be provided by law for use from year to year to pay such principal, interest and redemption premiums. The full faith, credit and resources of the State are hereby pledged to the prompt payment of principal of and interest on all certificates issued hereunder as principal and interest fall due, and whenever necessary to assure such payment, there shall be levied upon all taxable property in the State a tax sufficient for such purpose.

63-10-7.9. The Commissioners may upon the request of the Board issue certificates under this Chapter in advance of the time as of which it is anticipated that the proceeds thereof will be needed, and in such event the Commissioners are authorized to provide for the investment of such proceeds in obligations of the United States Government or of the State of Utah and to provide for the investment of such proceeds in such obligations from time to time until needed for the purposes for which the certificates were authorized.

63-10-7.10. All proceeds of any certificates issued pursuant hereto shall be paid out pursuant to appropriate orders of the Board and the Board is hereby authorized and directed to pay out of such proceeds any expenses which may be incurred by the Commissioners or by the State or its officials in connection with the authorization and issuance of certificates hereunder.

63-10-7.11. It shall be the duty of the Commissioners to make a full report of their proceedings under the provisions of this act to the Legislature during the first week of the next session and biennially threafter.

63-10-7.12. The certificates issued under the provisions of this Chapter and the interest thereon shall not be taxed for any purpose within this State and the proceeds of the sale thereof shall be covered into the State Treasury and the same shall be and hereby are appropriated and shall be used exclusively for the purposes authorized in this Chapter. The State Treasurer shall pay out said moneys so received in the manner required by law, upon the order of the Board, subject, however, to such approval by the State Board of Examiners as may be otherwise required by law.

63-10-7.13. All certificates issued pursuant hereto shall be legal investments for all trust funds, including those under the jurisdiction of the State and for the funds of all insurance companies, banks and trust companies, for the State school funds and for all funds under the control of the State Treasurer, and may be used as security for the faithful performance on execution of any court or private trust or any other act.

63-10-7.14. In the event that any official required by the proceedings authorizing certificates hereunder to sign such certificates shall refuse to affix his signature thereto, alleging as the reason therefor the illegality of the certificates to be signed, the Board of Commissioners may bring an original action in the Supreme Court to mandamus such official to sign the certificates. It is expressly found and determined that the importance of the proposed building program to the State and its inhabitants is such that any such action brought in the Supreme Court be given precedence other the other matters pending before the court and the court is requested to give such action precedence and to render its decision thereon at the earliest possible time.

63-10-7.15. The Commissioners may provide for the publication of any resolution it may adopt for the authorization of certificates of payment hereunder in one issue of a newspaper having general circulation in the state.

For a period of thirty days after the date of such publication any person in interest shall have the right to contest the legality of such resolution or any certificates of payment which may be authorized thereby or any of the provisions made for the security and payment of such certificates of payment and after such time no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause whatsoever. Provided that the commissioners, prior to the issuance of cetificates of payment hereunder, shall find and certify that all conditions precedent to said issuance, as set forth in Section 63-10-7.3 of this act, have been complied with, which finding and certification shall be conclusive; and any certificate of payment issued hereunder shall be incontestable in respect to such finding or certification.

Section 2. If any one or more sections, clauses, sentences, or parts of this act shall for any reason be questioned in any court, and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of said act, but shall be confined in its operations to the specific provisions so held invalid, and inapplicability or invalidity of any such section, clause, provision or part shall not be taken to affect or prejudice in any way the remaining part or parts of said act; provided however, that if any such section, clause, provision or part so invalidated, be a part producing revenues essential for the payment of any outstanding certificates issued under the authority of this act, the State must forthwith vouchsafe and provide sufficient revenue to meet the deficit so thus caused.

On motion of Senator Waddingham, S. B. No. 228 retained its position on the Third Reading Calendar.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to now consider S. B. No. 231.

On motion of Senator Waddingham, the enacting clause of S. B. No. 231 was struck.

On motion of Senator Waddingham, S. B. No. 229 was lifted from the table.

Senator Waddingham moved that the enacting clause of S. B. No. 229 be struck.

Senator Barlow, with the aid of five Senators, requested a roll call vote on the above motion to strike the enacting clause of S. B. No. 229.

The motion to strike the enacting clause passed on the following roll call:

Yeas, 12; Nays, 11; Absent, 2.

Voting in the affirmative were: Senators Brockbank, Grover, Harmston, Holman, B. Jenkins, M. Jenkins, Lambert, Mantes, Miller, Sowards, S. Taylor and Waddingham.

Voting in the negative were: Senators Barlow, Bernhard, Gardner, Hafen, Hammond, Hunter, Kerr, Rees, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators Browning and Memmott.

On motion of Senator Waddingham, S. B. No. 228 was made a Special Order of Business for Thursday, March 14, 1963 at 9:15 A.M.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to now consider S. B. No. 232.

On motion of Senator Waddingham, the enacting clause of S. B. No. 232 was struck.

On motion of Senator Waddingham, S. B. No. 156 was lifted from the table and placed at the head of the Third Reading Calendar.

On motion of Senator Waddingham, the enacting clause of S. B. No. 156 was struck.

On motion of Senator Barlow, S. B. No. 194 was made a Special Order of Business for Thursday, March 14, 1963 at 9:30 A.M.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to lift S. B. No. 220 from its place on the Calendar and place it as a Special Order of Business for Thursday, March 14, 1963 at 9:15 A.M. to be considered along with S. B. No. 228.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 197 having retained its position was before the Senate.

On motion of Senator B. Jenkins the Senate resolved itself into a Committee of the Whole.

Representative Reed Watkins appeared before the Committee of the Whole.

On motion of Senator B. Jenkins the Committee of the Whole was dissolved.

On motion of Senator Rees 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:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, B. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Grover, Hunter, M. Jenkins, Mantes and Miller.

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 further action.

H. B. No. 124 having retained its position was before the Senate.

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

Mr. William G. Harding appeared before the Committee of the Whole.

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

On motion of Senator B. Jenkins, H. B. No. 124 was amended as follows:

Page 3, line 6, after the word "include" insert the word "an existing" then on the same line delete the word "opportunity" also following the word "and" insert "the" and after the word "will" insert the words "attached thereto" then delete the words "of an".

Page 3, line 7, delete the words "existing business".

On motion of Senator Barlow 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:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, Stacey, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Grover, Hunter, Mantes, Miller, D. Taylor and Waddingham.

H. B. No. 124 was returned to the House.

On motion of Senator Kerr, the Senate adjourned until Thursday, March 14, 1963 at 9:00 A.M.

SIXTIETH DAY

MORNING SESSION

March 14, 1963

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

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

Prayer by Pastor Kenneth H. Tuttle, Central Christian Church, Salt Lake City, Utah.

March 14, 1963

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,

WALLACE H. GARDNER,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

The Honorable Reed Bullen
President of the Utah State Senate
and
Members of the State Senate

March 14, 1963

Gentlemen:

In accordance with the power vested in me by the Constitution and Laws of the State of Utah, I herewith appoint and recommend to your honorable body for confirmation the following named individuals for service on the State Board and Commissions designated.

UNIVERSITY OF UTAH BOARD OF REGENTS:

Mr. Briant H. Stringham, Vernal, appointed to a four year term, expiring June 30, 1967.

Mr. Wilford W. Clyde, Springville, appointed to a four year term, expiring June 30, 1967.

Dr. John A. Dixon, Ogden, appointed to a four year term, expiring June 30, 1967.

HIGHWAY PATROL CIVIL SERVICE COMMISSION:

Mr. Frederick P. Champ, Logan, appointed to a four year term, expiring January 1, 1967.

LIBRARY COMMISSION:

Mr. Wendell E. Gile, Salt Lake City, appointed to a six year term, expiring July 1, 1969.

Yours sincerely,

GEORGE D. CLYDE,
Governor

Communication referred to the Special Committee on Appointments.

March 14, 1963

The Honorable Reed Bullen
President of the Utah State Senate
and
Members of the State Senate

Gentlemen:

In accordance with the power vested in me by the Constitution and Laws of the State of Utah, I herewith appoint and recommend to your

honorable body for confirmation the following named individuals for service on the State Board and Commissions designated.

BOARD OF HEALTH:

Dr. Wesley G. Harline, Ogden, to fill unexpired term of Dr. John A. Dixon, expiring March 1, 1967.

Yours sincerely,

GEORGE D. CLYDE,
Governor

Communication referred to the Special Committee on Appointments.

COMMUNICATIONS FROM THE HOUSE

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 64, UTAH PUBLIC EMPLOYEE RETIREMENT, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 64 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 173, MARKETING ACT, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 173 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 136, CIGARETTE TAX, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 106, under suspension of the rules, POLITICAL SUBDIVISIONS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 106, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 106 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 109, as amended by the Senate, COUNTY SERVICE AREA AMENDMENTS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 109, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 109 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, S. B. No. 50, entitled DISTRICT ATTORNEYS' CLERKS' SALARIES, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 50 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 13, 1963

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. 181, RETAIL SALES QUANTITY LIMITATIONS, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 13, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 139, under suspension of the rules, STATE SALARY ACT, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 139, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 139 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: March 13, 1963

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 140, SUPREME COURT CLERK SALARY, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 140, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 140 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: March 13, 1963

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 145, under suspension of the rules, STATE ENGINEER SALARY, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 145, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 145 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: March 13, 1963

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 141, under suspension of the rules, DEPUTY DISTRICT ATTORNEYS SALARIES, that the Speaker of the House has this day signed in open session in the presence of the House, S. B. No. 141, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 141 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: March 13, 1963

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 143, under suspension of the rules, DISTRICT JUDGES SALARY, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 143, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 143 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: March 13, 1963

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 142, under suspension of the rules, TAX COMMISSION SALARIES, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 142, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 142 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

Mr. President: March 13, 1963

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 144, under suspension of the rules, COURT REPORTERS SALARY, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 144, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 144 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 13, 1963

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 13, and passed S. B. No. 115, CLARIFICATION OF DRIVERS LICENSE LAWS, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

JOINT CONFERENCE COMMITTEE REPORT

March 13, 1963

Mr. President and Mr. Speaker:

Your Conference Committee, to which was referred S. B. No. 115, by Mr. Kerr, entitled, CLARIFICATION OF DRIVERS LICENSE LAWS, begs leave to report as follows:

It is the conclusion of the Committee that the House Amendments be accepted.

Respectfully,

JAMES N. STACEY,
Chairman, Senate Committee

ROBERT F. CLYDE,
Chairman, House Committee

Report filed.

On motion of Senator Stacey the Senate voted to concur in the Conference Committee Report on S. B. No. 115.

S. B. No. 115 then failed of passage on the following roll call:

Yeas, 0; Nays, 24; Absent, 1.

Voting in the negative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Browning.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 168 was read the third time and placed on its final passage.

On motion of Senator Rees, H. B. No. 168 retained its position on the Third Reading Calendar.

On motion of Senator Harmston, 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 Snator Harmston, S. B. No. 110 was placed at the head of the calendar.

S. B. No. 110 was read the second time.

Committee report read and adopted.

On motion of Senator Harmston 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:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, B. Jenkins, Miller and Waddingham.

S. B. No. 110 was transmitted to the House.

On motion of Senator Kerr, S. B. No. 111 was tabled.

On motion of Senator Kerr, S. B. No. 113 was tabled.

On motion of Senator Kerr, S. B. No. 198 was tabled.

SPECIAL ORDER

S. B. Nos. 228 and 220 being a Special Order of Business, were before the Senate.

S. B. No. 228 was read the third time and placed on its final passage:

On motion of Senator B. Jenkins, S. B. No. 228 was amended as follows:

Page 1, on the second line from the bottom after the word "in" insert the words "A, B, and C priority" then delete the words "the order".

On motion of Senator B. Jenkins, S. B. No. 228 was amended as follows:

Add to line 19, page 6:

It is the intent of these provisions to allow authorized projects to be contracted provided funds, either from loans as authorized in this act or from current revenue, will be sufficient to meet the schedule of payments to the contractor or contractors. It is not required that full contract amounts be available before contracts are let.

On motion of Senator Hafen, S. B. No. 228 was amended as follows:

Section 63-10-7.3 in sub-section referred to as (Second) line 6, after the words "issuance of" insert the words "either tax anticipation notes or" then on the same line after the word "payment" insert "(both terms hereinafter being referred to as certificates of payment)"

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

Mr. Glen Swenson appeared before the Committee of the Whole.

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

S. B. No. 228 then passed on the following roll call:

Yeas, 22; Nays, 1; Absent, 2.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Waddingham.

Voting in the negative was Mr. President.

Absent and not voting were: Senators Bernhard and Browning.

S. B. No. 228 was transmitted to the House.

S. B. No. 220 being a Special Order of Business, was before the Senate.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to place S. B. No. 220 at the head of the Second Reading Calendar.

On motion of Senator D. Taylor, the rules were suspended and the Senate voted to now consider S. B. No. 183 by placing it at the head of the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 183 was read the second time.

Committee report read and adopted.

On motion of Senator Holman the rules were suspended and S. B. No. 183 was read the third time and placed on its final passage.

S. B. No. 183 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Browning, B. Jenkins, Kerr and S. Taylor.

S. B. No. 183 was transmitted to the House.

On motion of Senator Grover, the rules were suspended and the Senate voted to now consider H. B. No. 195.

H. B. No. 195 was read the second time.

Committee report read and adopted.

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

Mr. Calvin Rampton appeared before the Committee of the Whole.

Mr. Grant C. Aadnesen appeared before the Committee of the Whole.

Mr. L. Brent Coates appeared before the Committee of the Whole.

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

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

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

On motion of Senator Rees, H. B. No. 195 was tabled.

SPECIAL ORDER

S. B. No. 194 being a Special Order of Business, was before the Senate.

S. B. No. 194 was read the third time and placed on its final passage.

On motion of Senator D. Taylor the Senate resolved itself into a Committee of the Whole.

Supt. Maurice C. Barnett, South San Pete School District, appeared before the Committee of the Whole.

On motion of Senator D. Taylor the Committee of the Whole was dissolved.

On motion of Senator D. Taylor, S. B. No. 194 was amended as follows:

Line 1 of title, after the word "sections" insert "53-11-45, 53-11-46," line 6 of bill, page 1, change "$3,800,00" to "$4,100,000."

Page 2, line 21, delete "95%" insert in lieu thereof "97%".

Page 2, line 20, change "$2,300,000" to "$2,000,000."

Page 3, line 15, insert the following:

"Section 2. Section 53-11-45, Utah Code Annotated 1953, as enacted by Chapter 107, Laws of Utah 1961, is amended to read:

53-11-45. In order to qualify for receipt of alternate building aid from the state, the local board of the school district must:

(a) File an application for alternate building aid from the state on or before June 1 of the year preceding the school year for which it seeks said aid.

(b) Certify to the state board that the district is eligible for state building aid.

(c) Have an assessed valuation per pupil in average daily membership in the district for the previous year less than the average of the averages of the assessed valuation per pupil in average daily membership of all the school districts in the state.

(d) Incur and certify to the state board on or before [August 1] December 31st of said year that the district has incurred bond liability equal to [10 per cent of the assessed valuation of property within the district.] at least 95 per cent of the legal bonding capacity of the district.

[If the district is bonded within 95 per cent of the bonding liability above required on said date, and will provide the additional funds to equal said bond liability from other sources not included in the levies required by this act, it shall be deemed to have conformed to this requirement.

Upon application, the state board may grant an extension of not to exceed 60 days from June 1 within which the district may incur the obligation herein required. Bond liability incurred during said extension period shall be deemed to have been incurred as of July 1 of said qualifying year.]

(e) Impose a tax levy in excess of 12 mills during each year for which it seeks to qualify for alternate building aid. Said district may impose said excess levy in units of one- [half] fourth mill and may utilize up to [one and one-half] one and three fourths mills, i.e., [three] seven excess levy units for matching alternate building aid funds from the state.

Said levy shall be used for [debt] the service of debt and capital outlay incurred for expenditures [,] such as acquisition of sites, construction of buildings, additions to existing buildings, the purchase of furnishings

and equipment for said buildings or the remodeling or modernization of existing school plants. Levies necessary to amortize and pay interest on outstanding bonds and the levy required for a district under the continuing school building program shall be deemed includable as part of said qualifying levy.

Section 3. Section 53-11-46, Utah Code Annotated 1953, as enacted by Chapter 107, Laws of Utah 1961, is amended to read:

53-11-46. The amount that the districts qualifying for alternate building aid shall receive from the state in any qualifying year shall be determined as follows:

(a) The state board shall ascertain the amount of property tax levy in excess of 12 mills the district is imposing for the qualifying school year.

(b) As alternate building aid the state shall contribute to each said district for each one- [half] fourth mill levy that it imposes in excess of 12 mills up to [one and one-half] one and three fourths mills, an amount bearing the same ratio to the amount it raised by said excess levy that the school district's state contribution to its basic state-supported program bears to the district's contribution thereto.

(c) Subject to the allocation provisions of section 53-11-47, the amount of alternate building aid that a qualifying school district shall receive shall be equal to the amount computed in paragraph (b) above.

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

On motion of Senator B. Jenkins, the call of the Senate was lifted.

Senator B. Jenkins, with the aid of five Senators, requested a roll call vote on his motion to amend on page 2, line 20, from "$2,000,000.00" to "$4,000,000.00"

The motion to amend on the aforementioned page on S. B. No. 194 failed on the following roll call:

Yeas, 10; Nays, 14; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, D. Taylor and Mr. President.

Voting in the negative were: Senators Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, Mantes, Rees, Sowards, Stacey, S. Taylor and Waddingham.

Absent and not voting was Senator Browning.

S. B. No. 194 then passed on the following roll call:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning and Rees.

S. B. No. 194 was transmitted to the House.

On motion of Senator Waddingham, 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 Harmston, the rules were suspended and the Senate voted to amend S. B. No. 64 by deleting all the body and the title of the original S. B. No. 64 and then inserting in lieu thereof the following:

Substitute for S. B. No. 64 By Messrs. Kerr, Miller and Rees

AN ACT PROVING FOR BODIES POLITIC TO JOINTLY CONTRACT FOR COMMUNITY SERVICES WITH OTHER BODIES POLITIC AND AGENCIES BY CREATING A SEPARATE ENTITY FOR SUCH JOINT OPERATIONS.

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

Any municipality or body politic of the State of Utah may, by contract, associate with any other municipality, municipalities, bodies politic or agencies of the State of Utah or United States of America and consumer

owned organizations to create a separate entity, either in the form of a nonprofit corporation, joint venture, or association for the purpose of providing water, gas, sewer, road maintenance, sanitation facilities, and for the purpose of purchasing electric power for the municipalities and agencies thereby associated, and any entity so created shall be deemed a public agency, with powers, privileges and immunities possessed by the served agencies and municipalities in providing such services and commodities acting independently.

S. B. No. 64 was read the second time.

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

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

On motion of Senator Grover the rules were suspended and H. 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:

Yeas, 16; Nays, 6; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Harmston, Holman, B. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, S. Taylor and Waddingham.

Voting in the negative were: Senators Brockbank, Hammond, Hunter, M. Jenkins, Stacey and Mr. President.

Absent and not voting were: Senators Browning, Kerr and D. Taylor.

S. B. No. 64 was transmitted to the House.

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

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 168 having retained its position was before the Senate.

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

Sister Theadora, Holy Cross Hospital, appeared before the Committee of the Whole.

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

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

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

On motion of Senator Grover the Senate recessed.

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the chair.

COMMUNICATIONS FROM THE HOUSE

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the of the House has this day signed in open session, in the presence of the House, S. B. No. 80, entitled PROHIBITED MARRIAGES, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S, B, No. 80 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 14th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 149, CEMETERY MAINTENANCE.

Respecfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 14, 1963

Mr. President:

I am directed 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, entitled WASATCH MOUNTAIN STATE PARK, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 218 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

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. 146, ADJUTANT GENERAL SALARY, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Mantes, the Senate voted to concur with the House amendments of S. B. No. 146 on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Brockbank and Lambert.

S. B. No. 146 was transmitted to the House for the signature of the Speaker.

March 14, 1963

Mr. President:

I am directed 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. 3, entitled COLORADO RIVER STORAGE PROJECT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. C. R. No. 3 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

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. 117, CITIZENS COMMISSION ON GOVERNMENTAL ORGANIZATION, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Grover, the Senate voted to concur with the House amendments of S. B. No. 117 on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Mantes, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, B. Jenkins, Lambert and Memmott.

S. B. No. 117 was transmitted to the House for the signature of the Speaker.

Mr. President: March 13, 1963

I am directed to inform your Honorable Body that the House refused to recede from its amendments to S. B. No. 47, BOARD OF EXAMINERS LAW, and has appointed a Conference Committee consisting of Representatives Gunnell, Dean and Mrs. Loveridge to act with a like committee from the Senate on this bill.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Kerr, President Bullen apopinted a Conference Committee consisting of Senators D. Taylor, Brockbank and Waddingham to act with a like committee from the House to confer on S. B. No. 47.

Mr. President: March 14, 1963

I am directed to inform your Honorable Body that the House refused to recede from its amendment (or amendments) to H. B. No. 63, DISTRIBUTION UNITS FOR VOCATIONAL TRAINING, and has appointed a Conference Committee consisting of Representatives Memmott, Jones, and Bullock to act with a like committee from the Senate on this bill.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

Mr. President: March 14, 1963

I am directed to inform your Honorable Body that the House has this day rejected as amended by Senate and House, S. B. No. 74, under suspension of the rules, DRIVER LICENSE COMPACT, and the same is returned herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

UNFINISHED BUSINESS

H. B. No. 168 being Unfinished Business, was before the Senate.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to place H. B. No. 168 at the head of the Third Reading Calendar and that it then hold its place on the Third Reading Calendar.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to now consider S. B. No. 220 on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 220 was read the second time.

Committee report read and adopted.

On motion of Senator Waddingham, S. B. No. 220 was amended as follows:

Line 8 of Bill, delete the words "general fund", and insert the words, "building board to pay principal loan obligations incurred under Chapter 190, Laws of Utah 1961".

On motion of Senator Waddingham, the title of S. B. No. 220 was amended as follows:

Line 5 of the title, delete the words, "GENERAL FUND" and insert the words "STATE BUILDING BOARD FOR LOAN REPAYMENT".

On motion of Senator Waddingham the rules were suspended and S. B. No. 220 was read the third time and placed on its final passage.

S. B. No. 220 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, D. Taylor S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, B. Jenkins and Rees.

S. B. No. 220 was transmitted to the House.

On motion of Senator D. Taylor, the rules were suspended and the Senate voted to place H. B. Nos. 177, 238 and 239 at the head of the Second Reading Calendar.

On motion of Senator Sowards, the rules were further suspended and the Senate voted to now consider H. C. R. No. 4.

H. C. R. No. 4 was read the second time.

Committee report read and adopted.

On motion of Senator Sowards 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:

Yeas, 23; Nays, 0; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning and Kerr.

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 further action.

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

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

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

TOURIST AND PUBLICITY COUNCIL:

Mr. Gus P. Backman, Salt Lake City, appointed to a four year term, expiring Jaune 30, 1967.

Mr. J. W. Corbin, Moab, appointed to a four year term, expiring June 30, 1967.

Mr. Kenneth Sowards, Vernal, appointed to a four year term, expiring June 30, 1967.

UNIVERSITY OF UTAH BOARD OF REGENTS:

Mr. Carvel Mattsson, Richfield, appointed to a four year term, expiring June 30, 1967.

Mr. Reed W. Brinton, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

Mr. Richard L. Evans, Salt Lake City, appointed to a four tear term, expiring June 30, 1967.

UTAH STATE UNIVERSITY BOARD OF TRUSTEES:

Mr. Henry R. Hurren, Logan, appointed to a four year term, expiring June 30, 1967.

Mr. Phillip A. Bullen, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

Mr. Norman D. Salisbury, Logan, appointed to a four year term, expiring June 30, 1967.

COORDINATING COUNCIL OF HIGHER EDUCATION:

Mr. D. Jay Wilson, Ogden, appointed to a six year term, expiring June 30, 1969.

Mr. Morris S. Rosenblatt, Salt Lake City; appointed to a six year term, expiring June 30, 1969.

BOARD OF AGRICULTURE:

George Q. Spencer, Spanish Fork, appointed to a six year term, expiring March 1, 1969.

INDUSTRIAL COMMISSION:

CARLYLE F. GRONNING, Milford, appointed to a six year term, expiring March 1, 1969.

INSTITUTE OF FINE ARTS:

Mrs. Irene Staples, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

Mrs. Helene Parker, American Fork, appointed to a four year term, expiring June 30, 1967.

Mr. Everett Thorpe, Logan, appointed to a four year term, expiring June 30, 1967.

Mr. Theodore L. Cannon, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

Mrs. Ruby G. Christensen, Springville, appointed to a four year term, expiring June 30, 1967.

INSURANCE COMMISSIONER:

Mr. E. Virgil Norton, Salt Lake City, appointed to a four year term, expiring March 31, 1967.

LIQUOR CONTROL COMMISSION:

Mr. J. W. Pace, Delta, appointed to a six year term, expiring June 30, 1969.

TAX COMMISSION:

Mr. Donald T. Adams, Monticello, appointed to a four year term, expiring February 28, 1967.

LIBRARY COMMISSION:

Mr. Golden Black, Delta, appointed to a six year term, expiring July 1, 1969.

Mr. Jesse Anderson, Ogden, appointed to a six year term, expiring July 1, 1969.

FISH AND GAME COMMISSION:

Mr. K. E. Bullock, Provo, appointed to a six year term, expiring March 1, 1969.

PARK AND RECREATION COMMISSION:

Mr. James D. Moyle, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

UNIFORM STATE LAWS COMMISSION:

Mr. A. Pratt Kesler, Salt Lake City, appointed to a six year term, expiring June 30, 1969.

PUBLIC SAFETY COMMISSION:

Mr. J. C. Newman, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

ADVISORY COUNCIL FOR SCHOOL FOR DEAF AND BLIND:

Mr. Ray G. Wenger, Salt Lake City, appointed to a five year term, expiring March 1, 1968.

COUNCIL ON CRIMINAL JUSTICE ADMINISTRATION:

Rev. Frank Brusatto, Salt Lake City, appointed to a six year term, expiring May 8, 1969.

Mr. K. Roger Bean, Layton, appointed to fill unexpired term of Mr. J. Francis Fowles, expiring May 8, 1963, and appointed to a six year term, expiring May 8, 1969.

INSTITUTE OF FINE ARTS:

Mrs. Glenn J. Beeley, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

PARK AND RECREATION COMMISSION:

Mr. John Levering, Moab, appointed to a four year term, expiring June 30, 1967.

FINANCE DEPARTMENT ADVISORY COUNCIL:

Mr. Nelson W. Aldrich, Salt Lake City, to fill unexpired term of Mr. Ames K. Bagley, expiring March 1, 1968.

ADVISORY COUNCIL FOR SCHOOL FOR DEAF AND BLIND:

Mrs. Marjorie Winegar, Bountiful, to fill unexpired term of Mr. Keith Winegar, expiring July 15, 1967.

BOARD OF FORESTRY AND FIRE CONTROL:

Mr. Harold S. Coons, Ogden, appointed to a six year term, expiring June 30, 1969.

Mr. Max C. Gardner, Salt Lake City, appointed to a six year term, expiring June 30, 1969.

Mr. Earl Bunn, Parowan, appointed to a six year term, expiring June 30, 1969.

UTAH STATE UNIVERSITY BOARD OF TRUSTEES:

Mr. E. O. Larson, Salt Lake City, appointed to a four year term, expiring June 30, 1967.

Mrs. Lucile O. Petty, Ogden, appointed to a four year term, expiring June 30, 1967.

Mr. Alva R. Snow, Roosevelt, appointed to a four year term, expiring June 30, 1967.

COMMITTEE ON CHILDREN AND YOUTH:

Mrs. Helen B. Ure, Salt Lake City, appointed to a six year term, expiring June 30, 1969.

Mr. Neil D. Schaerrer, Salt Lake City, appointed to a six year term, expiring June 30, 1969.

PUBLIC SERVICE COMMISSION, BUSINESS REGULATION COMMISSION, SECURITIES COMMISSION AND TRADE COMMISSION:

Mr. Raymond W. Gee, Salt Lake City, appointed to a six year term, expiring March 1, 1969.

UNIVERSITY OF UTAH BOARD OF REGENTS:

Mr. Briant H. Stringham, Vernal, appointed to a four year term, expiring June 30, 1967.

Mr. Wilford W. Clyde, Springville, appointed to a four year term, expiring June 30, 1967.

Dr. John A. Dixon, Ogden, appointed to a four year term, expiring June 30, 1967.

HIGHWAY PATROL CIVIL SERVICE COMMISSION:

Mr. Frederick P. Champ, Logan, appointed to a four year term, expiring January 1, 1967.

BOARD OF HEALTH:

Dr. Wesley G. Harline, Ogden, to fill unexpired term of Dr. John A. Dixon, expiring March 1, 1967.

Motion carried.

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

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 168, having retained it position, was before the Senate.

On motion of Senator Rees, H. B. No. 168 was amended as follows:

Page 11, following line 3, amend Section 15 by adding a subsection (5):

(5) Notwithstanding any of the provisions of this act, any person who has engaged in nursing for a period of three years preceding the effective date of this act, and who shall be recommended as being qualified to engage in nursing by two licensed physicians, one registered nurse and one hospital administrator, and who shall apply to the Department of Registration within one year from the effective date of this act for a license to practice nursing, shall be granted a license as a practical nurse without the necessity of submitting to an examination for such license as herein otherwise provided.

H. B. No. 168 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, S. Taylor and Waddingham.

H. B. No. 168 was returned to the House.

H. B. No. 81 was read the third time and placed on its final passage.

H. B. No. 81 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, B. Jenkins, Memmott, Miller, Sowards and Waddingham.

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 further action.

H. B. No. 218 was read the third time and placed on its final passage.

H. B. No. 218 then passed on the following roll call:

Yeas, 15; Nays, 5; Absent, 5.

Voting in the affirmative were: Senators Barlow, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, Memmott, Miller, Rees, Sowards, Stacey and S. Taylor.

Voting in the negative were: Senators Bernhard, M. Jenkins, Kerr, Lambert and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Mantes, D. Taylor and Waddingham.

H. B. No. 218 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 49 was read the third time and placed on its final passage.

H. B. No. 49 then failed of passage on the following roll call:

Yeas, 10; Nays, 12; Absent, 3.

Voting in the affirmative were: Senators Bernhard, Brockbank, Hammond, Holman, B. Jenkins, Lambert, Memmott, Miller, Sowards and S. Taylor.

Voting in the negative were: Senators Barlow, Gardner, Grover, Hafen, Harmston, Hunter, M. Jenkins, Kerr, Rees, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators Browning, Mantes and Waddingham.

H. B. No. 49 was returned to the House.

On motion of Senator Hunter, the rules were suspended and the Senate voted to now consider S. B. No. 159.

On motion of Senator Hunter, the enacting clause of S. B. No. 159 was struck.

On motion of Senator Grover, the rules were suspended and the Senate voted to now consider S. B. No. 149 on the Third Reading Calendar.

S. B. No. 149, having been previously read, was before the Senate.

On motion of Senator B. Jenkins, S. B. No. 149 retained its position on the Third Reading Calendar.

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

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

On motion of Senator D. Taylor, the rules were suspended and the Senate voted to now consider H. B. Nos. 177, 238 and 239.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 177 was read the second time.

On motion of Senator D. Taylor the rules were suspended and H. B. No. 177 was read the third time and placed on its final passage.

H. B. No. 177 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Browning.

H. B. No. 177 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 238 was read the second time.

On motion of Senator D. Taylor the rules were suspended and H. B. No. 238 was read the third time and placed on its final passage.

H. B. No. 238 then passed on the following roll call:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Browning.

H. B. No. 238 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 239 was read the second time.

On motion of Senator D. Taylor 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:

Yeas, 24; Nays, 0; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting was Senator Browning.

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 further action.

COMMUNICATIONS FROM THE GOVERNOR

March 14, 1963

The Honorable Reed Bullen

President of the Utah State Senate

and

Members of the State Senate

Gentlemen:

In accordance with the power vested in me by the Constitution and Laws of the State of Utah, I herewith appoint and recommend to your honorable body for confirmation the following named individuals for service on the State Boards and Commissions designated.

FAIR ASSOCIATION:

Mrs. Orpha S. Boyden, Salt Lake City, appointed to a four year term, expiring March 15, 1967.

TOURIST AND PUBLICITY:

Mr. Murray M. Moler, Ogden, appointed to fill unexpired term of Mr. Chester J. Olsen (deceased), term expiring July 1, 1965.

Yours sincerely,

GEORGE D. CLYDE,
Governor

Communication referred to the Special Committee on Appointments.

March 14, 1963

Honorable Reed Bullen

President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bill, which has been forwarded to the Secretary of State for filing.

S. B. No. 31, REGIONAL LIBRARIES

S. B. No. 33, COUNTY LIBRARIES

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of the House of Representatives

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 75, under suspension of the rules, THE VEHICLE EQUIPMENT SAFETY COMPACT, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 75, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 75 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 164, under suspension of the rules, PRIVATE SCHOOL DRIVER EDUCATION PROGRAMS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 164, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 164 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 227, under suspension of the rules, SUPPLEMENTAL APPROPRIATION FOR BIENNIUM ENDING JUNE 30, 1963, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 227, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 227 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 196, under suspension of the rules, CONSTRUCTION LOANS FOR WEBER STATE COLLEGE, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 196, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 196 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 116, under suspension of the rules, ANNUITIES FOR HIGHER EDUCATION, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 116, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 116 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of rules, as amended by the House, S. J. R. No. 11, SUCCESSION OF PUBLIC OFFICERS DURING EMERGENCIES, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Kerr the Senate voted to concur with the House amendments of S. J. R. No. 11 on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning and Waddingham.

S. J. R. No. 11 was transmitted to the House for the signature of the Speaker.

March 14, 1963

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 14, and passed S. B. No. 105, SCHOOL PROGRAM DISTRIBUTION UNIT AMOUNT, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

JOINT CONFERENCE COMMITTEE REPORT

March 14, 1963

Mr. President and Mr. Speaker:

Your Conference Committee appointed to consider the amendments to Substitute Senate Bill No. 105, by Messrs. G. D. Taylor, Gardner and Hunter, entitled SCHOOL PROGRAM DISTRIBUTION UNIT AMOUNT, begs leave to make the following majority report:

On page 4, line 17, strike the House Amendment "$375" and insert "$475".

On page 4, line 18, strike House Amendment "3 mills" and insert "3½ mills"

Respectfully,

JOHN T. BERNHARD,
Chairman, Senate Committee

ROYAL T. HARWARD,
Chairman, House Committee

Report filed.

On motion of Senator Bernhard, the Senate voted to concur in the Conference Committee Report.

S. B. No. 105 failed of passage on the following roll call:

Yeas, 3; Nays, 21; Absent, 1.

Voting in the affirmative were: Senators Hunter, Mantes and Mr. President.

Voting in the negative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Waddingham.

Absent and not voting was Senator Browning.

On motion of Senator Bernhard, the Senate voted to suspend the rules and with unanimous consent S. B. No. 234 was introduced.

INTRODUCTION OF BILLS

S. B. No. 234 By Mr. Bernhard

AN ACT AMENDING SECTIONS 53-7-16, 53-7-18, 53-7-19, 53-7-22, 53-7-24, AND 53-7-25, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 104, LAWS OF UTAH 1961, RELATING TO THE STATE-SUPPORTED MINIMUM SCHOOL PROGRAM; PROVIDING FOR AN INCREASE IN THE DISTRIBUTION UNIT AMOUNT OF THE BASIC PROGRAM; AND PROVIDING FOR A STATE-SUPPORTED LEEWAY AND BOARD LEEWAY PROGRAM AUTHORIZATION.

S. B. No. 234 was read the first time.

On motion of Senator Hafen the rules were suspended and S. B. No. 234 was read the second and third times and placed on its final passage.

S. B. No. 234 then passed on the following roll call:

Yeas, 21; Nays, 3; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins (explained vote), M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Waddingham.

Voting in the negative were: Senators Hunter, Mantes and Mr. President.

Absent and not voting was Senator Browning.

S. B. No. 234 was transmitted to the House.

On motion of Senator Grover, 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. 149 having retained its position was before the Senate.

On motion of Senator B. Jenkins, S. B. No. 149 was amended as follows:

Page 5, after line 8, add new paragraph – subsection (1) All employees and officers in the following departments: 1. Agricultural, 2. Department of Highways, 3. Liquor Control Commission.

S. B. No. 149 then failed of passage on the following roll call:

Yeas, 11; Nays, 13; Absent, 1.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hammond, Harmston, Hunter, Kerr, Rees, Stacey and Mr. President.

Voting in the negative were: Senators Brockbank, Hafen (explained vote), Holman, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller (explained vote), Sowards, D. Taylor, S. Taylor and Waddingham.

Absent and not voting was Senator Browning.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 157 was read the second time.

On motion of Senator B. Jenkins the rules were suspended and H. B. No. 157 was read the third time and placed on its final passage.

H. B. No. 157 then passed on the following roll call:

Yeas, 18; Nays, 2; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Brockbank and Hunter.

Absent and not voting were: Senators Browning, M. Jenkins, Miller, Rees and D. Taylor.

H. B. No. 157 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

COMMUNICATIONS FROM THE HOUSE

March 14, 1963

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, entitled REAL ESTATE BROKER, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
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 further action.

March 14, 1963

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. 282, APPROPRIATIONS ACT OF 1963, and the same is returned herwith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 282 was read the first time.

On motion of Senator Kerr the rules were suspended and H. B. No. 282 was read the second and third times and placed on its final passage.

H. B. No. 282 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner,

Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Waddingham.

Absent and not voting were: Senators Bernhard, Browning, Mantes and Mr. President.

H. B. No. 282 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

JOINT CONFERENCE COMMITTEE REPORT

March 14, 1963

Mr. President, Mr. Speaker:

Your Joint Conference Committee to which was referred H. B. No. 63 by Memmott and others, begs leave to report as follows:

That the Senate recede from its amendments to the bill on page 4, line 24 by striking the 20 and reinserting 40.

Respectfully submitted,

W. HUGHES BROCKBANK,
Senate Chairman

CLIFTON N. MEMMOTT,
House Chairman

Report filed.

On motion of Senator Brockbank, the Senate voted to concur in the Conference Committee Report.

H. B. No. 63 then passed on the following roll call:

Yeas, 22; Nays, 0; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Waddingham.

Absent and not voting were: Senators Browning, Mantes and Mr. President.

H. B. No. 63 was returned to the House.

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

FAIR ASSOCIATION:

Mrs. Orpha S. Boyden, Salt Lake City, appointed to a four year term, expiring March 15, 1967.

TOURIST AND PUBLICITY:

Mr. Murray M. Mohler, Ogden, appointed to fill unexpired term of Mr. Chester J. Olsen (deceased), term expiring July 1, 1965.

Motion carried.

CONSIDERATION OF BILLS ON THIRD READING

S. J. R. No. 8 was read the third time and placed on its finfial passage.

On motion of Senator D. Taylor, S. J. R. No. 8 was tabled.

S. B. No. 208 was read the third time and placed on its final passage.

On motion of Senator Waddingham, S. B. No. 208 was tabled.

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:

Yeas, 18; Nays, 2; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Memmott, Miller, Rees, Stacey, D. Taylor and Waddingham.

Voting in the negative were: Senators Lambert and Sowards.

Absent and not voting were: Senators Browning, Hunter, Mantes, S. Taylor and Mr. President.

S. B. No. 107 was transmitted to the House.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Waddingham, the rules were suspended and the Senate voted to now consider H. B. No. 158.

H. B. No. 158 was read the second time.

On motion of Senator B. Jenkins 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:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, and Waddingham.

Absent and not voting were: Senators Browning, Hunter, Mantes, S. Taylor and Mr. President.

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 further action.

H. B. No. 45 was read the second time.

Committee report read and adopted.

On motion of Senator Harmston the rules were suspended and H. B. No. 45 was read the third time and placed on its final passage.

H. B. No. 45 then passed on the following roll call:

Yeas, 18; Nays, 2; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Hafen, Hammond, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Sowards, Stacey and Waddingham.

Voting in the negative were: Senators Rees and S. Taylor.

Absent and not voting were: Senators Browning, Hunter, Mantes, D. Taylor and Mr. President.

H. B. No. 45 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

Senator Harmston served notice that on the next Legislative day he would ask the Senate to re-consider its vote by which H. B. No. 49 failed of passage.

On motion of Senator Harmston, the Senate voted to submit a request to the House recalling H. B. No. 49, for reconsideration.

Senator Waddingham, with the aid of five Senators, requested a Call of the Senate.

On motion of Senator Kerr, the Call of the Senate was lifted.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

COMMUNICATIONS FROM THE GOVERNOR

March 14, 1963

Honorable Reed Bullen
President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bill, which has been forwarded to the Secretary of State for filing.

S. B. No. 15 – BANKING AMENDMENTS

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of the House of Representatives

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

March 14, 1963

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 14, and passed S. B. No. 47, BOARD OF EXAMINERS LAW, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

JOINT CONFERENCE COMMITTEE REPORT

March 14, 1963

Mr. President and Mr. Speaker:

Your Joint Conference Committee, appointed to consider the amendments to S. B. No. 47, entitled, BOARD OF EXAMINERS LAW, has agreed to remove the House amendments on page 1, line 1, in the Title and page 1, line 5, in the Title and to restore all of section 63-6-1, and the Senate has agreed to concur in the House amendments on page 2 of the bill.

Respectfully submitted,

Senate Committee members,

THORPE WADDINGHAM,
W. HUGHES BROCKBANK,
G. DOUGLAS TAYLOR,

House Committee members,

FRANKLIN W. GUNNELL,
ERNEST H. DEAN,
DELLA L. LOVERIDGE

Report filed.

On motion of Senator Kerr, the Senate voted to concur in the Conferenc Committee Report.

S. B. No. 47 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Browning, Hafen, Hammond, M. Jenkins, Miller and Waddingham.

S. B. No. 47 was transmitted to the House for the signature of the Speaker.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 117, entitled CITIZENS COMMISSION ON GOVERNMENTAL ORGANIZATION, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 117 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 146, entitled ADJUTANT GENERAL SALARY, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 146 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

On motion of Senator Kerr, the following bills on the Second Reading Calendar were referred back to the Sifting Committee.

S. B. Nos. 222, 102, 216, 160, 170, 189, 209, 206, 204, 200, 78, 180, 193, 151 and 45.

On motion of Senator Kerr, H. B. Nos. 6, 26, 54, 108, 116, 127, 195, H. J. R. Nos. 1 and 2, were lifted from the table and then referred to the Sifting Committee.

On motion of Senator Kerr, S. B. Nos. 100, 111, 113, 198, S. J. R. Nos. 9 and 8, and S. B. No. 208 were lifted from the table and then referred to the Sifting Committee.

On motion of Senator Grover, the rules were suspended and the Senate voted to lift H. B. No. 185 from the Sifting Committee and that it be placed at the head of the Second Reading Calendar.

COMMUNICATIONS FROM THE HOUSE

March 14, 1963

Mr. President:

I am directed to return to the Senate for reconsideration, H. B. No. 49, entitled SCHOOL BUILDING PLANNERS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

Senator Harmston having voted on the prevailing side moved that the Senate do re-consider its final action on H. B. No. 49.

Motion carried.

H. B. No. 49 was before the Senate for reconsideration.

On motion of Senator Harmston, H. B. No. 49 retained its position on the Third Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 185 was read the second time.

On motion of Senator Hunter the rules were suspended and H. B. No. 185 was read the third time and placed on its final passage.

H. B. No. 185 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Gardner, Grover, Harmston, Holman Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Browning, Hafen, Hammond, M. Jenkins and Waddingham.

H. B. No. 185 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. J. R. No. 21 was read the second time.

On motion of Senator B. Jenkins the rules were suspended and H. J. R. No. 21 was read the third time and placed on its final passage.

H. J. R. No. 21 then passed on the following roll call:

Yeas, 15; Nays, 0; Absent, 10.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Harmston, B. Jenkins, Kerr, Lambert, Mantes, Miller, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Hafen, Hammond, Holman, Hunter, M. Jenkins, Memmott, S. Taylor and Waddingham.

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 further action.

On motion of Senator B. Jenkins, H. B. No. 211 retained its position on the Second Reading Calendar.

H. B. No. 200 was read the second time.

On motion of Senator B. Jenkins, H. B. No. 200 was amended as follows:

Delete Section 7, page 4.

On motion of Senator D. Taylor, H. B. No. 200 retained its position on the Second Reading Calendar.

H. B. No. 212 was read the second time.

Committee report read and adopted.

On motion of Senator Hunter, the enacting clause of H. B. No. 212 was struck.

H. B. No. 212 was returned to the House.

H. B. No. 200 having retained its position was before the Senate.

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

Representative Della L. Loveridge appeared before the Committee of the Whole.

On motion of Senator B. Jenkins the Committee of the Whole was dissolved.

On motion of Senator B. Jenkins the rules were suspended and H. B. No. 200 was read the third time and placed on its final passage.

H. B. No. 200 then passed on the following roll call:

Yeas, 21; Nays, 0; Absent, 4.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Browning, Hafen, Hammond and Waddingham.

H. B. No. 200 was returned to the House.

On motion of Senator Memmott, the rules were suspended and the Senate voted to now consider S. B. No. 89.

S. B. No. 89 was read the second time.

Committee report read and adopted.

On motion of Senator Hunter the rules were suspended and 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:

Yeas, 16; Nays, 1; Absent, 8.

Voting in the affirmative were: Senators Barlow, Gardner, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Voting in the negative was Senator Lambert.

Absent and not voting were: Senators Bernhard, Brockbank, Browning, Grover, Hafen, Hammond, Miller and Waddingham.

S. B. No. 89 was transmitted to the House.

H. B. No. 155 was read the second time.

On motion of Senator Hunter, the rules were suspended and H. B. No. 155 was read the third time and placed on its final passage.

H. B. No. 155 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Brockbank, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Bernhard, Browning, Hafen and Hammond.

H. B. No. 155 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 156 was read the second time.

On motion of Senator Harmston, the rules were suspended and H. B. No. 156 was read the third time and placed on its final passage.

H. B. No. 156 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Brockbank, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Bernhard, Browning, Hafen and Hammond.

H. B. No. 156 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 190 was read the second time.

On motion of Senator Gardner, 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:
Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Browning, Hafen, Hammond, Rees, D. Taylor and S. Taylor.

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 further action.

H. B. No. 191 was read the second time.

On motion of Senator B. Jenkins the rules were suspended and H. B. No. 191 was read the third time and placed on its nal passage.

H. B. No. 191 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Gardner, Grover,

Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Browning, Hafen, Hammond, Mantes, D. Taylor and S. Taylor.

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 further action.

H. B. No. 192 was read the second time.

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

M. K. J. Holdsworth, Utah Bankers Association, appeared before the Committee of the Whole.

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

On motion of Senator Grover the rules were suspended and H. B. No. 192 was read the third time and placed on its final passage.

H. B. No. 192 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Brockbank, Browning, Hafen, Hammond, Mantes, Miller and S. Taylor.

H. B. No. 192 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 48 was read the second time.

On motion of Senator Hunter, the enacting clause of H. B. No. 48 was struck.

H. B. No. 48 was returned to the House.

H. B. No. 205 was read the second time.

On motion of Senator Kerr the rules were suspended and H. B. No. 205 was read the third time and placed on its final passage.

H. B. No. 205 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, S. Taylor and Waddingham.

Absent and not voting were: Senators Bernhard, Browning, Hafen, Hammond, Miller, D. Taylor and Mr. President.

H. B. No. 205 was signed by the President in open session in the presence and the Senate and was returned to the House for further action.

On motion of Senator Waddingham, the rules were suspended and the Senate voted to now consider H. B. No. 49.

H. B. No. 49 was before the Senate for reconsideration.

On motion of Senator Brockbank, H. B. No. 49 was amended as follows:

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

On motion of Senator B. Jenkins, the call of the Senate was lifted.

On page 1, line 5, delete $10,000 and insert in lieu thereof $20,000.

On page 1, line 16, remove the brackets before "certified" and following the word "check" and insert the word "or" after the word "check."

On page 2, line 18, delete the brackets enclosing the word "building."

On page 2, line 19, delete the brackets before the word "If."

On page 2, line 24, delete the brackets after the word "no" and delete the word "No."

On page 2, line 28, delete the brackets enclosing the word "county" and the comma following the word "district" and add "or in cities other then the first class."

On page 2, line 30, delete $10,000 and insert in lieu thereof $20,000.

On page 3, line 17, remove the period after the word "district" and insrt in lieu thereof a comma and add "except those of cities of the first class."

On page 3, line 28, after the word "districts" insert a comma and add "except those of cities of the first class."

On page 4, line 29, after the word "alteration" insert a comma and add "except those of cities of the first class."

On motion of Senator Grover, H. B. No. 49 was amended as follows:

Page 1, lines 3 and 4, after the word "built" reinsert ", or alteration of any existing school plant is to be made, then delete the word "and" line 4.

H. B. No. 49, upon reconsideration, failed of passage on the following roll call:

Yeas, 11; Nays, 10; Absent, 4.

Voting in the affirmative were: Senators Brockbank, Grover, Harmston, Holman, B. Jenkins, Mantes, Memmott, Miller, Stacey, S. Taylor and Waddingham.

Voting in the negative were: Senators Barlow, Gardner, Hunter, M. Jenkins, Kerr, Lambert, Rees, Sowards, D. Taylor and Mr. President

Absent and not voting were: Senators Bernhard, Browning, Hafen, and Hammond.

REPORT OF SPECIAL COMMITTEES

March 14, 1963

Mr. President:

Your Sifting Committee reports out the following bills:

H. J. R. Nos. 15, 18, 14, H. C. R. No. 3, H. B. Nos. 278, 279, 161, 274, 164, 247, 86, 281, 214, 105, 54, S. B. Nos. 179, 202, 163, 180, 102, 204, 209, 222 and 148.

Respectfully,

KLEON KERR,

Chairman

Report adopted and filed.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Barlow, the rules were suspended and the Senate voted to now consider S. B. No. 213.

S. B. No. 213 was read the second time.

Committee report read and adopted.

On motion of Senator Barlow the rules were suspended and S. B. No. 213 was read the third time and placed on its final passage.

S. B. No. 213 then passed on the following roll call:

Yeas, 16; Nays, 0; Absent, 9.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Harmston, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hafen, Hammond, Holman, M. Jenkins, D. Taylor, S. Taylor and Waddingham.

S. B. No. 213 was transmitted to the House.

On motion of Senator Brockbank, the rules were suspended and the Senate voted to now consider S. B. No. 179.

S. B. No. 179 was read the second time.

Committee report read and adopted.

On motion of Senator Brockbank, 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:

Yeas, 13; Nays, 6; Absent, 6.

Voting in the affirmative were: Senators Barlow, Brockbank, Grover, Harmston, Holman, B. Jenkins, Kerr, Mantes, Memmott, Miller, Stacey, D. Taylor and Waddingham.

Voting in the negative were: Senators Gardner, Hunter, Lambert, Rees, Sowards and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hafen, Hammond, M. Jenkins and S. Taylor.

S. B. No. 179 was transmitted to the House.

On motion of Senator B. Jenkins, the rules were suspended and the Senate voted to lift S. B. Nos. 204 and 209 from their regular order and place them at the head of the Second Reading Calendar.

S. B. No. 204 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins the rules were suspended and S. B. No. 204 was read the third time and placed on its final passage.

S. B. No. 204 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hafen, Hammond and D. Taylor.

S. B. No. 204 was transmitted to the House.

S. B. No. 209 was read the second time.

Committee report read and adopted.

On motion of Senator B. Jenkins the rules were suspended and S. B. No. 209 was read the third time and placed on its final passage.

S. B. No. 209 then passed on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Brockbank, Gardner, Grover, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Bernhard, Browning, Hafen, Hammond and Hunter.

S. B. No. 209 was transmitted to the House.

On motion of Senator Kerr the Senate's action on H. B. No. 49 was reconsidered.

H. B. No. 49 was before the Senate for further reconsideration.

H. B. No. 49 then passed upon reconsideration on the following roll call:

Yeas, 15; Nays, 5; Absent, 5.

Voting in the affirmative were: Senators Brockbank, Grover, Harmston, Holman, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, S. Taylor and Waddingham.

Voting in the negative were: Senators Barlow, Gardner, M. Jenkins, D. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hafen, Hammond and Hunter.

H. B. No. 49 was returned to the House.

On motion of Senator Rees, the rules were suspended and the Senate voted to now place S. B. No. 180 at the had of the Second Reading Calendar.

S. B. No. 180 was read the second time.

Committee report read and adopted.

On motion of Senator Waddingham the rules were suspended and S. B. No. 180 was read the third time and placed on its final passage.

S. B. No. 180 then passed on the following roll call:

Yeas, 17; Nays, 1; Absent, 7.

Voting in the affirmative were: Senators Barlow, Gardner, Grover, Harmston, Holman, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative was Senator Miller.

Absent and not voting were: Senators Bernhard, Brockbank, Browning, Hafen, Hammond, Hunter and M. Jenkins.

S. B. No. 180 was transmitted to the House.

S. B. No. 163 was read the second time.

Committee report read and adopted.

On motion of Senator S. Taylor, the enacting clause of S. B. No. 163 was struck.

S. B. No. 102 was read the second time.

Committee report read and adopted.

On motion of Senator Holman, S. B. No. 102 was amended as follows:

Page 2, line 25, delete the brackets also "$1.25".

On motion of Senator Mantes, S. B. No. 102 was amended as follows:

Page 2, beginning on line 26 delete the new and underlined material.

Page 2, delete lines 27, 28, 29, 30, 31 and 32.

On motion of Senator Mantes, the title of S. B. No. 102 was amended as follows:

Line 7 of the title delete the words "FEE TO BE" then after the word "THE" insert the word "LIABILITY".

Line 8 of the title delete the words "CHARGED FOR" then add the words "OF DRIVERS TO BE THE SAME AS FOR OWNERS FOR NOT DISPLAYING".

On motion of Senator Waddingham the rules were suspended and S. B. No. 102 was read the third time and placed on its final passage.

S. B. No. 102 then passed on the following roll call:

Yeas, 17; Nays, 0; Absent, 8.

Voting in the affirmative were: Senators Barlow, Gardner, Grover, Harmston, Holman, Hunter, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard Brockbank, Browning, Hafen, Hammond, B. Jenkins, M. Jenkins and S. Taylor.

S. B. No. 102 was transmitted to the House.

S. B. No. 222 was read the second time.

Committee report read and adopted.

On motion of Senator Harmston 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:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hafen, Hammond, M. Jenkins, D. Taylor and S. Taylor.

S. B. No. 222 was transmitted to the House.

S. B. No. 148 was read the second time.

Committee report read and adopted.

On motion of Senator Harmston the rules were suspended and S. B. No. 148 was read the third time and placed on its final passage.

S. B. No. 148 then passed on the following roll call:

Yeas, 13; Nays, 9; Absent, 3.

Voting in the affirmative were: Senators Barlow, Harmston, Holman, Kerr, Lambert, Mantes, Memmott (explained vote), Miller, Rees, Sowards, Stacey, D. Taylor and Waddingham.

Voting in the negative were: Senators Bernhard, Brockbank, Gardner, Grover, Hunter, B. Jenkins, M. Jenkins, S. Taylor and Mr. President.

Absent and not voting were: Senators Browning, Hafen and Hammond.

S. B. No. 148 was transmitted to the House.

On motion of Senator Hunter, the enacting clause on the following Senate Bills were struck:

2, 7, 19, 45, 72, 78, 82, 100, 103, 111, 113, 118, 119, 120, 121 122, 123, 125, 126, 130, 135, 147, 150, 151, 158, 160, 167, 170, 173, 175, 176, 178, 182, 184, 186, 187, 189, 192, 193, 198, 199, 200, 205, 206, 207, 208, 210, 211, 212, 216, 221, 224, S. J. R. Nos. 6, 8, 9, 13, S. B. Nos. 62, 161, and 202.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

COMMUNICATIONS FROM THE GOVERNOR

March 15, 1963

Honorable Reed Bullen
President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bill, which has been forwarded to the Secretary of State for filing.

S. B. No. 104 – MINOR PARENT ADOPTION

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of the House of Representatives

Communication filed.

House notified of Governor's action.

COMMUNICATIONS FROM THE HOUSE

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 14th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 42, UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 168, entitled NURSING, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 168 was signed by the President in open session in the presence and the Senate and was returned to the House for further action.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 14th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 275, RELATING TO TAX ON STATE INSURANCE FUND PREMIUMS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. J. R. No. 11, SUCCESSION OF PUBLIC OFFICERS DURING EMERGENCIES, that the Speaker of the House has this day signed in open session, in the presence of the House, S. J. R. No. 11, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. J. R. No. 11 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 201, ELECTION LAWS, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 201, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 201 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

On motion of Senator Gardner, the Senate voted to suspend the rules and with unanimous consent, S. J. R. No. 14 was introduced.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 14 By Messrs. Kerr and B. Jenkins

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF UTAH MAKING ASSIGNMENTS OF STUDY TO THE UTAH LEGISLATIVE COUNCIL AND REQUESTING A REPORT TO THE 36th LEGISLATURE.

S. J. R. No. 14 was read the first time.

On motion of Senator B. Jenkins, S. J. R. No. 14 was amended as follows:

Page 1, section 1, following the word "purposes" delete the period insert a comma then add the words "and eliminating ear marking of funds".

Page 1, line 11, after the word "prepare" insert the following words "as it may determine from the following items,"

Following item 10 on page 2 add two new items to read as follows:

11. Determining the advisability of a Procedures Act for the State of Utah.

12. Tax Administration in Utah.

On motion of Senator Memmott, S. J. R. No. 14 was amended by adding an item 13.

13. A Study of the effects of automation on the growing population.

On motion of Senator Gardner, S. J. R. No. 14 was further amended by adding an item 14.

14. Study of the Legal and Administrative Implementation of recent technical program designed to achieve the elimination of tuberculosis in Utah.

On motion of Senator Brockbank, S. J. R. No. 14 was further amended by adding an item 15.

15. Juvenile Court – A follow-up to the Study made by the State Bar Committee to determine the advisability of reforming Juvenile Court System.

On motion of Senator Kerr the rules were suspended and S. J. R. No. 14 was read the second and third times and placed on its final passage.

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

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hafen, Hammond and Stacey.

S. J. R. No. 14 was transmitted to the House.

On motion of Senator D. Taylor, the rules were suspended and the Senate voted to lift H. B. No. 195 from the Sifting Committee and place it in its original order on the Second Reading Calendar.

H. B. No. 195 having been previously read was before the Senate.

H. B. No. 195 failed to pass on Second Reading on the following roll call:

Yeas, 10; Nays, 11; Absent, 4.

Voting in the affirmative were: Senators Bernhard, Brockbank, Grover, Harmston, B. Jenkins, Mantes, Memmott, Miller, Sowards and D. Taylor.

Voting in the negative were: Senators Gardner, Holman, Hunter, M. Jenkins, Kerr, Lambert, Rees, Stacey, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Barlow, Browning, Hafen, and Hammond.

H. B. No. 195 was returned to the House.

On motion of Senator Gardner, the enacting clause of H. J. R. No. 15, was struck.

H. J. R. No. 15 was returned to the House.

On motion of Senator Gardner, the enacting clause of H. J. R. No. 18, was struck.

H. J. R. No. 18 was returned to the House.

On motion of Senator Grover, the enacting clause of H. C. R. No. 3, was struck.

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

H. J. R. No. 14 was read the second time.

On motion of Senator Waddingham, H. J. R. No. 14 was amended as follows:

Page 2, lines 3 and 4 delete the words "deemed advisable by those most qualified to judge".

On motion of Senator Waddingham, the title of H. J. R. No. 14 was amended as follows:

Lines 16 and 17 of the title delete the words "AS FAR DOWN AS DEEMED FEASIBLE BY THE BEST AUTHORITY."

On motion of Senator Waddingham the rules were suspended and H. J. R. No. 14 was read the third time and placed on its final passage.

H. J. R. No. 14 then failed of passage on the following roll call:

Yeas, 12; Nays, 4; Absent, 9.

Voting in the affirmative were: Senators Barlow, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Miller, Sowards, Waddingham and Mr. President.

Voting in the negative were: Senators Brockbank, Grover, Mantes and Stacey.

Absent and not voting were: Senators Bernhard, Browning, Gardner, Hafen, Hammond, Memmott, Rees, D. Taylor and S. Taylor.

H. J. R. No. 14 was returned to the House.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

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

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

On motion of Senator Grover, the Senate's action to strike the enacting clause on S. B. No. 202 was reconsidered.

S. B. No. 202 was read the second time and was now before the Senate for reconsideration.

Committee report read and adopted.

On motion of Senator Grover, S. B. No. 202 was amended as follows:

Page 2, lines 17, 18, and 19, delete the words "or that justice and equity otherwise require that such territory or any part thereof should be withdrawn from such improvement district"

Page 2, line 22, after the word "to" insert the words "the bonded indebtedness or".

Page 3, line 5, after the word "district" insert "as found by the court which is".

Page 3, line 12, after the word "petition" and before the semi-colon insert the words "as found by the court".

On motion of Senator D. Taylor the rules were suspended and S. B. No. 202 was read the third time and placed on its final passage.

S. B. No. 202 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Stacey D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Hafen, Hammond, Miller and Sowards.

S. B. No. 202 was transmitted to the House.

On motion of Senator Harmston, the rules were suspended and the Senate voted to now consider H. B. No. 211.

H. B. No. 211 having retained its position was before the Senate.

H. B. No. 211 was read the second time.

On motion of Senator Harmston, the rules were suspended and H. B. No. 211 was read the third time and placed on its final passage.

H. B. No. 211 then failed of passage on the following roll call:

Yeas, 11; Nays, 11; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Memmott, Rees (explained vote), and Sowards.

Voting in the negative were: Senators Brockbank Gardner, Grover, B. Jenkins (explained vote), Mantes, Miller (explained vote), Stacey, D. Taylor, S. Taylor, Waddingham (explained vote), and Mr. President (explained vote).

Absent and not voting were: Senators Browning, Hafen and Hammond.

H. B. No. 211 was returned to the House.

On motion of Senator Harmston, the rules were suspended and the Senate voted to now consider H. B. No. 281.

H. B. No. 281 was read the second time.

On motion of Senator Harmston, H. B. No. 281 was amended as follows:

Page 2, delete entire section "(d)" and then renumber (e) to read "(d)"

On motion of Senator Rees, H. B. No. 281 was amended as follows:

Page 2, strike section "(d)" former section "(e)".

On motion of Senator Harmston, the rules were suspended and H. B. No. 281 was read the third time and placed on its final passage.

H. B. No. 281 then passed on the following roll call:

Yeas, 15; Nays, 5; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Harmston, Holman, M. Jenkins, Kerr, Lambert, Miller (explained vote), Rees, Sowards, D. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators Grover, B. Jenkins, Mantes, Memmott and Stacey.

Absent and not voting were: Senators Browning, Hafen, Hammond, Hunter and Waddingham.

H. B. No. 281 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate Amendments to H. B. No. 49, entitled SCHOOL BUILDING PLANNERS, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No.49 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

March 14, 1963

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 14, and passed H. B. No. 63, DISTRIBUTION UNITS FOR VOCATIONAL TRAINING, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 63 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to H. B. No. 200, entitled ADOPTION STATUTE, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 200 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

March 14, 1963

Mr. President:

I am directed 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, entitled BOARD OF EXAMINERS LAW, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 47 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected as amended by Senate and House, S. B. No. 114, FISH AND GAME LICENSE FEES, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session in the presence of the House, S. B. No. 81, under suspension of the rules, entitled POWERS OF IMPROVEMENT DISTRICTS, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 81 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed H. B. No. 243, under suspension of the rules, WIDOWS' AND ORPHANS' TAX EXEMPTION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 243 was read the first time and referred to the Committee on Sifting.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day upon reconsideration rescinded its former action on the Senate amendments and now refuse to concur in Senate amendments to H. B. No. 136, entitled CIGARETTE TAX, and ask that the Senate recede from their action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate voted to recede from its amendments.

H. B. No. 136 then passed on the following roll call:

Yeas, 16; Nays, 6; Absent, 3.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Harmston, Holman, Hunter, M. Jenkins, Kerr, Mantes, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators B. Jenkins, Lambert, Memmott, Miller, Sowards and Waddingham (explained vote).

Absent and not voting were: Senators Browning, Hafen and Hammond.

H. B. No. 136 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

March 14, 1963

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. 234, SCHOOL FINANCE FORMULA, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

UNFINISHED BUSINESS

S. B. No. 234 being Unfinished Business, was before the Senate.

On motion of Senator B. Jenkins, S. B. No. 234 was made a Special Order of Business for Saturday, March 16, 1963 at 10:30 A.M.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 278 was read the second time.

On motion of Senator Brockbank, the rules were suspended and H. B. No. 278 was read the third time and placed on its final passage.

H. B. No. 278 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hafen, Hammond and Waddingham.

H. B. No. 278 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 279 was read the second time.

On motion of Senator Brockbank, the rules were suspended and H. B. No. 279 was read the third time and placed on its final passage.

H. B. No. 279 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hafen, Hammond and Waddingham.

H. B. No. 279 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 161 was read the second time.

On motion of Senator B. Jenkins, the rules were suspended and H. B. No. 161 was read the third time and placed on its final passage.

H. B. No. 161 then passed on the following roll call:

Yeas, 20; Nays, 0; Absent, 5.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hafen, Hammond and Waddingham.

H. B. No. 161 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 274 was read the second time.

On motion of Senator Stacey, the enacting clause of H. B. No. 274 was struck.

H. B. No. 274 was returned to the House.

On motion of Senator Holman, the Senate's action of striking the enacting clause on H. B. No. 48 was reconsidered.

The Senate further voted to submit a request to the House to recall H. B. No. 48 for reconsideration. Further consideration at this time was deferred until H. B. No. 48 could be received from the House.

H. B. No. 164 was read the second time.

On motion of Senator Brockbank, the rules were suspended and H. B. No. 164 was read the third time and placed on its final passage.

H. B. No. 164 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Brockbank, Gardner, Grover, Harmston, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hafen, Hammond, B. Jenkins, S. Taylor and Waddingham.

H. B. No. 164 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

H. B. No. 247 was read the second time.

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

Ralph W. Westwood appeared before the Committee of the Whole.

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

On motion of Senator Harmston, the rules were suspended and H. B. No. 247 was read the third time and placed on its final passage.

H .B. No. 247 failed of passage on the following roll call:

Yeas, 7; Nays, 17; Absent, 7.

Voting in the affirmative were: Senators Harmston, B. Jenkins, M. Jenkins, Lambert, Rees, Sowards and S. Taylor.

Voting in the negative were: Senators Barlow, Brockbank, Gardner, Grover, Holman, Hunter, Kerr, Mantes, Memmott, Stacey and Mr. President.

Absent and not voting were: Senators Bernhard, Browning, Hafen, Hammond, Miller, D. Taylor and Waddingham.

H. B. No. 247 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

Mr. President: March 14, 1963

I am directed to return to the Senate for reconsideration, H. B. No. 48, entitled COORDINATING COUNCIL FOR REHABILITATION.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 48 under suspension of the rules, was before the Senate for reconsideration.

On motion of Senator Grover, the title of H. B. No. 48 was amended as follows:

Lines 7 and 8 delete "AND MAKING AN APPROPRIATION OF $15,000."

Page 4, delete lines 15 through 24 inclusive.

H. B. No. 48 upon reconsideration, failed of passage on the following roll call:

Yeas, 10; Nays, 11; Absent, 4.

Voting in the affirmative were: Senators Bernhard, Brockbank, Harmston, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Memmott and Miller.

Voting in the negative were: Senators Barlow, Gardner, Grover, Hunter, Mantes, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Browning, Hafen, Hammond and Waddingham.

H. B. No. 48 was returned to the House.

H. B. No. 86 was read the second time.

Committee report read and adopted.

On motion of Senator Rees the rules were suspended and H. B. No. 86 was read the third time and placed on its final passage.

H. B. No. 86 then passed on the following roll call:

Yeas, 13; Nays, 6; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Hunter, B. Jenkins, Kerr, Lambert, Miller, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators Grover, Holman, M. Jenkins, Mantes, Memmott and Sowards.

Absent and not voting were: Senators Brockbank, Browning, Hafen, Hammond, Harmston and Waddingham.

H. B. No. 86 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator B. Jenkins, the Senate recessed.

The Senate re-assembled.

COMMUNICATIONS FROM THE HOUSE

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 214, under suspension of the rules, COLUMBIA INTERSTATE COMPACT – RATIFYING, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 214, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 214 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate Amendments to H. B. No. 281, entitled TOBACCO POSSESSION, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

H. B. No. 281 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

On motion of Senator Kerr, the Senate voted to authorize the Legislative Council to purchase the off-set mimeograph press that has been in use during the session of the Legislature.

The Senate further voted that each House share the cost of said machine, the total cost being $1,400.00, it would be handled on a fifty-fifty basis, each body submitting a voucher to be paid out of the contingent expense funds of the Thirty-fifth Legislature.

SPECIAL ORDER

S. B. No. 234 being a Special Order of Business, was before the Senate.

On motion of Senator Kerr, S. B. No. 234 was further made a Special Order of Business for this afternoon at 2:00 P.M.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 214 was read the second time.

On motion of Senator Grover, H. B. No. 214 was amended as follows:

Page 2, line 33: Delete the word "registered" and insert the word "qualified".

Page 3, line 4: Delete the word "registered" and insert the word "qualified".

Page 3, lines 8 through 13: Delete all material on line 8, through and including word "election." on line 13.

Page 3, line 14: Add "(3)" at the beginning of this line.

Page 5, line 12: Delete last "s" in word "subsections"; after "(2)", delete the following "or (3)".

On motion of Senator B. Jenkins, H. B. No. 214 was tabled.

H. B. No. 105 was read the second time.

On motion of Senator Kerr, H. B. No. 105 was tabled.

H. B. No. 54, having been previously read was before the Senate.

On motion of Senator Grover, H. B. No. 54 was amended as follows:

Pag 1, line 9, delete the deletion marks surrounding the word "twenty" and delete the word "forty".

Page 1, line 9, after the word "same" delete the period "." and insert in lieu thereof a semicolon ";" and insert the words "provided, that water and sewer bonds of towns may be issued for a period not exceeding forty years."

Page 1, line 14, after the word "All" insert "water and sewer".

On motion of Senator Grover, the rules were suspended and H. B. No. 54 was read the third time and placed on its final passage.

H. B. No. 54 then passed on the following roll call:

Yeas, 18; Nays, 0; Absent, 7.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Harmston, Holman, Hunter, B. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Hafen, Hammond, M. Jenkins, S. Taylor and Waddingham.

H. B. No. 54 was returned to the House.

On motion of Senator Kerr, H. B. No. 214 was lifted from the table and referred to the Sifting Committee.

On motion of Senator Kerr, H. B. No. 105 was lifted from the table and referred to the Sifting Committee.

REPORT OF SPECIAL COMMITTEES

March 14, 1963

Mr. President:

Your Sifting Committee reports out House Bills as per attached list and recommends that the enacting clause be struck.

Respectfully,

KLEON KERR,
Chairman

H. J. R. No. 1, 2, 3, 7, 8, 11, H. B. Nos. 6, 26, 65, 105, 108, 116, 127, 128, 145, 159 167, 198, 230, 240, 243, 261 and 214.

Report adopted and filed.

On motion of Senator Hunter, the enacting clause was struck on the above listed House Bills and returned to the House.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

COMMUNICATIONS FROM THE GOVERNOR

March 16, 1963

Honorable Reed Bullen
President, Utah State Senate

Dear President Bullen:

This is to advise that this day Governor Clyde has signed into law the following bills, which have been forwarded to the Secretary of State for filing.

S. B. No. 8 – OFF-HIGHWAY GAS REFUND

S. B. No. 34 – LIBRARIES FOR THE BLIND

S. B. No. 73 – DAMAGE TO TELEPHONE PROPERTY

S. B. No. 79 – COUNTY BONDS

S. B. No. 30 – FIREMEN'S PENSION BILL

S. B. No. 67 – MONEY ORDER VENDORS REGISTRATION ACT

Yours sincerely,

ROLAND G. ROBISON, JR.,
Administrative Assistant

cc: Secretary of State
Speaker of the House of Representatives

Communication filed.

House notified of Governor's action.

On motion of Senator B. Jenkins, the Senate voted to saunter until 4:10.

COMMUNICATIONS FROM THE HOUSE

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 15th day of March, 1963, approved and transmit to the Secretary of

State, H. B. No. 4 : TO DEFINE AIR POLLUTION AS A PUBLIC NUISANCE.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 15th day of March, 1963, approved and transmit to the Secretary of State, H. B. No. 43: AMENDING IRRIGATION DISTRICT LAWS.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed S. B. No. 220, as amended by Senate, under suspension of the rules, OCCUPATION RESERVE FUND, that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 220, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 220 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

On motion ofr Senator Kerr, the Senate voted to saunter until 3:15 P.M.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate Amendments to H. B. No. 54, entitled GENERAL OBLIGATION BONDS, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,

Chief Clerk

Communication filed.

H. B. No. 54 was signed by the President in open session in the presence of the Senate and was returned to the House for further action.

March 14, 1963

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, under suspension of the rules, S. J. R. No. 14, ASSIGNMENTS OF COUNCIL STUDIES, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,

Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate voted to concur with the House amendments of S. J. R. No. 14 on the following roll call:

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Absent and not voting were: Senators Browning, Hafen, Hammond, Harmston, Miller and Sowards.

S. J. R. No. 14 was transmitted to the House for the signature of the Speaker.

March 14, 1963

Mr. President:

I am directed 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. 70, entitled SALARY OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 70 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

Mr. President:

I am directed to inform you that the House did this day sustain the Governor's veto of S. B. No. 56, by Messrs. Waddingham and Brockbank, entitled FISH AND GAME APPROPRIATIONS, dated February 21, 1963 by a vote of 59 ayes, 3 nays, and 2 absent and the same is returned to you for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 56 was transmitted to the Secretary of State.

March 14, 1963

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. 91, SALES AND USE TAXES, and the same is tranmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Hunter, the Senate voted to concur with the House amendments of S. B. No. 91 on the following roll call:

Yeas, 17; Nays, 3; Absent, 5.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Holman, Hunter, M. Jenkins, Kerr, Lambert, Mantes, Rees, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators B. Jenkins, Memmott and Miller.

Absent and not voting were: Senators Browning, Hafen, Hammond, Harmston and Sowards.

S. B. No. 91 was transmitted to the House for the signature of the Speaker.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 14th day of March, 1963, approve and transmit to the Secretary of State, H. B. No. 276, INSURANCE COMPANY TAX.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, sunder suspension of the rules, as amended by the Senate and House, Substitute S. B. No. 228, STATE BUILDING BOARD ACT, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator Brockbank, the Senate voted to concur with the House amendments of S. B. No. 228 on the following roll call:

Yeas, 18; Nays, 1; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Grover, Holman, Hunter, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Rees, Stacey, D. Taylor, S. Taylor and Waddingham.

Voting in the negative was Mr. President.

Absent and not voting were: Senators Browning, Hafen, Hammond, Harmston, Miller and Sowards.

S. B. No. 228 was transmitted to the House for the signature of the Speaker.

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

Assemblyman Robert S. Stevens of California appeared before the Committee of the Whole.

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

COMMUNICATIONS FROM THE HOUSE

March 14, 1963

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. 194, SCHOOL BUILDING AID, and the same is returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

On motion of Senator D. Taylor, the Senate voted to concur with the House amendments of S. B. No. 194 on the following roll call:

Yeas, 19; Nays, 2; Absent, 4.

Voting in the affirmative were: Seantors Barlow Bernhard, Gardner, Grover, Hammond, Holman, B. Jenkins, M. Jenkins, Kerr, Lambert, Mantes, Memmott, Miller, Rees, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Brockbank and Hunter (explained vote).

Absent and not voting were: Senators Browning, Hafen, Harmston and Sowards.

S. B. No. 194 was transmitted to the House for the signature of the Speaker.

SPECIAL ORDER

S. B. No. 234 being a Special Order of Business, was before the Senate.

On motion of Senator Kerr, the Senate recessed.

Th Senate re-assembled.

UNFINISHED BUSINESS

S. B. No. 234 being Unfinished Business, was before the Senate.

On motion of Senator Kerr, the Senate voted to concur with the House amendments of S. B. No. 234 on the following roll call:

Yeas, 18; Nays, 5; Absent, 2.

Voting in the affirmative were: Senators Barlow, Bernhard, Brockbank, Gardner, Hammond, Harmston, Holman, Hunter, M. Jenkins, Kerr, Mantes, Rees, Sowards, Stacey, D. Taylor, S. Taylor, Waddingham and Mr. President.

Voting in the negative were: Senators Grover, B. Jenkins, Lambert, Memmott and Miller.

Absent and not voting were: Senators Browning and Hafen.

S. B. No. 234 was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 16th day of March, 1963, approve and transmit to the Secretary of State,

H. B. No. 9, TO MAKE UNLICENSED LAW PRACTICE SUBJECT TO CIVIL RATHER THAN CRIMINAL REMEDY.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

March 14, 1963

Mr. President:

I am directed 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. 14, entitled ASSIGNMENT COUNCIL STUDY, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. J. R. No. 14 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Secretary of State.

March 14, 1963

Mr. President:

I am directed 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, (Sub.), entitled SALES AND USE TAXES, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 91 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

Mr. President:

I am directed 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. 228 (Sub.), entitled STATE BUILDING BOARD ACT, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 228 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

Mr. President:

I am directed 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, entitled SCHOOL BUILDING AID, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 194 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

March 14, 1963

Mr. President:

I am directed to inform your Honorable Body that the House did this day strike the enacting clause from the following bills:

S. B. Nos. 4, 10, 17, 20, 21, 22, 37, 46, 64, 71, 83, 84, 89, 92, 98, 102, 107, 110, 124, 127, 128, 129, 131, 132, 133, 136, 137, 148, 152, 153, 154, 157, 165, 166, 174, 177, 179, 180, 183, 188, 197, 202, 203, 204, 209, 213, 222, 223, 230, 233.

and the same are returned herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

All the above bills listed were filed.

March 14, 1963

Mr. President:

I am directed 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, entitled STATE SUPPLEMENTAL SCHOOL PROGRAM, and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 234 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

On motion of Senator Kerr the Senate resolved itself into a Committee

Mr. Lewis H. Lloyd, Director, Legislative Council, appeared before the Committee of the Whole.

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

On motion of Senator D. Taylor, the Senate voted that all Senators be furnished copies of the Utah Code Annotated Pocket Supplement for 1963.

On motion of Senator Kerr, the Senate extended a vote of appreciation to the officers and employees of the Senate for their services.

On motion of Senator Barlow, the Senate voted to enter into the Journal an entry of commendation to the Legislative Council for their fine work concerning all legislative matters referred thereto.

On motion of Snator Kerr, the Senate expressed its appreciation to the newspapers, published in Utah, and to the Radio and Television stations throughout the State.

On motion of Senator Grover, the Senate extended a vote of appreciation to the President of the Senate for his excellent work in presiding over its 35th Legislative Session.

On motion of Senator Kerr, the President appointed Senators D. Taylor, M. Jenkins and Memmott 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 Hunter, the President appointed Senators Hunter, Mantes and Holman 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 Hansen, Pettersson and Plant notified the Senate that the House had concluded its business and was ready to adjourn sine die.

Senator D. Taylor reported that the Senate Committee had notified the House.

Senator Hunter 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.

COMMUNICATION FROM THE GOVERNOR

March 16, 1963

Honorable Reed Bullen
President of the Senate
and
Members of the Senate
35th State Legislature
Building

Gentlemen:

I have no further business to bring before your honorable body before your adjournment sine die.

I want to thank you for the work accomplished during the regular session of the 35th Legislature.

Yours sincerely,

GEORGE D. CLYDE,
Governor

Communication filed.

On motion of Senator Sowards, Chairman of the Rules Committee, the following recommendations were made concerning the cost for revising the Senate Journal and records of the Thirty-fifth Session and adjusting Legislative matters at the close of said session be as follows:

Secretary of the Senate	$1,200.00
Minute Clerk	$1,200.00

In addition, authority is given for the employment of such clerical help as is required.

Motion carried.

President Bullen thanked the Committee to Notify the House, and the Committee to Wait Upon the Governor, for their reports and discharge of their duties.

March 14, 1963

Mr. 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,

WALLACE H. GARDNER,
Chairman

Report adopted and filed.

Benediction: Senator Vernon L. Holman.

On motion of Senator Rees, the Thirty-fifth Session of the Utah State Senate adjourned sine die.

SENATE VETO MESSAGES

March 21, 1963

Honorable Reed Bullen, President
Utah State Senate
State of Utah

Dear President Bullen:

I have this day transmitted to the Secretary of State, without my signature and without my approval, S. B. 117, entitled "AN ACT CREATING THE CITIZENS COMMISSION ON GOVERNMENTAL ORGANIZATION; PROVIDING FOR THE NUMBER AND APPOINTMENT OF MEMBERS AND TERMS OF OFFICE; PROVIDING FOR PAYMENT OF PER DIEM TO MEMBERS; PROVIDING FOR ORGANIZATION AND DEFINING POWERS; APPROPRIATING $100,000.00 FOR ITS ECONOMIC SUPPORT; AND PROVIDING FOR BROAD CITIZEN PARTICIPATION IN THE UNDERTAKINGS OF THE COMMISSION."

My reasons for vetoing this bill are as follows:

1. Under S.B. 117, all per diem and expenses for the citizens' committee which is proposed by this bill would come from the budget of the Legislative Council. These expenses would be in addition to the $100,000 set up by S.B. 117 and which is reserved for contractual services. No provision has been made in the appropriation to the Legislative Council to meet this added expense, so that implementation of S.B. 117 might seriously cripple the program of the Legislative Council.
2. I further feel that the objectives of this bill can be better reached through the Legislative Council, an existing and thoroughly tested agency of the State of Utah, than by creating a new committee. Another committee working in the same field would be unnecssarily costly, a duplication of effort and might result in regrettable confusion.

Yours sincerely,

GEORGE D. CLYDE,
Governor

March 25, 1963

Honorable Reed Bullen, President

Utah State Capitol

Dear President Bullen:

I have this day transmitted to the Secretary of State, without my signature and without my approval, S. B. 228 entitled AN ACT AMENDING CHAPTER 10, TITLE 63, UTAH CODE ANNOTATED 1953, AS AMENDED; PROVIDING FOR A BUILDING PROGRAM TO BE CARRIED OUT BY THE UTAH STATE BUILDING BOARD, INCLUDING PAYMENT OF THE COSTS THEREOF; PROVIDING FOR THE ISSUANCE OF STATE CERTIFICATES OF PAYMENT IN CONNECTION WITH THE TEMPORARY FINANCING OF SUCH BUILDING PROGRAM AND APPROPRIATING THE PROCEEDS OF THE SALE THEREOF FOR THE PURPOSES AUTHORIZED IN THIS ACT; PROVIDING A FUND FOR THE PAYMENT OF INTEREST ON AND THE REDEMPTION OF SAID CERTIFICATES OF PAYMENT; CLARIFYING THE BASIS FOR APPLICATION OF THE LIMITATION ON STATE INDEBTEDNESS FIXED BY SECTION 1 OF ARTICLE XIV OF THE CONSTITUTION; EXEMPTING SUCH CERTIFICATES OF PAYMENT AND THE INTEREST THEREON FROM TAXATION; PROVIDING FOR MANDAMUS ACTION IN THE SUPREME COURT UNDER CERTAIN CIRCUMSTANCES, AND MAKING SUCH CERTIFICATES OF PAYMENT LEGAL INVESTMENTS FOR PUBLIC, TRUST AND OTHER FUNDS AND SECURITY FOR FAITHFUL PERFORMANCE ON EXECUTIONS.

I am vetoing this bill with considerable relunctance. I am taking this action, not merely because I cannot agree with the terms of S. B. 228 as written, but also because I am convinced that a solution to the problem can and will be reached that will both meet the objectives which are sought by the Legislature, the Executive Branch and the bulk of Utah citizens in the matter of a state building program and also meet the objections to S. B. 228 which I shall discuss in some detail. It will be my purpose to have prepared for early consideration a bill to accomplish these dual purposes, such bill to be carefully drafted in consultation with all interested parties including representatives of state institutions, the State Building Board, Legislative leaders and myself. I have received strong indications that agreement can be reached on such a bill.

I shall now outline some specific objections to S. B. 228 which have led me to withhold my approval of this measure.

1. S. B. 228 presents a modified bonding program, which would *unnecessarily* place the state in multi-million-dollar debt for at least six years, and possibly for a much longer time. I shall discuss this time factor in a subsequent paragraph. I underline the word *"unnecessarily,"* as a program of bonded debt might be accepted, however reluctantly, if if there were no feasible alternative; however, I am convinced that the basic objectives of S. B. 228 can be fully met without the necessity of obligating the credit of the state for an extended period.

2. S. B. 228 in its present form embodies serious faults in form and construction, probably due to the time-pressure under which it was drafted. For example, it appears to be the intent of the bill to authorize the borrowing up to $10 million. However, the bill as drafted may actually authorize the borrowing up to $10 million from the state's own funds, on deposit in financial institutions, and the borrowing of an additional $10 million from outside sources against certificates of payment. S.B. 228 provides that money borrowed from outside sources against certificates of payment shall be repaid within a time certain, but money borrowed from the state's own funds are not required to be repaid within any given time limit and the debt might be continued indefinitely. Section 63-10-7.4 on page 7 of the engrossed copy of S. B. 228 does provide that money borrowed from the state's own funds "may" be repaid from the proceeds of sales and use taxes which have been earmarked for the building program by other legislation, but does not require that this be done.
3. The cost of the program proposed by S. B. 228 would be substantially higher than the cost of a program of interim financing which could accomplish the same purpose without pledging the credit of the state beyond a single biennium. While the program presented in S. B. 228 would be considerably lower than that of a ten-year, $40 million bonding program as discussed earlier in the legislative session and which was estimated to cost more than six times as much as a program of interim financing, it is conservatively estimated that the cost of S. B. No. 228 would be at least double that of a program of limited interim financing. I again emphasize the fact that this extra cost would be incurred unnecessarily.
4. S. B. 228 actually provides a smaller program over six years than would be offered by an alternative program based on interim financing. The total amount set up for construction over the six-year period by S. B. 228 is slightly more than $46 million, which is some $8 million to $10 million short of the sales and use tax receipts earmarked for capital construction over this same period of time by S. B. 91, which I have signed into law.
5. S. B. 228 gives absolute authority to the State Building Board to spend for a capital improvement program $46 million from sales tax receipts over a six-year period and to require the Board of Loan Commissioners to borrow 10 million additional dollars (possibly $20 million, as indicated in paragraph 2 above) without any checks or review by either the Legislature or the Executive Branch of government. The Building Board would have this authority regardlss of th economic position in which the state might find itself. S. B. 228 further provides that the Building Board may institute mandamus proceedings against the Board of Loan Commissioners and the State Treasurer if these officials fail to carry out the requests of the Building Board. Furthermore, S. B. 228 removes all restrictions from the Building Board in the matter of holding costs to the limits set forth in Section 63-10-7.1. This could lead to serious extravagance and over-spending, beyond control of the Legislature, the Executive Branch or any other arm of government directly responsible to the people of this state.

6. It is highly questionable that S. B. 228 would effectively finance a continuous program of construction over the six-year period. If the limitation on borrowing is, in fact, $10 million and if the Building Board should demand that this full amount be borrowed and applied to construction in the first biennium, there might be no available funds for interim financing at critical junctures later on. Other proposals presented to the 35th Legislature would have restricted the use of borrowed funds to interim financing, but S. B. 228 would also permit borrowed funds to be used for actual construction expenditures, thus setting up the possibility of the bottleneck to which I have just referred. If it were determind that the limitation on borrowing is, in fact, $20 million rather than $10 million, this objection might not apply, but we should have the more serious objection that the burden on the state's economy would be much heavier than is necessary or than was contemplated by the authors of this bill.

7. S. B. 228 apparently attempts to deprive the 36th and 37th Utah Legislatures of their normal prerogatives in reviewing and determining building programs in the light of conditions as they may exist two and four years hence. I believe this is contrary to the spirit of Utah constitutional and statutory law. I further believe that these attempts in S. B. 228 would be ineffective in actual practice, and would result only in confusion.

S. B. 228 was presented to me after the legislative session had adjourned sine die. I had no opportunity to consider the bill while the Legislature was in session or to return the bill with my objections to the Legislature for its further consideration.

Sincerely,

GEORGE D. CLYDE,
Governor

cc: Secretary of State
Speaker of the House of Representatives

HOUSE VETO MESSAGES

March 21, 1963

The Honorable Charles Welch, Jr.
Speaker of the House of Representatives
and
Members of the House of Representatives
Utah State Capitol Building

Gentlemen:

I have this day transmitted to the Secretary of State, without my signature and without my approval, H. B. 156, entitled AN ACT AMENDING SECTION 41-2-16, UTAH CODE ANNOTATED 1953, AS ENACTED BY CHAPTER 70, LAWS OF UTAH 1955, AND AS AMENDED BY CHAPTER 74, LAWS OF UTAH 1957, AND CHAPTER 83, LAWS OF UTAH 1961, RELATING TO THE OPERTORS' AND CHAUFFEURS' LISENCE ACT PROVIDING FOR THE EXCHANGE OF A MINOR'S DRIVER'S LICENSE FOR A REGULAR DRIVER'S LICENSE.

My reasons for this veto are the following:

1. While I am entirely in sympathy with the objectives of H. B. 156, the bill has been faultily drafted. The body of the bill, which is not amended by this act, was copied from the body of the Utah Code Annotated 1953 rather than from the supplement, and therefore reflects the law as it was before its most recent amendments. To sign H. B. 156 into law would therefore return the Driver License Act to its previous status and undo the work of the 34th Utah Legislature on this subject. Among other things, such action would reduce the cose of license renewals from $3 to $1 and would cripple the financing of the Driver License Division of the Public Safety Department.

2. I am assured by the Department and by the Attorney General that the objective of H. B. 156 can be achieved by administrative action within the Department, without this bill. Minors who are issued driver licenses of a distinctive color under terms of H. B. 155, which I recently signed into law, may, on reaching their majority, be issued standard licenses by the Department under the procedure which provides for the issuance of duplicate licenses under certain conditions.

Yours sincerely,

GEORGE D. CLYDE,
Governor

cc: Secretary of State
President, Utah State Senate

March 22, 1963

The Honorable Charles Welch, Jr.

Speaker of the House of Representatives

and

Members of the House of Representatives

Utah State Capitol Building

Gentlemen:

I have this day transmitted to the Secretary of State, without my signature and without my approval, H. B. 200 entiled AN ACT AMENDING SECTIONS 55-8-2 and 55-10-5, UTAH CODE ANNOTATED 1953, RELATING TO ADOPTIONS, PROVIDING THAT THE JUVENILE COURT SHALL MAINTAIN A RECORD OF ALL CHILDREN AVAILABLE FOR ADOPTION, AND PROVIDED THAT ADOPTION AGENCIES INVESTIGATE APPLICANTS FOR CHILDREN TO BE ADOPTED IMMEDIATELY AND LIMITING THE STAY OF ADOPTABLE CHILDREN IN FOSTER HOMES.

My reasons for this veto are the following:

1. The requirement set forth in Section 1 (b) serves no useful purpose, and might require the Department of Public Welfare to devote unnec essary time and expense to investigating adoptive applicants at times when no children were actually available for adoption.

2. The requirement that the Juvenile Court maintain a confidential record of all children available for adoption, and share such record with all state-licensed adoption agencies, chuld be dangerous and might easily destroy the confidence of private individuals and induce them to seek the services of out-of-state agencies or unauthorized channels in the placement of children, to the detriment of the children involved.

Yours sincerely,

GEORGE D. CLYDE,

Governor

cc: Secretary of State

President of the Utah Senate

March 20, 1963

Honorable Charles E Welch

Speaker of the House

House of Representatives

Dear Speaker Welch:

I am transmitting to the Secretary of State, without my signature and without my approval, H. B. 205 entitled "PROVIDING FOR INSPECTION OF CREAMERIES, CHEESE FACTORIES, CONDENSED MILK FACTORIES, DAIRIES AND FARM DAIRIES."

My reasons for vetoing this bill are the following:

1. I feel the bill would accomplish no useful purpose. Degrading of milk producers for bacterial count is done entirely on the basis of laboratory analysis and a producer is degraded only after four consecutive laboratory tests have shown bacteria counts in excess of the permissible minimums. The producer has in all cases been put on notice that his grading is imperilled by the information on the results of the first three sub-standard tests. Personal notification by mail, would accomplish nothing.

2. Delaying degrading of a producer until notice is served on him personally could imperil contracts held by Utah milk producers to sell Utah milk in other states. If sub-standard Utah milk were to be sold on an out-of-state market, it could result in the banning of all Utah milk from such market.

3. The procedure of sending a sanitarian considerable distances to give personal notification of degrading, as provided in H. B. 205 would be costly, and the cost would have to be passed on to the producers directly concerned, working unnecessary hardship on the last named.

Yours sincerely,

GEORGE D. CLYDE,
Governor

cc: Secretary of State
President, Utah Senate

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1963

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Barlow		C			X			X				X		
Bernhard				C	X					X				X
Brockbank					C			X		X				X
Browning		X			X		C				X			
Gardner		X							C			X		X
Grover	X					X		X	X					
Hafen			X		X			C					X	
Hammond			X	X		C					X			
Harmston	X	X					X				X			
Holman			X		X		X	X						
Hunter	X	X			X									C
Jenkins, B.					X			X				X		X
Jenkins, M.						X					X	X		X
Kerr	C				X						X		X	
Lambert	X		X	X		X								
Mantes		X	X		X									X
Memmott									X	X		X	X	
Miller						X	X		X		X			
Rees			X	X		X						C		
Sowards	X			X								X	C	
Stacey		X			X		X				C			
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House Bill No. 25 435
Senate Bill No. 9 536
House Bill No. 137 671
Senate Concurrent Resolution No. 3 725
Senate Bill No. 115 747
Senate Bill No. 105 780
House Bill No. 63 792
Senate Bill No. 47 834

REPORTS OF CONFERENCE COMMITTEES

House Bill No. 104 481
Senate Bill No. 9 637
Senate Bill No. 25 747-748
House Bill No. 11 756-757
House Bill No. 25 757
House Bill No. 137 758
Senate Bill No. 115 822
Senate Concurrent Resolution No. 3 790
Senate Bill No. 105 848
House Bill No. 63 852
Senate Bill No. 47 856

COMMITTEE OF THE WHOLE

Appeared before the Committee 104-116-117-146-157-184-195-199-228-237-257-277-287-288-289-290-309-325-327-347-363-386-387-408-433-434-446-456-457-458-459-467-488-490-500-506-507-520-546-562-563-569-570-571-572-594-595-607-609-643-649-650-653-659-673-674-686-687-692-698-712-727-731-732-738-741-783-785-814-824-825-826-830-860-863-884-894-898

REFERENCES (Continued)

CALL OF THE SENATE

Call of the Senate 130-243-289-290-303-312-342-348-362-382-410-411-417-454-456-459-467-468-474-488-491-505-507-509-524-566-612-640-641-644-465-648-665-685-700-744-761-763-765-775-777-799-826-828-830-831-855-864-842-876

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SENATE BILLS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Rules 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 A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
1	**D. Taylor, et al. —** Non-Profit Corporation Code	56	76	136	157	167	327	488		488	488	653	X-154-157-277-235 A-157-158-326 O-167-182-277
2	**Hafen —** Grand Jury	57	76	602 633									S-633 F-870
3	**Hafen —** Prohibited Marriages	57	76	79	83	83	83	106		147	160	231	
4	**Hafen —** Codes for Legislators	57	76	134	142	155	155	897					A-142 F-897
5	**Hafen, et al. —** Condominium Ownership of Property	57	86	148	182	197	199	350		350	350	478	O-171-182 U-183 A-197-198
6	**Barlow, et al. —** Trust Deeds	58	76	80	92	104	118	260		260	260	448	X-96-99-116-117 O-118
7	**Bernhard, et al. —** Sunday Closing	58	76	371									S-371 F-870
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
8	**Sowards, et al. –** Off-Highway Refunds	59	86	107 177	117	127	344 671	487 702		487 702	487 702	889	O-117-119-200-201 O-269-270-343-496 O-625-634-650-651 O-671 A-119-269-270-343 A-344-671 C-702
9	**Hammond, et al. –** Boy Scout Lands	59	76	123 124	132	185	185 637	496 536 636 668	637	668	668	*3/19/63	O-132-142-496-536 X-184 A-184-185
10	**Kerr, et al. –** School Drop-Outs	59	76	321 451	594	660	660	897					S-451-454 A-660 F-897
11	**B. Jenkins, et al. –** Utah Uniform Securities Act	59	102	296	363	397	397 670	670 725		725	725	*3/21/63	O-362-397 A-363 C-670
12	**Hafen, et al. –** Management of Public Records	60	76	95	100	100	100	242		242	242	281	A-100
13	**Waddingham, et al. –** Salaries – City Officials	67 68	94	107	117	127	127	335		335	335	367	
14	**D. Taylor, et al. –** Modification Notice to Tax Commission	69	86	108	118	127	127	232		232	232	281	O-127 A-127
15	**Hafen, et al. –** Banking Amendments	68	129	216	386	387	387 636	636 669		669	669	855	X-342-386 A-386-387 O-387 C-636

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16	G. Taylor, et al. — Mechanic Liens	68	76	124	132								O-132-142-167 A-167 (Failed 167)
17	Grover, et al. — Abolish Death Penalty	72	86	219	474	522	522	897					X-342-474-477-522 O-342 A-475-476-477 F-897
18	D. Taylor, et al. — Museum of Natural History	73	76	79 80	84	91	92	146		162	189	231	A-84
19	Holman — Motor Vehicle Fees	73	86	602 633									S-633 F-870
20	Hunter, et al. — Trading Stamp Bonds	73	86	178	201	201	202	897					A-201 F-897
21	Bernhard, et al. — Notice — Special Improvement District	73	94	250	457	468	468	897					S-366-454 A-457 O-457-458 F-897
22	Hafen — Contractor Law Amendments	74	102	164	195	211	347	897					U-195-197 A-195-197-346 O-211-346 F-897
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
23	**Bernhard, et al. –** Off-Street Parking	74	86	250	457								S-366-454 A-457 (Failed) 458
24	**Hafen –** Pre-Filing of Bills	74	86	123	128	128	128	247		247	247	334	
25	**Grover, et al. –** Homestead Exemption	75	86	178	214	269	269 748	449 480 703 747 788	748	788	788	*3/19/63	F-202 O-211-449-703-747 A-214
26	**Hunter, et al. –** Cash in Lieu of Trading Stamps	75	86	220	377								O-230 X-377 (Failed 377)
27	**Barlow, et al. –** Freeport Legislation	75	102	122	128 417	612	612 676	675 725		725	725	*3/21/63	X-257-289-416-417-437 X-504-611 T-291 O-360-687 A-416-417 A-611-612 C-675
28	**Brockbank, et al. –** Oil and Gas Well Logs	77	102	178	202	202	202	351		351	351	461	A-202
29	**Brockband, et al. –** Oil and Gas Conservation	78	106	123	131	141	141	419		419	419	533	
30	**Hafen, et al. –** Firemens Pension Bill	78	129	250	493	524	525	677		677	677	889	S-366-454 A-524
31	**Browning, et al. –** Regional Libraries	78	106	206	309	372	373	657		657	357	845	X-207-246-309
32	**Browning, et al. –** Per Diem – Library Boards	80	106	206	310	372	373	656		657	657	720	X-207-246-309 A-310

SENATE BILLS (Continued)

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33	**Browning, et al. —** County Libraries	81	106	207	310	376	377 636	635 669		669	669	845	X-207-246-309 A-310-373-374-375-376 O-376-377 C-635
34	**Browning, et al. —** Libraries for Blind	81	129	207	311	377	377 655	655 694		694	694	889	O-171 X-207-246-309 A-311 C-655
35	**S. Taylor, et al. —** Library Revenue Bond	81	106	134	143	155	166	351		351	351	478	O-155-166
36	**Browning, et al. —** Minimum Levy — Libraries	82	106	207	311	381	382 695	694 726		726	726	*3/19/63	X-207-246-309 A-378-379-380-381 U-381 C-695
37	**Memmott, et al. —** Unprofessional Conduct Optometry	82	122	190	228	279	343	897					U-286 (Failed 286) O-286-303-343 A-343 F-897
38	**Browning, et al. —** Public School Libraries	82	106	134 135	144	155	155	656		656	656	719	
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
39	**Bullen, et al. —** Prerequisite College — University	82	106	135	145	156	156 314	313 350		350	350	495	C-313
40	**Hafen, et al. —** Uniform Gift to Minors Act	82	129	216	347	347	347	638		638	638	719	A-347
41	**Hafen, et al. —** Self Employed Tax Act	87	106	216	348	455							(Failed 348 O-348-360 O-455-468-473 X-360-410-455-467 A-410-473 (Failed 473)
42	**Hafen, et al. —** Tie-In Power State Savings Loan	87	107	148	183	343							O-171-184-199-343-348 A-184 (Failed 348)
43	**Waddingham, et al. —** Model Marketable Title Act	87	146	217	362	444	444 680	679 726		726	726	*3/19/63	C-680
44	**Waddingham, et al. —** Business Corporation Act	87	129	217	363	444	445	678		678	678	*3/19/63	
45	**Waddingham, et al. —** Business Corporation Act	88	107	372									S-372-775-858 F-870
46	**Waddingham, et al. —** Business Corporation Act	88	107	164	200	200	200	397					F-897
47	**Brockbank, et al. —** Board of Examiners Law	88	102	148 149	171	383	383 857	774 834 857 879	856	879	879	*3/20/63	X-172-199-201 T-201 O-237-344-744-834

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48	**Brockbank, et al. —** Finance Law	88	102	164	171	344	382	768		768	768	*3/20/63	O-171-229-344-360 X-172-199-201-360-382 (Failed 344) T-201 A-229
49	**Brockbank, et al. —** State Warrants	89	102	149	172	383	383	768		768	768	*3/20/63	X-172-201 O-237-344 T-201
50	**Brockbank, et al. —** Salaries, District Attorney	89	102	149	172	383	383 774	774 819		819	819	*3/20/63	X-172-201 O-237-238 O-344 T-201 A-383 C-774
51	**Brockbank, et al. —** Travel, Board of Education	89	102	149	172	384	384	769		769	769	*3/20/63	X-172-201 O-237-238-344 T-201
52	**Brockbank, et al. —** Directors Salary	89	102	150	172	384	384	769		769	769	*3/19/63	X-172-201 O-237-239-344 T-201
53	**Brockbank, et al. —** Budgetary Control	89	102	150	172	384	384	769		770	769	*3/20/63	X-172-201 O-237-239-344 T-201
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	**Brockbank, et al. –** Land Purchases	90	102	150	172	384	385	770		770	770	*3/20/63	X-172-201 T-201 O-237-239-344
55	**Brockbank, et al. –** Welfare Property Sales	90	102	150	172	385	385	770		770	770	*3/19/63	X-172-201 O-237-240-344 T-201
56	**Brockbank, et al. –** Appropriation – Fish and Game	90	102	151	185	199	199 502	336		336	336		V-447-448 O-448, 502, 892
57	**Brockbank, et al. –** Fish and Game Lands	90	102	151	185								O-185-360-382-452 O-521-540 A-360-361 F-550
58	**Brockbank, et al. –** Fish and Game Licenses	90	102	151	186								F-186
59	**Brockbank, et al. –** Salary – Director, Board of Health	91	102	151	186	385	385	770		771	771	*3/19/63	X-186-201 O-237-240-344 T-201
60	**Holman, et al. –** Electric-Territories	95	107	191	243	459							A-412-413-414-415-416 A-459-460 O-416-452-527 T-460 F-527
61	**Hafen, et al. –** State Land Withdrawal	95	107	136	167	182	182	259		259	259	334	
62	**Hunter –** Income Tax Exemption	95	122										S-633 F-870

SENATE BILLS (Continued)

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63	**Hafen, et al. —** Reapportionment	96	122	152	186	471	474	638		638	638	720	O-187-361-471 T-361 X-471-473
64	**Kerr, et al. —** Inter-Local Cooperation	96	107	371	830	830	830	897					S-371-597-676-775 A-829-830 F-897
65	**Browning, et al. —** Weber State College	96	107	135	156	156	157	336		336	336	367	
66	**Hunter. et al. —** Non-Resident Student Fees	97	129	179	215	277	521	655 702		703	703	*3/19/63	O-277-344-452-515 O-655-702-703 A-515-516-517-518 A-519-520
67	**Hafen, et al. —** Money Order Vendors Registration Act	98	129	191	228	452	453 656	655 694		694	694	889	U-228 T-228 O-342 X-342-387 A-387-388-389-390-391 A-392-393-394-452-453 C-656
68	**Grover, et al. —** Withdrawal of Areas from Municipalities	98	122	190	227	279	279	793					O-793 (Rejected)
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
69	**Hafen, et al. –** Qualifications – State Superintendent of Public Instruction	96	129	180	226	277	278 420	419 463		463	463	533	A-226 C-420
70	**Hafen, et al. –** Salary – State Superintendent of Public Instruction	96	129	180 405	226	685	685	892		892	892	*3/19/63	O-226-685 S-405 S-597-676-681
71	**G. Taylor, et al. –** Duties – Secretary of State	98	129	209	361	361	362	897					F-897
72	**G. Taylor, et al. –** Political Contributions Corporation	98	129	426									S-426 F-870
73	**Hafen, et al. –** Damage to Telephone Property	99	129	220	364	445	456	678		678	678	889	A-364-445-455-456 T-445 O-455
74	**Hunter, et al. –** Driver License Compact	99	107	223	595	660	661	834					S-366-454 A-595 O-(Rejected 834)
75	**Hunter, et al. –** Vehicle Equipment Safety Compact	99	107	224	596	661	661	845		845	845	*3/19/63	S-366-454
76	**Grover, et al. –** Reapportionment Plan II	102	146	251	471								S-366-454 X-471-473 F-474
77	**Grover, et al. –** Reapportionment Plan I	103	147	251	471								S-366-454 X-471-473 F-474
78	**Kerr, et al. –** Railroad Minimum Crew	103	107	406									S-406-597-858 T-676 F-870

SENATE BILLS (Continued)

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79	**Barlow, et al. —** County Bonds	103	129	208	288	345	345	693		693	693	889	A-288
80	**Grover —** Interracial Marriages	103	129	179	214	270	270 793	793 831		831	831	*3/19/63	A-214 C-793
81	**Barlow, et al. —** Powers of Improvement Districts	104	176	249	665	682	682	880		880	880	*3/21/63	S-366-597 O-663-665
82	**Kerr, et al. —** Inventory Tax Amendment	108	122	266									S-366 F-870
83	**Barlow, et al. —** Minimum Benefit for Retired Teachers	108	122	180 405	227	659	659	897					O-227-543-568 S-405-454 A-568-569 F-897
84	**B. Jenkins, et al. —** Combining Polling Places	109	129	209	362	396	397	897					A-396 F-897
85	**Kerr, et al. —** Scholarships and Leaves of Absence	109	129	181	227	278	278	352		352	352	461	
86	**Hunter, et al. —** Appropriation — Water and Power Board	109	122	225 450	595	595	595	772		773	772	*3/19/63	O-288 S-450-454
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
87	**Kerr, et al. –** Scholarships and Leaves of Absences	109	129	181	227	278	279	351		351	351	461	A-278
88	**Hafen –** Validating Prohibited Marriages	109	129	179	214	215	215	336		336	336	367	
89	**Hafen –** Involuntary Dissolution of Corporations	109	163	317	861	861	861	897					S-366-597-676-681 F-897
90	**Hunter, et al. –** Workman's Compensation Employer Definition	110	129	192	287	345	345 599	598 657		657	657	746	C-598
91	**Hunter –** College Improvement Tax	110	129	192	287	395	396 892	892 896		896	896	*3/25/63	O-361 A-395-396 C-896
92	**Rees, et al. –** Social Club Audits	124	147	208	289	345	346	897					F-897
93	**Brockbank, et al. –** Developing State Water Plan	124	147	208 405	508	508	508	638		638	638	720	O-288 S-405-454
94	**Mantes, et al. –** Utah State Retirement Office	124 125	147	252	530	540	541	788		788	788	*3/21/63	S-366-454 A-540
95	**Mantes, et al. –** Transfer of Public Employees' Retirement	125	147	252	530	541	541	788		788	788	*3/21/63	S-366-454
96	**Mantes, et al. –** Transfer of Public Employees' Retirement	125	163	224	530	541	541	787		787	787	*3/19/63	S-366-454 A-541
97	**Mantes, et al. –** Prison and Industrial School Pension	125	147	253	531	541	542	787		787	787	*3/21/63	S-366-454
98	**Mantes, et al. –** Transferring Firemen's Pension Fund	126	163	253	531	542	542	897					S-366-454 F-897

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99	**Mantes, et al. —** Transferring Highway Patrol Retirement	126	147	253	531	542	542	786 787		787	787	*3/19/63	S-366-454
100	**Mantes, et al. —** Judges' Retirement System	126	163	317	532	543							S-366-529 X-543-547 U-548 T-548 O-858 F-870
101	**Kerr, et al. —** Seed Law Amendment	130	147	226	692	692	692	772		772	772	*3/19/63	S-366-597-676-681 A-689-690-691-692
102	**Stacey —** Improving Traffic Safety Program	130	163	222	869	869	869	897					S-366-597-676-681 S-858-875 A-869 F-897
103	**Mantes, et al. —** Tax Exempt Goods	130	147	633									S-633 F-870
104	**Kerr —** Minor Parent Adoptions	130	147	220	546	546	546	678		679	679	871	S-366-454
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
105	**D. Taylor, et al. —** School Program Distribution Unit Amount.....	130	163	222 315 498	342	408 620	620	736 780 848	848				O-288-365-408-736 O-780-848 X-333-342-365-408 X-565-615 U-408 S-498-565 A-615-616 617-618-619-620 (Failed 848)
106	**B. Jenkins, et al. —** Metropolitan Water Districts.....	137	205	340	471	523	524	818		818	818	*3/19/63	S-366-454 U-472 A-472-523-524
107	**Mantes, et al. —** Vacating or Narrowing County Roads.....	137	163	368	736	853	853	897					S-369-681 X-732 A-736-737 F-897
108	**Stacey, et al. —** General Highway Code.....	137 138	206	265	562	658	662	779		779	779	*3/19/63	S-366-454 X-549-562 A-563-564-658-662 O-659-662
109	**Barlow, et al. —** County Service Area Amendments.....	138	205	340	471	523	523	818		818	818	*3/21/63	S-366-454 A-523
110	**Kerr, et al. —** Budget Balance of Fish and Game.....	138	163	222	823	823	823	897					S-366-597-676-710 O-823 F-897
111	**Bullen, et al. —** Posted Pheasant Hunting Units.....	138	205	296									S-366-597-676-710 T-823 O-858 F-870
112	**Kerr, et al. —** Fish and Game Property Purchase.....	139	176	254	526	540	550	658		658	658	719	S-366-521 A-526 O-540-549

SENATE BILLS (Continued)

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113	**Bullen, et al. —** Fee — Game Farm Permits	139	176	254									S-366-597-676-710 T-823
114	**Bullen, et al. —** Fish and Game License Fee Increase	139	189	217	311	453	521	880					O-858 F-870 X-303-311 A-312 A-453-454 (Failed 454) 470 A-469-470 O-382-454-468-472 O-486-521-880 T-486
115	**Kerr —** Driver License Classification	139	189	265	493	527	571	679 747 822	822				S-366-454 A-527-546-570-571 O-528-546-679-747 X-546-564-570 (Failed 822)
116	**Kerr —** Annuities for Higher Education	139 140	163	224	571	659	659	847		847	847	*3/21/63	S-366-454 A-571-659
117	**Miller, et al. —** Citizens Commission on Governmental Organization	140	205	315	549	567	568 834	833 857		857	857		S-366-454 A-549-567 C-833 V-*3/21/63
	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
118	**Bernhard, et al. –** County School Districts	140	163	225									S-366 F-870
119	**S. Taylor, et al. –** Deposit – Collection by State Agencies	152 153	163	254									S-366 F-870
120	**S. Taylor, et al. –** Committee to Estimate Revenue for Biennium	153	163	223									S-366 F-870
121	**S. Taylor, et al. –** Taxing Units Biennial Audits	153	163	633									S-633 F-870
122	**S. Taylor, et al. –** Holder's Delivery of Abandoned Property	153	163	633									S-633 F-870
123	**S. Taylor, et al. –** Published Financial Statements Disposition	153	163	255									S-366 F-870
124	**Harmston, et al. –** Unemployment Compensation for Public Employees	153 154	248	338	663	682	762	897					S-366-597 O-663-762 A-762 F-897
125	**D. Taylor, et al. –** Residency Requirements for Public Assistance	154	163	255									S-366 F-870
126	**Bernhard, et al. –** Protection of Athletic Contests	165	205	318									S-366 F-870
127	**Stacey, et al. –** State Accounting Systems	165	176	320	687	687	687	897					S-366-597-676-681 F-897
128	**Waddingham, et al. –** Consolidation of Funds	165	176	266	543	596	697	897					S-366-454 A-543 X-543 F-897

SENATE BILLS (Continued)

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129	**Bullen, et al. —** Release of Wildlife Control	165	189	218	363	445	445	897					F-897
130	**Bullen, et al. —** Unlawful Introduction of Wildlife	166	177	255									S-366 F-870
131	**Bernhard, et al. —** City Off-Street Parking	166	177	251	458	468	468	897					S-366-454 O-458 F-897
132	**Grover, et al. —** Borrowing by Water and Sewage Districts	166	189	424	545	545	545	897					S-424-454 O-543 F-897
133	**Bullen, et al. —** Chiropractic License Renewal	168	205	370	544	565	565	897					S-370-454 A-544 F-897
134	**Browning, et al. —** Insurance Code	168 169 170 171	496	525	572	642	643	779		779	779	*3/21/63	S-526-565 X-565-572-640-641-642 A-573-574-575-576-577-578 A-579-580-581-582-583-584 A-585-586-587-588-589-590 A-591-592-593-594-642
135	**Stacey, et al. —** Motor Fuel Tax	181	248	422									S-422 F-870
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
136	**Bernhard, et al. –** Teacher Merit Salary Program	181	205	321 451	692	697	698	897					S-451-681 U-697 F-897
137	**Bernhard, et al. –** Delinquency Rehabilitation Project	192	205	370	700	700	700	897					S-370-597-676-681 F-897
138	**Rees, et al. –** National Guard	193	248	297									S-366-626 T-676 O-784 F-784
139	**Mantes, et al. –** State Salary Act	193	248	339 483	704	716	716	819		819	819	*3/19/63	S-483-681
140	**Mantes, et al. –** Supreme Court Clerk Salary	193	205	316	705	717	717	820		820	820	*3/19/63	S-366-681
141	**Mantes, et al. –** Deputy District Attorneys Salaries	194	205	315	705	717	717	820		820	820	*3/19/63	S-366-681
142	**Mantes, et al. –** Tax Commission Salaries	194	205	315	705	717	717	820		821	821	*3/20/63	S-366-681
143	**Mantes, et al. –** District Judges Salaries	194	205	316	706	718	718	821		821	821	*3/19/63	S-366-681
144	**Mantes, et al. –** Court Reporters Salary	194	205	316	706	718	718	821		821	821	*3/19/63	S-366-681
145	**Mantes, et al. –** State Engineer Salary	194	205	317	706	718	718	820		820	820	*3/19/63	S-366-597-676-681
146	**Mantes, et al. –** Adjutant General Salary	194	248	337 338	706	719	719	832 833 857		857	857	*3/19/63	S-366-681 C-832
147	**Hafen, et al. –** Coordinating Council Amendments	209	280	321									S-366 F-870
148	**Wadingham, et al. –** County Board's Promoting Job Opportunities	210	248	339	870	870	870	897					S-366-865 F-897

SENATE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Rules 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 A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sitting Committee O — Other Action * — Action After Session
149	**Grover, et al. —** Merit System — State Employees	210	280	338	671	699							S-366-597 A-672-699-850 O-682-761-762-842 O-850 X-687-699 T-699 (Failed 850)
150	**Waddingham, et al. —** Judicial Retirement	210	280	318									S-366 F-870
151	**Memmott, et al. —** Credit Reporting Services	210 211	248	356									S-366-775-858 F-870
152	**Miller —** National Chartered Veterans Organizations	211	277	338	674	682	716	897					S-366-597 O-682-715 F-897
153	**Grover et al. —** Payment of Wages	235	248	317	674	682	715	897					S-366-597 O-682-714 F-897
154	**Grover, et al. —** Automobile Insurance for State Employees	235	248	339 484	675	675	675	897					S-484-597 F-897
155	**Memmott, et al. —** Coal Pipe Line Eminent Domain	235	248	315	646	646	646	772		772	772	*3/19/63	S-366-626 O-646
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
156	**Hafen** — Borrowing Power, State Board of Loan Commissioners	263	248	355	741								S-366-597-676 O-740-813 X-740 U-741 T-744 F-813
157	**Sowards, et al.** — School Lunch Tax Increase	236	248	322 484	798	798	798	897					S-484-597-676-710 F-897
158	**Grover, et al.** — Judges Retirement Modification	236	248	318									S-366 F-870
159	**Hunter, et al.** — Local Option Sales Tax Distribution	236	353	424									S-424-775 O-842 F-842
160	**Barlow** — Redeposits in School Retirement System	236 237	280	372									S-372-681-858 F-870
161	**Hunter** — Making Trading Stamps Unclaimed Property	256	280	428									S-428 F-870
162	**B. Jenkins, et al.** — Reapportionment	256	277	341	471								S-366 O-471 X-471-473 F-474
163	**Bernhard, et al.** — Geological and Mineralogical Survey Transfer	256	280	337	869								S-366-865 F-869
164	**Memmott, et al.** — Private School Driver Education Program	256	277	354	493	529	529	846		846	846	*3/20/63	S-366 O-493
165	**Brockbank, et al.** — Maintenance Funds for Research Programs	267	337	426	683	683	683	897					S-426-597-676-681 F-897
166	**Mantes, et al.** — Salary of County Officers	267	277	341	736	782	782	897					S-366-681 X-732-736 F-897

SENATE BILLS (Continued)

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167	**Lambert —** Raw Milk Act	267	280	354									S-366 F-870
168	**Brockbank, et al. —** Removal Land Lease Limitation	267	280	421	683	715	715	767		768	768	*3/19/63	S-421-597-676 681
169	**Brockbank, et al. —** Proceedings Before Utah State Land Board	268	337	407	684	684	684	767		767	767	*3/19/63	S-407-597-676-681
170	**Barlow —** Industrial School Reimbursement	268	280	354									S-366-626-676-681-858 F-870
171	**Brockbank, et al. —** Extension — Land Use Leases	268	277	356	684	715	715	767		767	767	*3/19/63	S-366-597-676-681
172	**Brockbank, et al. —** Mineral Lease Options	268	280	422	684	685	685	766		766	766	*3/19/63	S-422-597-676-681
173	**Hafen, et al. —** Congressional Districts	268	280	426									S-426 F-870
174	**Lambert, et al. —** Appropriation — Legislative Salary — Vera Hopkin	268	277	339 450	613	613	645	897					S-450-613 A-613 (Failed-613) O-613-645 F-897
175	**Hunter, et al. —** Special Utility Service Charges	269	293	421									S-421 F-870
176	**Hunter —** Tax Anticipation Notes for Buildings	284	293	355									S-366 F-870
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
177	**Grover** – Validating Interracial Marriages	284	293	356	795	796	796	897					S-366 O-794 F-897
178	**Stacey** – Uniform Test Questions	284	293	355									S-366 F-870
179	**Brockbank, et al.** – Categories of Peace Officers	284	293	355	866	866	866	897					S-366-865 F-897
180	**Kerr, et al.** – Term – Director of Public Health	284	293	370	868	868	868	897					S-370-597-676-775 S-858-865 F-897
181	**Brockbank, et al.** – Retail Sales Quantity Limitations	285	353	466	688	716	716	819					S-466-626-676-681 A-716 O-(Rejected 819)
182	**Browning, et al.** – Buildings – Road Commission	285	293	406									S-406 F-870
183	**Stacey** – Limited Access Facility Restrictions	285	293	369	825	825	825	897					S-369-597-676-710 F-897
184	**B. Jenkins, et al.** – School Retirement Investments	285	353	427									S-427 F-870
185	**Grover, et al.** – County Improvement Districts	286	353	483	632	633	633	790		790	790	*3/20/63	S-483-597
186	**B. Jenkins, et al.** – Pre-emptory Challenges of Jurors' - Justices' Courts	298	314	430									S-430 F-870
187	**B. Jenkins, et al.** – State Bar Funds	298	314	430									S-430 F-870
188	**Waddingham, et al.** – Initiative and Referendum for Counties	298	337	425	544	566	566	897					S-425-454 F-897

SENATE BILLS (Continued)

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189	**B. Jenkins, et al. —** Limitation of Action	298 299	337	497									S-497-681-858 F-870
190	**B. Jenkins, et al. —** Civic Auditorium	299	314	425	665	665	665	779		779	779	*3/20/63	S-425-597 A-663-664-665
191	**Hafen —** Reserves — Savings and Loan Associations	299	368	465									S-465-597-676-681 F-681
192	**Hafen —** Savings and Loan Associations	299	314	465									S-465 F-870
193	**Bernhard, et al. —** Qualifying for School Retirement	299	353	452									S-452-775-858 F-870
194	**D. Taylor, et al. —** School Building Aid Act	300	368	561	777	826	829 894	894 897		897	897	*3/20/63	S-561-775 X-813-826 A-826-827-828 C-894
195	**Hafen, et al. —** Judicial Retirement	300	353	497	532	542	567	679		679	679	*3/21/63	S-497-529 X-542-547 A-547-548-566-567 O-549-566
196	**Browning, et al. —** Construction Loans for Weber State College	300	368	452	785	785	785	846		847	846	*3/19/63	S-452-710
1	2	3	4	5	6	7	8	9	10	11	12	13	14

SENATE BILLS (Continued)

1	2	3	4	5	6	7	8	9	10	11	12	13	14
197	**Miller, et al. –** Temporary Liquor Permits	300	353	424	798	798	798	897					S-424-597 T-676 O-716-798 F-897
198	**Harmston, et al. –** Anti-Pollution Treatment Works	301	353	604									S-604-775 T-823 O-858 F-870
199	**Harmston –** Advertising – Cash Budgets of Municipalities	301	337	514									S-514 F-870
200	**D. Taylor, et al. –** Public Securities	301	368	465									S-465-597-676-710 S-858 F-870
201	**B. Jenkins, et al. –** Election Law Changes	301	404	515	689	698	778	873		873	873	*3/25/63	S-515-597-676-681 A-698-699-778 O-699-731-778
202	**D. Taylor, et al. –** Withdrawal of Territory from Taxing Districts	301 302	353	425	876	877	877	897					S-425-865 A-876-877 F-870 897 O-876
203	**Hunter, et al. –** Buying Buildings for Colleges	302	337	427	708	708	708	897					S-427-626-676-681 F-897
204	**B. Jenkins, et al. –** Amendment to Corporation Law	302	353	466	867	867	867	897					S-466-681-858-865 F-897
205	**Brockbank –** Installment Sales Act	302	368	497									S-497 F-870
206	**B. Jenkins, et al. –** Fire Fighting Equipment	322	368	513									S-513-681-858 F-870

SENATE BILLS (Continued)

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207	**Miller, et al. —** Prescription Medicine Sales Tax Exemption	322	353	423									S-423 F-870
208	**Waddingham —** Repeal Oleomargerine Tax	322 323	368		701	853							S-633 O-633-662-700-702-731-858 T-676-853 A-701 (Failed-701) F-870
209	**B. Jenkins, et al. —** Number of Judges — Cities of First Class	323	353	429	867	867	867	897					S-429-681-858-865 F-897
210	**Kerr, et al. —** Pay Increases for Jury Commissioners	323	353	429									S-429 F-870
211	**Kerr, et al. —** Pay Increases for Appraisers	323	353	465									S-465 F-870
212	**Miller, et al. —** Amendments to Sales Tax	323	353	423									S-423 F-870
213	**Barlow, et al. —** Tuberculosis Hospital	323	353	561	866	866	866	897					S-561-626-676-775 F-897
214	**Lambert, et al. —** Columbia Interstate Compact — Ratifying	324	368	602	682	683	683	886		886	886	*3/19/63	S-602-626-676-681
215	**Hunter —** Protecting the Mentally Ill	324	353	429	545	567	567	771		771	771	*3/21/63	S-429-454
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
216	**Grover ,et al. –** Workman's Radiation Injuries	341	354	420									S-420-597-676-681-858 F-870
217	**Grover, et al. –** Schools –Basic Program	409		498									S-498-565 X-565-615 F-620
218	**Hafen –** Wasatch Mountain State Park	438	464	514	692	699	699 792	792 832		832	832	*3/20/63	S-514-597-676-681 O-692-698 C-792
219	**Browning, et al. –** Bond on State Buildings	438		741									S-633 O-740 X-740 U-741 F-744
220	**Brockbank, et al. –** Occupation Reserve Fund	439	464	560	835	835	835	890		890	890	*3/25/63	S-560-775 O-813 X-813-824-825 A-835
221	**Memmott, et al. –** Income Tax Deductions	472	496	561									S-561 F-870
222	**Harmston, et al. –** Average Inventory Bill	484	496	560	869	870	870	897					S-560-626-676-681-858 S-865 F-897
223	**Harmston, et al. –** Gravel Hauling	485	496	604	707	763	799	897					S-604-626-676-681 O-707-776-797-799 A-799 T-797 F-897

SENATE BILLS (Continued)

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224	**Kerr, et al. —** Proposing Area Redevelopment Law	499 500											S-633 F-870
225	**Holman —** Appropriation Legislative Salary	532	562		645	645							S-633-645 (Failed 645) O-650-658-661 (Failed 661)
226	**Hafen —** Fees for Corporation Sole	550	562		686	686	686	771		771	771	*3/19/63	S-633-681
227	**Hafen —** Supplemental Appropriation for Biennium Ending June 30, 1963	550	562		686	776	776	846		846	846	*3/19/63	S-633-681 T-686 O-776
228	**Kerr, et al. —** Financing Building Program	651			687	824	824 894	893 897		897	897		S-651-681 X-687-700-710-711-732 X-740-813-824 U-741 O-744-812 A-800-801-812-824 C-893 V-*3/25/63
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
229	**Kerr, et al. –** Building Appropriations	651 652			687								S-652-681 X-687-700-710-711-732 X-740 U-741 O-744-812 T-744 F-813
230	**Hafen –** Introduction of Bills	673 674			688	688	688	897					S-674-681 F-897
231	**Brockbank, et al. –** Authorization Loan – State Treasurer for State Building Board	703 704			710								X-704-710-711-732-740 U-741 A-742-743 O-744 F-812
232	**Brockbank, et al. –** Appropriations – State Buildings	704			710								X-704-710-711-732-740 U-741 A-743 O-744-813 F-813
233	**Memmott, et al. –** Unemployment Compensation Coverage	781			781	781	781	897					F-897
234	**Bernhard, et al. –** School Finance Formula	849			849	849	849 895	881 898		898	898	•3/19/63	U-882-895 X-882-887-895 C-895

SENATE CONCURRENT RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Rules 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 A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
1	**Hafen —** Five Per Cent Rebate Tax	72	86	94	99	104							A-104 O-104-116-131 (Failed 116)
2	**Bullen, et al. —** Proposed Wilderness System	298	314	406	485	485	485	487		487	487	495	S-406-482
3	**Waddingham, et al. —** Upper Colorado River Storage Project	494			494	529	529	670 789 833	790	833	833	*3/19/63	U-500 X-500-501 A-501 O-670-724-589

SENATE JOINT RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Rules 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 A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
1	**Sowards, et al. —** Legislative Salaries	57			58	58	58	70		77	93	
2	**B. Jenkins, et al. —** Anti-Poll Tax Amendment	58	86	123	131	131	131	419		419	419	
3	**Brockbank, et al. —** Taxation of Motor Vehicles	67	102	134	142	167	167	435				O-142-156-167-435
4	**D. Taylor, et al. —** Taxation of Motor Vehicles	72	94	(Recommendation made that Bill not be printed)								
5	**Barlow, et al. —** Freeport Amendment	72	94	122	128	348	360 505	503 525 759 772		525 772 772	525 772 722	X-257-289-503-505 A-257-290-348-257-258- 259-759-760-761 (Failed 348) O-348-357-746-759 C-505
6	**Miller, et al. —** Length of Legislative Sessions	77	86	427								S-427 F-870
7	**Kerr, et al. —** Power to Apportion Membership in Legislature	97	129	152	186	200	200	335		335	335	

SENATE JOINT RESOLUTIONS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Rules 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 A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
8	**Kerr, et al. —** Inventory Tax Repeal	97	129	266 267	545	853						S-366-454 T-546-661-853 O-614-732-858 X-614-642 A-642 F-870
9	**Miller, et al. —** Constitutional Convention	108	121	218	364	455						O-364-455-521-858 X-411 T-521 F-870
10	**Grover, et al. —** Homestead Exemption	165	248	(Recommendation made that Bill not be printed)								
11	**Brockbank, et al. —** Succession of Public Officers During Emergencies	283	293	407	662	662	663 848	847 872		872	872	S-407-597 C-847
12	**Rees, et al. —** Watershed Protection	322	353	483	688	688	689	792		793	792	S-483-681
13	**Waddingham, et al. —** Governmental Immunity	597										S-597 F-870
14	**Kerr, et al. —** Assignment of Studies to Legislative Council	873			874	874	874 891	891 896		896	896	A-873-874 C-891

SENATE RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Rules Committee	Standing Committees	Read Second Time	Read Third Time	Signed by President	REFERENCES A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
1	**Mantes** — Settlement Canyon Irrigation Conveyance	538			630	630	630	S-540-597
2	**Hunter** — Spring Creek and LaVerkin Irrigation	539			630	630	631	S-540-597
3	**Barlow** — Straight Ditch and Layton-Kaysville Conveyance	539			631	631	631	S-540-597
4	**Harmston** — Dry Gultch Irrigation Conveyance	539			631	631	631	S-540-597
5	**Bullen** — Benson-Bear Lake Irrigation Conveyance	539			632	632	632	S-540-597
6	**Bullen** — Wellsville Irrigation Conveyance	539			632	632	632	S-540-597

HOUSE BILLS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Standing Committee	Read Second Time	Read Third Time	Transmitted to House	Signed by President	Signed by Governor	REFERENCES A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
1	**Dean, et al. —** Juvenile Court	534	605	730	763				S-605-640 X-640-727 A-727-728-729-730 U-731 (Failed 763)
2	**Kastler, et al. —** Leasing Airport Property	232	297	439	641	765	791	*3/19/63	S-366-431 T-439 X-609-658-712 (Failed 713) O-607-658-731-764 A-764-765 C-191
3	**Sonntag, et al. —** Drivers License Penalties	101	223	244	324	325	325	403	O-245-304
4	**Clyde, et al. —** Air Pollution	292	369	433	491	612	677	889 890	S-369-410 A-491 T-491 O-608-612 C-667
1	2	3	4	5	6	7	8	9	10

HOUSE BILLS (Continued)

1	2	3	4	5	6	7	8	9	10
5	**Clyde, et al. –** Air Pollution	292	370	435	491	614	614	723	S-370-410 T-491 O-608-613
6	**Clyde, et al. –** Air Pollution	614		614		888			S-614 O-614-858 T-614 F-888
7	**Bullock, et al. –** Guardianship	234	320	439	492	492	492	654	S-366-431
8	**Watkins, et al. –** Widows Interest in Property	105	136	142	154	154	203	259	A-154 C-160
9	**Watkins, et al. –** Practice of Law Without a License	367	428	485	501	647	668	896	S-428-482 O-501-607-644-646 T-607 A-646-647 C-667
10	**Sheffield, et al. –** Claim Notices	120	136	141	142	142	176	259	
11	**Hodgson, et al. –** Amendments – Operators' and Chauffers' License Act	101	177	212	241	241 757			A-212 O-292-307 C-757 (Conference Committee) (Failed 757)
12	**Harding –** Withholding Tax	106	221	244	324	324	324	449	O-244-304
13	**Sheffield, et al. –** Transfer of Surplus Property	121	152	212	241	386	780	*3/19/63	T-241 O-385 A-385-386 C-780

HOUSE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by President	Signed by Governor	REFERENCES A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
14	**Clyde, et al. —** Prohibiting Tobacco Vending Machines	401	466	624	712	712			S-466-482 T-491-624-647 O-608-627-647-608-711 F-627 X-711-712 A-712 (Failed 712)
15	**Harward, et al. —** National Defense Education — Maximum Funds	233	266	306	306	306	306	403	
17	**Sheffield, et al. —** Assignment of District Judges	121	135	141	141	141	176	258	
18	**Sheffield, et al. —** Providing for Attorney Fees	159 160	218	241	303	303	303	403	
19	**Sountag, et al. —** Business Under an Assumed Name	121	148	211	240	241	241	335	
20	**Vance, et al. —** Regulating Meat Inspection	234	294	308	328	328	328	441	
21	**Vance, et al. —** Meat Inspection Funds	234	294	308	329	329	329	441	O-308
22	**Squire, et al. —** Pick-up Trucks to Pull Trailers	106	221	244	304	304	304	403	A-245-304
23	**Squire, et al. —** Employment of Minors	203	265	306	306	306	306	404	
1	2	3	4	5	6	7	8	9	10

HOUSE BILLS (Continued)

1	2	3	4	5	6	7	8	9	10
24	**Green, et al. –**								
	Water Soil Conservation	174	225	245	245	245	245	449	
25	**Hodgson, et al. –**								
	Increasing Bar Commission	235	319	440	492	492 757	789	*3/19/63	S-366-431 A-440 O-534-654 C-757 (Conference Committee)
26	**Kastler, et al. –**								
	Salaries Judges – Pro Tempore	263	340	443		888			S-366-431 T-443 O-858 F-888
28	**Hamilton, et al. –**								
	Exemption Livestock Marketing Act	188	265	305	624	624	624	752	O-305-329-607-624 T-329
29	**Memmott, et al. –**								
	Brucellosis Eradication – $36,000 Appropriation	398	407	436	436	436	436	510	
30	**Watkins, et al. –**								
	Amendments Inheritance Tax	188	219	242	303	304	304	449	
32	**L. R. Monroe, et al. –**								
	Commercial Fertilizer	233	294	307	328	330	367	479	O-328-330 A-330 C-367
33	**Sheffield, et al. –**								
	Creation of Great Salt Lake Authority	435	603	737	738	738	748	*3/22/63	S-603-640 X-647-732 A-737-738 C-784
34	**Sheffield, et al. –**								
	Unemployment Compensation	204	249	305	325	325	325	555	
35	**Aitken, et al. –**								
	Regulation of Opticians	293	371	490	522	522			S-371-482 X-490-500 (Failed 500) O-507-521 (Failed 522)

HOUSE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by President	Signed by Governor	REFERENCES A — Amended Δ — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
38	**Gunnell, et al. —** Transfer Sales Tax to General Fund	174	423	486	502	502	502	654	S-423-482 O-502
40	**Redd, et al. —** Clarify Motor Vehicle Administration	556	606	648	713	713	713	*3/19/63	S-606-640 T-647 O-648
42	**J. M. Smith, et al. —** Uniform Reciprocal Support Act	352	428	486	502	607	667	871	S-428-482 A-486 O-502-607 C-667
43	**Bott, et al. —** Amend Irrigation District Law	352	430	488	502	608	667	891	S-430-482 A-489 O-502-608 C-666
44	**Gunnell, et al. —** Marking State Owned Vehicles	418	483	504	610	610	666	752	S-483-499 A-504-505 C-666
45	**Sonntag, et al. —** Licensing Motor Clubs	479	538	854	854	854	854	*3/22/63	S-538-775
1	2	3	4	5	6	7	8	9	10

HOUSE BILLS (Continued)

1	2	3	4	5	6	7	8	9	10
46	**L. L. Peterson —** Discharge of Mortgages	204	319	431	431	432	432	554	S-366-410
47	**L. L. Peterson —** Special Book for County Recorder	204	252	305	328	328	328	404	
48	**Loveridge, et al. —** Coordination of Rehabilitation Agencies	601		863		863 885			S-601-775 F-863 O-883 A-885 (Failed 885)
49	**Loveridge, et al. —** School Building Planners	398	512	785	842	842 868	878	*3/22/63	S-512-626 T-629 O-658-736-855-858-864-868 A-785-786-864-865 (Failed 842-865) C-878
51	**Squire, et al. —** Smoking in Public Places	175	297	509					S-366-431 T-436 O-508 F-509
52	**Kastler, et al. —** Qualification Director of Registration	159	191	213	213	213	213	260	
53	**Sheffield, et al. —** Continuity of City Officers	160	190	213	241	443	481	556	T-341 O-443 A-443 C-481
54	**Sheffield, et al. —** General Obligation Bonds	420	513	629	887	887	891	*3/21/63	S-513-626-865 T-629 O-858-887 A-887-888 C-891
56	**McKay, et al. —** Reducing Costs of Tax Collection	188 189	219	244		244			(Failed 244)
57	**Plant, et al. —** Abatement of Weeds and Unsightly Objects	401	513	628	628	628	628	752	S-513-626

HOUSE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Standing Committee	Read Second Time	Read Third Time	Transmitted to House	Signed by President	Signed by Governor	REFERENCES A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
58	**Harward, et al. —** Fees — Department of Registration	260	320	330	330	331	331	442	O-330
59	**Gunnell, et al. —** State Planning Coordinator	536	603	641	711	711	711	*3/19/63	S-603-640
62	**Kastler, et al. —** Group Insurance — National Guard	233	371	437	491	492	534	670	S-371-431 A-437 C-534
63	**Memmott, et al. —** Distribution Units for Vocational Training	556	604	629	641	762 852	879	*3/21/63	S-604-628 T-641 O-732-762-791-792 A-762 C-852 Conference Committee
64	**Dean, et al. —** Utah Public Employee Retirement	534		777	777	777	817	*3/19/63	S-633-710 A-777 C-817
65	**Plant, et al. —** Securing Bids on Purchases	480	560			888			S-560 F-888
66	**Redd, et al. —** Assessment of Mines	282 283	320	432	432	432	432	554	S-366-410
67	**Harward, et al. —** Per Diem Allowance for Engineers	399	467	489	503	609	666	752	S-467-482 O-503-608 A-609 C-666
1	2	3	4	5	6	7	8	9	10

HOUSE BILLS (Continued)

1	2	3	4	5	6	7	8	9	10
68	**Harward, et al. –** Fees – Optometry	261	295	332	332	333	333	442	O-308
69	**Harward, et al. –** Fees – Barbers	261	295	332	332	332	332	443	O-308
70	**Harward, et al. –** Fees – Plumbers	261	295	331	332	332	332	443	O-308
71	**Harward, et al. –** Fees for Medicine	399	466	621	621	622	668	752	S-466-482 O-489-621 A-621 C-668
72	**Harward, et al. –** Fees – Chiropody	262	295	331	331	331	331	442	O-308
73	**Harward, et al. –** Nursing Home Application	262	369	434	434	435	435	510	S-369-410
74	**Harward, et al. –** Nursing School Board of Review	399	512	628	628	628	628	724	S-512-626
75	**Harward, et al. –** Per Diem – Cemetery Board	400	512	627	627	628	628	724	S-512-626
76	**Harward, et al. –** Fees – Pharmacy	262	294	308	331	331	331	442	O-308-331
77	**Harward, et al. –** Director of Registration	400	467	489	625	625	625	724	S-467-482 T-489 O-608-625
78	**Harward, et al. –** Fees – Dental Hygienist	263	422	489	503	503	503	634	S-422-482
81	**Aitken, et al. –** Public Health – Medical Research	537	605	781	841	841	841	*3/22/63	S-605-710
83	**Plant, et al. –** Purchases for Political Subdivisions	281 282	340	432	434	434	462	555	S-366-410 A-432 T-432 O-434 C-462

HOUSE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Standing Committee	Read Second Time	Read Third Time	Transmitted to House	Signed by President	Signed by Governor	REFERENCES A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
86	**J. M. Smith, et al. —** Mentally Ill	480	633	885	885	885	885	*3/22/63	S-633-865
88	**Bullock, et al. —** Name Change — Utah Technical Institute	282	321	440	441	441	462	555	S-366-431 A-440-441 C-462
89	**McKay, et al. —** Apprentice, Definition	282	356	433	433	433	462	555	S-366-410 A-433 C-462
92	**Vance, et al. —** Cosmetologists	353	451	504	610	624	624	753	S-451 O-482-490-623 T-610
93	**Bullock —** Fees, Inactive Bar Member	263	319	431	431	431	431	510	S-366-410
96	**Green, et al. —** Dentists — Basic Science Law	314	372	435	435	436	436	511	S-372-410
104	**Anderson, et al. —** Fishing License Fees	264	296	309	309	328 481	511	635	O-309-327-402 A-327 C-481 Conference Committee
105	**Gunnell, et al. —** Possession of Tobacco and Beer — Under 21	774		887		888			S-774-865 T-887 O-888 F-888
106	**Dean, et al. —** Fire Prevention Law	530	606	648	714	714	714	*3/22/63	S-606-640 O-648-650
1	2	3	4	5	6	7	8	9	10

HOUSE BILLS (Continued)

1	2	3	4	5	6	7	8	9	10
108	**Gunnell, et al. —** Widow's Appropriation	402	498	505	610	888			S-498-499 T-610 O-858 F-888
115	**Green, et al. —** Deposit of County Taxes	450	513	627	627	627	627	753	S-413-626
116	**Darger, et al. —** Saturday — Sunday Closing	496	538	648		888			S-538-640 X-640-648 O-685-686-858 T-648 F-888
118	**Gunnell, et al. —** Prohibiting Immodest Photography	400	482	626		626			S-482-626 F-626
120	**Sonntag, et al. —** Liens on Materials	283	421	490		490			S-421-482 (Failed 490)
122	**Clyde, et al. —** Revenue Bond — State Park and Recreation Committee	557		786	786	786	786	*3/20/63	S-633-775
124	**Allen, et al. —** Real Estate Broker	735		799	814	815	851	*3/20/63	S-735-775 O-799-814 A-814 C-851
127	**Plant, et al. —** A Uniform System of Accounts	537	603	648		888			S-603-640 T-648 O-858 F-888
128	**Plant, et al. —** State Auditors Rule Enforcement	537				888			O-633 F-888
130	**Gunnell, et al. —** Elections — Registration Dates	464	514	626	626	626	626	753	S-514-626
131	**Sheffield, et al. —** Marriage Licenses — Minors	283	319	440	440	440	440	488	S-366-431
134	**Harding, et al. —** Illegal Advertising and Redress	401	497	508	610	711	748 749	*3/19/63	S-497-499 O-508-647-711 A-711 C-749

HOUSE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by President	Signed by Governor	REFERENCES A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
136	**Wilkinson, et al. —** Cigarette Tax	463	559	629	776	777	881	*3/22/63	S-559-626 T-629 O-739-764-818-880 A-764
137	**Sonntag, et al. —** Obscenities	402	482	506	643	644 758	789	*3/20/63	S-482-499 O-505-506 O-621-671-696-789 A-507-643-644 T-607 X-621-643 C-758 Conference Committee
143	**Lomax, et al. —** Structure of National Guard	557		784	784	784	784	*3/20/63	S-633-710
144	**Wilkinson, et al. —** Sales Tax	557		739	765	775	791	*3/21/63	S-633-640 T-676 O-739-775 A-740-765-775 C-791
145	**Bott, et al. —** Minimum Speeds	639				888			S-639 F-888
149	**Lambert, et al. —** Cemetery Maintenance	464	514	629	629	629	629	832	S-514-626
155	**Darger, et al. —** Minor's Drivers Licenses	754		861	861	861	861	*3/19/63	S-754-775
1	2	3	4	5	6	7	8	9	10

HOUSE BILLS (Continued)

1	2	3	4	5	6	7	8	9	10
156	**Darger, et al. –** Exchanging Minor's Drivers License for Regular Driver's License	754		362	862	862	862		S-754-775 V-*3/21/63
157	**Thurston, et al. –** Capital Improvements Reserve Fund	749		850	850	850	850	*3/19/63	S-749-775
158	**Thurston, et al. –** Claim Against Counties	750		854	854	854	854	*3/19/63	S-750-775
159	**Mr. J. R. Bullock –** Covering Canals and Ditches	750					888		S-750-888
160	**Sonntag, et al. –** Contractors Bonds	601		649	713	733	749	*3/22/63	S-601-640 A-713-714 O-714-732 C-749
161	**Cochran, et al. –** Meetings of Board – Cities of the First and Second Class	755		883	883	883	882	*3/21/63	S-755-865
164	**Mr. Redd –** Indian Affairs Commission	600		883	883	883	883	*3/21/63	S-600-875
166	**Cooper, et al. –** Issuing Public Schol Bonds	463	498	507	508	508	508	635	S-498-499
167	**J. M. Smith, et al. –** Appropriation for Governor Elect	639				888			S-639-888
168	**Compton, et al. –** Regulation of Nursing Practice	709		781	823	840	872	*3/22/63	S-708-775 O-780-823-830-840 U-835 A-840 C-872
173	**L. L. Peterson, et al. –** Agricultural Marketing Act	558	602	783	783	783	817	*3/19/63	S-602-640-676-710 A-783 C-817

HOUSE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by President	Signed by Governor	REFERENCES A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
177	**Seegmiller, et al. —** Geological Survey	680		843	843	843	843	*3/19/63	S-680-775 O-836-842
185	**Harward, et al. —** Limitation of Age for High School Students	756		859	859	859	859	*3/19/63	S-696-710
186	**Tebbs, et al. —** Vacancies on Local Boards of Education	696		784	784	785	785	*3/19/63	S-696-710
190	**Darger, et al. —** Common Trust Funds	695		862	862	862	862	*3/21/63	S-695-775
191	**Darger, et al. —** Anti-Trust Stock Distribution	695		826	862	863	863	*3/21/63	S-695-775
192	**Darger, et al. —** Deductibility of Contributions to a Trust	696		863	863	863	863	*3/21/63	S-696-775
195	**Mayhew, et al. —** Non-Profit Hospital Service Directors	734		825		874			S-734-775 T-826 O-858-874 (Failed 874)
197	**Watkins, et al. —** Incorporation of Persons Rendering Professional Services	697		783	814	814	814	*3/19/63	S-697-710 O-783-814
198	**Hodgson, et al. —** Utah Industrial Development Board	773				888			S-773-888
1	2	3	4	5	6	7	8	9	10

HOUSE BILLS (Continued)

1	2	3	4	5	6	7	8	9	10
200	**Loveridge, et al. –** Adoption Statute	697		860	860	860	879		S-697-775 A-860 O-860 C-879 V-*3/22/63
205	**S. A. Smith, et al. –** Milk Inspection	639		864	864	864	864		S-639-775 V-*3/20/63
206	**Darger, et al. –** Debt Management	709		796	796	797	797	*3/21/63	S-709-775
211	**Compton, et al. –** Tobacco Advertising	751		877	877	877			S-751-775 O-859-877 (Failed 877)
212	**Stuart, et al. –** Translator Station	558	605	860		860			S-605-775 F-860
214	**Gunnell, et al. –** School Indebtedness Elections	734		887		888			S-734-865 A-887 T-887 O-888 F-888
217	**Green, et al. –** Humane Use of Animals	640		782	796	796	796	*3/22/63	S-640-710 O-782-796
218	**Cochran, et al. –** Commission for the Blind	558	606	783	783	841	841	*3/22/63	S-606-640-676-710
228	**Mr. Jorgenson –** Liberal Arts Degree Conferred by Utah State University	653		653	653	654	654	693	
230	**Leavitt, et al. –** Administration State Insurance Fund	727				888			S-727 F-888
238	**Mayhew, et al. –** Composition of Board of Geological Survey	680		843	843	843	843	*3/19/63	S-680-775 O-836-842
239	**Mayhew, et al. –** Funds for Geological and Mineralogical Survey	681		843	843	844	844	*3/19/63	S-681-775 O-836-842

HOUSE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by President	Signed by Governor	REFERENCES A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
240	**Sontag, et al. —** Injunctions Against Violations of the Sales Tax Act	710				888			S-710 F-888
243	**Mr. R. M. Harding —** Widows and Orphans' Tax Exemption	880				888			S-880 F-888
247	**Poulson, et al. —** Reduction of Points Against Traffic Violators	735		884	884	884			S-835-875 (Failed 884)
249	**Petterson, et al. —** Workmen's Compensation and Occupational Disease Claims	599		622	622	622	622	780	S-599 O-600
261	**J. W. Monroe, et al. —** Licensing and Accreditation of Various Schools	755				888			S-755 F-888
274	**Evans, et al. —** Size of Vehicles	750		883		883			S-750-875 F-883
275	**Rockwood, et al. —** Tax on Self-Insurers	599		622	622	623	668	872	S-599 O-600 A-622 C-668
1	2	3	4	5	6	7	8	9	10

HOUSE BILLS (Continued)

1	2	3	4	5	6	7	8	9	10
276	**Rockwood, et al. –** Insurance Company Tax	600		623	623	623	623	893	S-600 O-600
278	**Wilkinson, et al. –** Supplemental Appropriation for the Biennium Ending June 30, 1963	726		882	882	882	882	*3/21/63	S-726-865
279	**Wilkinson, et al. –** Supplemental Appropriation Inheritance Tax Appraisers	727		882	882	882	882	*3/21/63	S-727-865
281	**Bullock, et al. –** Tobacco Possession	756		878	878	878	886	*3/21/63	S-756-865 A-878 C-886
282	**Wilkinson, et al. –** General Appropriation Bill	851		851	851	852	852	*3/22/63	

HOUSE CONCURRENT RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by President	Signed by Governor	REFERENCES A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
1	**Darger, et al. —** Revising Electoral College System	264	318	436	528	528	528	699	S-366-410 F-436 O-437-455-506-528 F-436 X-455-484-500-506 (Failed 506)
2	**Gunnell, et al. —** Utah State University — University of Utah Belong to Same Athletic Conference	599		797	797	797	797	*3/19/63	S-633-775
3	**Gunnell, et al. —** Study — Financing of State Public School System	681				857			S-681-865 F-875
4	**Cooper, et al. —** Flaming Gorge Dam	559		836	836	836	836	*3/19/63	S-633-775

HOUSE JOINT RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Rules Committee	Standing Committees	Read Second Time	Read Third Time	Signed by President	REFERENCES A — Amended X — Special Order F — Enacting Clause Struck V — Veto T — Tabled C — Concurred U — Unfinished Business S — Sifting Committee O — Other Action * — Action After Session
1	**Harding, et al. —** Legislative Council Tax Study	175	221	244		888		T-244 O-858 F-888
2	**Mr. F. W. Gunnell —** House Member — Term	204	249	305		888		O-305 (Failed 329) O-329-345-858 T-345 F-888
3	**J. M. Smith, et al. —** Legislative Council Study of Juvenile Offenders	175	297	436	491	888		S-366-431-641 T-491 O-641 F-888
7	**Dean, et al. —** Expense of Legislators	751				888		S-751 F-888
8	**Dean, et al. —** Budget Session of Legislature	751				888		S-751 F-888
10	**Thurston, et al. —** State Highway System	264	368	433	621	621	621	S-368-410 T-433 O-491-621
11	**Cannon, et al. —** Repeal 16th Amendment	600				888		S-600 F-888
14	**Lambert, et al. —** Education on Harm of Tobacco and Alcohol	754		875	876	876		S-754-865 A-875-876 (Failed 876)
15	**McKay, et al. —** Study of Tuberculosis Program — Legislative Council	755				875		S-755-865 F-875
18	**J. M. Smith, et al. —** Tax Exemption Study	601				875		S-601-865 F-875
21	**Sheffield, et al. —** Governmental Immunity	735		859	859	859	859	S-735-775

DIGEST OF ALL SENATE BILLS AND RESOLUTIONS FOR 1963 SESSION

S. B.	Subject Matter	Final Disposition
1	Non-Profit Corporation Code	Signed by Gov. – Mar. 8
2	Grand Jury	Enacting Clause Stricken by Senate – Mar. 14
3	Prohibited Marriages	Signed by Gov. – Feb. 6
4	Codes for Legislators	Enacting Clause Stricken by House – Mar. 14
5	Condominium Ownership of Property	Signed by Gov. – Feb. 26
6	Trust Deeds	Signed by Gov. – Feb. 20
7	Sunday Closing	Enacting Clause Stricken by Senate – Mar. 14
8	Off-Highway Refunds	Signed by Gov. – Mar. 16
9	Boy Scout Lands	Signed by Gov. – Mar. 19
10	School Drop-Outs	Enacting Clause Stricken by House – Mar. 14
11	Utah Uniform Securities Act	Signed by Gov. – Mar. 21
12	Management of Public Records	Signed by Gov. – Feb. 11
13	Salaries – City Officials	Signed by Gov. – Feb. 18
14	Modification Notice to Tax Commission	Signed by Gov. – Feb. 11
15	Banking Amendments	Signed by Gov. – Mar. 14
16	Mechanic Liens	Failed in Senate – Feb. 1
17	Abolish Death Penalty	Enacting Clause Stricken by House – Mar. 14
18	Museum of Natural History	Signed by Gov. – Feb. 6
19	Motor Vehicle Fees	Enacting Clause Stricken by Senate – Mar. 14
20	Trading Stamp Bonds	Enacting Clause Stricken by House – Mar. 14
21	Notice – Special Improvement District	Enacting Clause Stricken by House – Mar. 14
22	Contractor Law Amendments	Enacting Clause Stricken by House – Mar. 14
23	Off-Street Parking	Failed in Senate – Feb. 25
24	Prefiling of Bills	Sigend by Gov. – Feb. 13
25	Homestead Exemption	Signed by Gov. – Mar. 19
26	Cash in Lieu of Trading Stamps	Failed in Senate – Feb. 19
27	Freeport Legislation	Signed by Gov. – Mar. 21
28	Oil and Gas Well Logs	Signed by Gov. – Feb. 25
29	Oil and Gas Conservation	Signed by Gov. – Mar. 1
30	Firemen's Pension Bill	Signed by Gov. – Mar. 14
31	Regional Libraries	Signed by Gov. – Mar. 14
32	Per Diem – Library Boards	Signed by Gov. – Mar. 11
33	County Libraries	Signed by Gov. – Mar. 14

SENATE BILLS AND RESOLUTIONS (Continued)

S. B.	Subject Matter	Final Disposition
34	Libraries for Blind	Signed by Gov. – Mar. 14
35	Library Revenue Bonds	Signed by Gov. – Feb. 26
36	Minimum Levy – Libraries	Signed by Gov. – Mar. 19
37	Unprofessional Conduct – Optometry	Enacting Clause Stricken by House – Mar. 14
38	Public School Libraries	Signed by Gov. – Mar. 11
39	Prerequisite College – University	Signed by Gov. – Feb. 27
40	Uniform Gifts to Minors Act	Signed by Gov. – Mar. 11
41	Self-Employment Tax Act	Failed in Senate – Feb. 26
42	Tie-in Power – State Savings and Loan	Failed in Senate – Feb. 15
43	Model Marketable Title Act	Signed by Gov. – Mar. 19
44	Business Corporation Act	Signed by Gov. – Mar. 19
45	Business Corporation Act	Enacting Clause Stricken by Senate – Mar. 14
46	Business Corporation Act	Enacting Clause Stricken by House – Mar. 14
47	Board of Examiners Law	Signed by Gov. – Mar. 20
48	Finance Law	Signed by Gov. – Mar. 20
49	State Warrants	Signed by Gov. – Mar. 20
50	Salaries – District Attorneys	Signed by Gov. – Mar. 20
51	Travel – Board of Education	Signed by Gov. – Mar. 20
52	Directors Salary	Signed by Gov. – Mar. 19
53	Budgetary Control	Signed by Gov. – Mar. 20
54	Land Purchases	Signed by Gov. – Mar. 20
55	Welfare Property Sales	Signed by Gov. – Mar. 19
56	Appropriation – Fish and Game	Veto Overridden in Senate – Feb. 28 – Sustained in House
57	Fish and Game Lands	Enacting Clause Stricken by Senate – Mar. 4
58	Fish and Game Licenses	Enacting Clause Stricken by Senate – Feb. 5
59	Salary – Director of Board of Health	Signed by Gov. – Mar. 19
60	Electric Territories	Enacting Clause Stricken by Senate – Mar. 1
61	State Land Withdrawal	Signed by Gov. – Feb. 14
62	Income Tax Exemption	Enacting Clause Stricken by Senate – Mar. 14
63	Reapportionment	Signed by Gov. – Mar. 11
64	Inter-Local Cooperation	Enacting Clause Stricken by House – Mar. 14
65	Change of Name for Weber College	Signed by Gov. – Mar. 19

SENATE BILLS AND RESOLUTIONS (Continued)

S. B.	Subject Matter	Final Disposition
66	Nonresident Student Fees	Signed by Gov. – Mar. 19
67	Money Order Vendors Registration Act	Signed by Gov. – Mar. 14
68	Withdrawal of Areas from Municipalities	Failed in House – Mar. 13
69	Qualifications of the State Superintendent of Public Instruction	Signed by Gov. Mar. 1
70	Salary – State Supt. of Public Instruction	Signed by Gov. – Mar. 19
71	Duties of the Secretary of State	Enacting Clause Stricken by House – Mar. 14
72	Corporation Political Contributions	Enacting Clause Stricken by Senate – Mar. 14
73	Damage to Telephone Property	Signed by Gov. – Mar. 16
74	Driver License Compact	Failed in House – Mar. 14
75	Vehicle Equipment Safety Compact	Signed by Gov. – Mar. 19
76	Reapportionment Bill	Enacting Clause Stricken by Senate – Feb. 26
77	Reapportionment Bill	Enacting Clause Stricken by Senate – Feb. 26
78	Railroad Minimum Crew	Enacting Clause Stricken by Senate – Mar. 14
79	County Bonds	Signed by Gov. – Mar. 14
80	Interracial Marriages	Signed by Gov. – Mar. 19
81	Powers of Improvement Districts	Signed by Gov. – Mar. 21
82	Inventory Tax Amendment	Enacting Clause Stricken by Senate – Mar. 14
83	Providing a Minimum Benefit for Retired Teachers	Enacting Clause Stricken by House – Mar. 14
84	Combined Polling Places	Enacting Clause Stricken by House – Mar. 14
85	Scholarships and Leaves of Absences	Signed by Gov. – Feb. 25
86	Appropriation to Water and Power Board	Signed by Gov. – Mar. 19
87	Scholarships and Leaves of Absences	Signed by Gov. – Feb. 25
88	Validating Prohibited Marriages	Signed by Gov. – Feb. 18
89	Involuntary Dissolution of Corporations	Enacting Clause Stricken by House – Mar. 14
90	Workman's Compensation Employer Definition	Signed by Gov. – Mar. 12
91	College Improvement Tax	Signed by Gov. – Mar .22
92	Social Club Audits	Enacting Clause Stricken by House – Mar. 14
93	Developing a State Water Plan	Signed by Gov. – Mar. 11
94	Utah State Retirement Office	Signed by Gov. – Mar. 21
95	Transfer of Public Employees' Retirement	Signed by Gov. – Mar. 21
96	Transfer of School Employees' Retirement	Signed by Gov. – Mar. 19

SENATE BILLS AND RESOLUTIONS (Continued)

S. B.	Subject Matter	Final Disposition
97	Prison and Industrial School Pension	Signed by Gov. – Mar. 21
98	Transferring Firemen's Pension Fund	Enacting Clause Stricken by House – Mar. 14
99	Transferring Highway Patrol Retirement	Signed by Gov. – Mar. 19
100	Judges' Retirement System	Enacting Clause Stricken by Senate – Mar. 14
101	Seed Labeling	Signed by Gov. – Mar. 19
102	Improving Traffic Safety Program	Enacting Clause Stricken by House – Mar. 14
103	Tax Exempt Goods	Enacting Clause Stricken by Senate – Mar. 14
104	Minor Parent Adoptions	Signed by Gov. – Mar. 15
105	School Program Distribution Unit Amount	Failed in Senate – Mar. 14
106	Metropolitan Water Districts	Signed by Gov. – Mar. 19
107	Vacating or Narrowing County Roads	Enacting Clause Stricken by House – Mar. 14
108	General Highway Code	Signed by Gov. – Mar. 19
109	County Service Area Amendments	Signed by Gov. – Mar. 21
110	Budget Balances of Fish and Game	Enacting Clause Stricken by House – Mar. 14
111	Posted Pheasant Hunting Units	Enacting Clause Stricken by Senate – Mar. 14
112	Fish and Game Property Purchase	Signed by Gov. – Mar. 11
113	Fee for Game Farm Permits	Enacting Clause Stricken by Senate – Mar. 14
114	Fish and Game License Fee Increase	Failed in House – Mar. 14
115	Certification of Drivers License Law	Failed in Senate – Mar. 14
116	Annuities for Higher Education	Signed by Gov. – Mar. 21
117	Citizens Commission on Governmental Organization	Vetoed by Gov. – Mar. 21
118	County School Districts	Enacting Clause Stricken by Senate – Mar. 14
119	Deposit of Collections by State Agencies	Enacting Clause Stricken by Senate – Mar. 14
120	Committee to Estimate Revenue for Biennium	Enacting Clause Stricken by Senate – Mar. 14
121	Taxing Units Biennial Audits	Enacting Clause Stricken by Senate – Mar. 14
122	Holder's Delivery of Abandoned Property	Enacting Clause Stricken by Senate – Mar. 14
123	Published Financial Statements Disposition	Enacting Clause Stricken by Senate – Mar. 14

SENATE BILLS AND RESOLUTIONS (Continued)

S. B.	Subject Matter	Final Disposition
124	Unemployment Compensation for Public Employees	Enacting Clause Stricken by House – Mar. 14
125	Residency Requirements for Public Assistance	Enacting Clause Stricken by Senate – Mar. 14
126	Protection of Athletic Contests	Enacting Clause Stricken by Senate – Mar. 14
127	State Accounting Systems	Enacting Clause Stricken by House – Mar. 14
128	Consolidation of Funds	Enacting Clause Stricken by House – Mar. 14
129	Release of Wildlife Control	Enacting Clause Stricken by House – Mar. 14
130	Unlawful Introduction of Wildlife	Enacting Clause Stricken by Senate – Mar. 14
131	City Off-Street Parking	Enacting Clause Stricken by House – Mar. 14
132	Borrowing by Water and Sewage Districts	Enacting Clause Stricken by House – Mar. 14
133	Chiropractic License Renewal	Enacting Clause Stricken by House – Mar. 14
134	Insurance Code	Signed by Gov. – Mar. 21
135	Motor Fuel Tax	Enacting Clause Stricken by Senate – Mar. 14
136	Teacher Merit Salary Program	Enacting Clause Stricken by House – Mar. 14
137	Special Appropriation for Pinehills Rehabilitation Project	Enacting Clause Stricken by House – Mar. 14
138	National Guard	Enacting Clause Stricken by Senate – Mar. 13
139	State Salary Act	Signed by Gov. – Mar. 19
140	Supreme Court Clerk Salary	Signed by Gov. – Mar. 19
141	Deputy District Attorneys Salaries	Signed by Gov. – Mar. 19
142	Tax Commission Salaries	Signed by Gov. – Mar. 20
143	District Judges Salaries	Signed by Gov. – Mar. 19
144	Court Reporters Salary	Signed by Gov. – Mar. 19
145	State Engineer Salary	Signed by Gov. – Mar. 19
146	Adjutant General Salary	Signed by Gov. – Mar. 19
147	Coordinating Council Amendments	Enacting Clause Stricken by Senate – Mar. 14
148	County Board's Promoting Job Opportunities	Enacting Clause Stricken by House – Mar. 14

SENATE BILLS AND RESOLUTIONS (Continued)

S. B.	Subject Matter	Final Disposition
149	Merit System for State Employees	Enacting Clause Stricken by Senate – Mar. 14
150	Judicial Retirement	Enacting Clause Stricken by Senate – Mar. 14
151	Credit Reporting Services	Enacting Clause Stricken by Senate – Mar. 14
152	National Chartered Veterans Organizations	Enacting Clause Stricken by House – Mar. 14
153	Payment of Wages	Enacting Clause Stricken by House – Mar. 14
154	Automobile Insurance for State Employees	Enacting Clause Stricken by House – Mar. 14
155	Coal Pipe Line Eminent Domain	Signed by Gov. – Mar. 19
156	Borrowing Power of State Board of Loan Commissioners	Enacting Clause Stricken by Senate – Mar. 13
157	School Lunch Tax Increase	Enacting Clause Stricken by House – Mar. 14
158	Judges Retirement Modification	Enacting Clause Stricken by Senate – Mar. 14
159	Local Option Sales Tax Distribution on Per Capita Basis	Enacting Clause Stricken by Senate – Mar. 14
160	Redeposits in School Retirement System	Enacting Clause Stricken by Senate – Mar. 14
161	Making Trading Stamps Unclaimed Property	Enacting Clause Stricken by Senate –Mar. 14
162	Reapportionment	Enacting Clause Stricken by Senate – Feb. 26
163	Geological and Mineralogical Survey Transfer	Enacting Clause Stricken by Senate – Mar. 14
164	Private School Driver Education Programs	Signed by Gov. – Mar. 20
165	Maintenance Funds for Research Programs	Enacting Clause Stricken by House – Mar. 14
166	Salaries of County Officers	Enacting Clause Stricken by House – Mar. 14
167	Raw Milk Act	Enacting Clause Stricken by Senate – Mar. 14
168	Removal of Land Lease Limitations	Signed by Gov. – Mar. 19
169	Proceedings Before the Utah State Land Board	Signed by Gov. – Mar. 19
170	Industrial School Reimbursement	Enacting Clause Stricken by Senate – Mar. 14
171	Extension of Period of Land Use Leases	Signed by Gov. – Mar. 19
172	Mineral Lease After Options	Signed by Gov. – Mar. 19

SENATE BILLS AND RESOLUTIONS (Continued)

S. B.	Subject Matter	Final Disposition
173	Congressional Districts	Enacting Clause Stricken by Senate – Mar. 14
174	Appropriation – Legislative Salary – Vera Hopkin	Enacting Clause Stricken by House – Mar. 14
175	Special Utility Service Charges	Enacting Clause Stricken by Senate – Mar. 14
176	Tax Anticipation Notes for Buildings	Enacting Clause Stricken by Senate – Mar. 14
177	Validating Interracial Marriages	Enacting Clause Stricken by House – Mar. 14
178	Uniform Test Questions	Enacting Clause Stricken by Senate – Mar. 14
179	Categories of Peace Officers	Enacting Clause Stricken by House – Mar. 14
180	Term of Director of Public Health	Enacting Clause Stricken by House – Mar. 14
181	Retail Sales Quantity Limitations	Enacting Clause Stricken by Senate – Mar. 14
182	Building For Road Commission	Enacting Clause Stricken by Senate – Mar. 14
183	Limited Access Facility Restrictions	Enacting Clause Stricken by House – Mar. 14
184	School Retirement Investments	Enacting Clause Stricken by Senate – Mar. 14
185	County Improvement Districts	Signed by Gov. – Mar. 20
186	Pre-emptory Challenges of Juror's in Justices' Courts	Enacting Clause Stricken by Senate – Mar. 14
187	State Bar Funds	Enacting Clause Stricken by Senate – Mar. 14
188	Initiative and Referendum for Counties	Enacting Clause Stricken by House – Mar. 14
189	Limitation of Action	Enacting Clause Stricken by Senate – Mar. 14
190	Civic Auditorium	Signed by Gov. – Mar. 20
191	Reserves for Savings and Loan Associations	Enacting Clause Stricken by Senate – Mar. 9
192	Savings and Loan Associations	Enacting Clause Stricken by Senate – Mar. 14
193	Qualifying for School Retirement	Enacting Clause Stricken by Senate – Mar. 14
194	School Building Aid	Signed by Gov. – Mar. 20
195	Judicial Retirement	Signed by Gov. – Mar. 21

SENATE BILLS AND RESOLUTIONS (Continued)

S. B.	Subject Matter	Final Disposition
196	Construction Loans for Weber State College	Signed by Gov. – Mar. 19
197	Temporary Liquor Permits	Enacting Clause Stricken by House – Mar. 14
198	Anti-Pollution Treatment Works	Enacting Clause Stricken by Senate – Mar. 14
199	Advertising of Cash Budgets of Municipalities	Enacting Clause Stricken by Senate – Mar. 14
200	Public Securities	Enacting Clause Stricken by Senate – Mar. 14
201	Election Laws	Signed by Gov. – Mar. 14
202	Withdrawal of Territory from Taxing Districts	Enacting Clause Stricken by House – Mar. 14
203	Buying Buildings for Colleges	Enacting Clause Stricken by House – Mar. 14
204	Amendment to Corporation Law	Enacting Clause Stricken by House – Mar. 14
205	Installment Sales Act	Enacting Clause Stricken by Senate – Mar. 14
206	Fire Fighting Equipment	Enacting Clause Stricken by Senate – Mar. 14
207	Prescription Medicine Sales Tax Exemption	Enacting Clause Stricken by Senate – Mar. 14
208	Repeal Oleomargine Tax	Enacting Clause Stricken by Senate – Mar. 14
209	Number of City Judges in Cities of the First Class	Enacting Clause Stricken by House – Mar. 14
210	Pay Increases for Jury Commissioners	Enacting Clause Stricken by Senate – Mar. 14
211	Increase in Pay of Appraisers	Enacting Clause Stricken by Senate – Mar. 14
212	Amendments to Sales Tax	Enacting Clause Stricken by Senate – Mar. 14
213	Tuberculosis Hospital	Enacting Clause Stricken by House – Mar. 14
214	Columbia Interstate Compact – Ratifying	Signed by Gov. – Mar. 19
215	Protecting the Mentally Ill	Signed by Gov. – Mar. 21
216	Workman's Radiation Injuries	Enacting Clause Stricken by Senate – Mar. 14
217	Schools – Basic Program	Enacting Clause Stricken by Senate – Mar. 6
218	Wasatch Mountain State Park	Signed by Gov. – Mar. 20
219	Bond on State Buildings	Enacting Clause Stricken by Senate – Mar. 12

SENATE BILLS AND RESOLUTIONS (Continued)

S. B.	Subject Matter	Final Disposition
220	Occupation Reserve Fund	Signed by Gov. – Mar. 22
221	Income Tax Deductions	Enacting Clause Stricken by Senate – Mar. 14
222	Average Inventory Bill	Enacting Clause Stricken by House – Mar. 14
223	Gravel Hauling	Enacting Clause Stricken by House – Mar. 14
224	Proposing Area Redevelopment Law	Enacting Clause Stricken by Senate – Mar. 14
225	Appropriation – Legislative Salary	Failed in Senate – Mar. 8
226	Fees for Corporation Sole	Signed by Gov. – Mar. 19
227	Supplemental Appropriation for Biennium Ending June 30, 1963	Signed by Gov. – Mar. 19
228	Financing Building Program	Vetoed by Gov. – Mar. 14
229	Building Appropriations	Enacting Clause Stricken by Senate – Mar. 13
230	Introduction of Bills	Enacting Clause Stricken by House – Mar. 14
231	Authorizing Loan from State Treasurer for State Building Board	Enacting Clause Stricken by Senate – Mar. 13
232	Appropriations – State Buildings	Enacting Clause Stricken by Senate – Mar. 13
233	Unemployment Compensation Coverage	Enacting Clause Stricken by House – Mar. 14
234	School Finance Formula	Signed by Gov. – Mar. 19

SENATE BILLS AND RESOLUTIONS (Continued)

S. J. R.	Subject Matter	Final Disposition
1	Legislative Salaries	Sent to Secretary of State Jan. 24
2	Anti-Poll Tax Amendment	Sent to Secretary of State Feb. 21
3	Taxation of Motor Vehicles	Failed in House – Mar. 1
4	Taxation of Motor Vehicles	Withdrawn – Dup. of #3
5	Freeport Amendment	Sent to Secretary of State Mar. 13
6	Length of Legislative Sessions	Enacting Clause Stricken by Senate – Mar. 14
7	Power to Apportion Membership in Legislature	Sent to Secretary of State Feb. 15
8	Inventory Tax Repeal	Enacting Clause Stricken by Senate – Mar. 14
9	Constitutional Convention	Enacting Clause Stricken by Senate – Mar. 14
10	Homestead Exemption	Not printed
11	Succession of Public Officers During Emergencies	Sent to Secretary of State Mar. 14
12	Watershed Protection	Sent to Secretary of State Mar. 13
13	Governmental Immunity	Enacting Clause Stricken by Senate –Mar. 14
14	Assignment of Studies to Legislative Council	Sent to Secretary of State Mar. 14

S. C. R.		
1	Five Per Cent Rebate Tax	Failed in Senate – Feb. 28
2	Proposed Wilderness System	Signed by Gov. – Feb. 27
3	Urging Expeditious Completion of the Colorado River Storage Project and the Equitable Apportionment of Project Water	Signed by Gov. – Mar. 19

SENATE BILLS AND RESOLUTIONS (Continued)

S. R.	Subject Matter	Final Disposition
1	Settlement Canyon Irrigation Conveyance	Sent to Secretary of State Mar. 6
2	Spring Creek and LaVerkin Irrigation Conveyance	Sent to Secretary of State Mar. 6
3	Straight Ditch & Layton-Kaysville Conveyance	Sent to Secretary of State Mar. 6
4	Dry Gulch Irrigation Conveyance	Sent to Secretary of State Mar. 6
5	Benson-Bear Lake Irrigation Conveyance	Sent to Secretary of State Mar. 6
6	Wellsville Irrigation Conveyance	Sent to Secretary of State Mar. 6

DIGEST OF ALL HOUSE BILLS AND RESOLUTIONS FOR 1963 SESSION

H. B.	Subject Matter	Final Disposition
1	To Establish Juvenile Court System Independent of State Welfare Department.	Failed in Senate – Mar. 12
2	To Permit Leasing of Public Airport Property for Such Purposes as Motels, Hotels, and Offices	Signed by Gov. – Mar. 18
3	Public Safety – State Traffic Coordinating Committee	Signed by Gov. – Feb. 18
4	Definition of Air Pollution	Signed by Gov. – Mar. 15
5	Authorizing Counties to Pass and Enforce Air Pollution Ordinances	Signed by Gov. – Mar. 9
6	Creating an Advisory Committee on Air Pollution	Enacting Clause Stricken by Senate – Mar. 14
7	A New Act to Designate When a Guardianship Is Not Necessary for Handling Funds for a Minor	Signed by Gov. – Mar. 6
8	Sale of Widow's Property by Executor or Administrator	Signed by Gov. – Feb. 8
9	Prohibiting Unlicensed Law Practice	Signed by Gov. – Mar. 16
10	Notice to Creditors of Decedent's Estates	Signed by Gov. – Feb. 6
11	Amendments to Operators' and Chauffeur's License Act	Failed in Senate – Mar. 12
12	Income Tax Withholding – Tax Tables for Use in Tax Withholding – Tax Refunds	Signed by Gov. – Feb. 20
13	Surplus Property Administration by State Agency	Signed by Gov. – Mar. 18
14	Prohibiting Tobacco Vending Machines	Failed in Senate – Mar. 11
15	Appropriation to State Board of Education for National Defense Education Act	Signed by Gov. – Feb. 18
16	Waiving State Immunity	Enacting Clause Stricken by House – Mar. 14
17	Election of a Presiding District Judge and Assignment of District Judges	Signed by Gov. – Feb. 6
18	Attorneys' Fees Involving Action on Contract Bonds	Signed by Gov. – Feb. 18
19	Transacting Business Under an Assumed Name.	Signed by Gov. – Feb. 13
20	Meat Inspection	Signed by Gov. – Feb. 20
21	Meat Inspection Funds	Signed by Gov. – Feb. 20
22	Motor Vehicle Registration Fees	Signed by Gov. – Feb. 18
23	Employment of Minors	Signed by Gov. – Feb. 18
24	Water and Soil Conservation	Signed by Gov. – Feb. 20
25	Increases Number of Bar Commission Members	Signed by Gov. – Mar. 19

HOUSE BILLS AND RESOLUTIONS (Continued)

H. B.	Subject Matter	Final Disposition
26	Salary Increase of Judge Pro Tempore	Enacting Clause Stricken by Senate – Mar. 14
27	Size and Weight of Vehicles on Highways	Enacting Clause Stricken by House – Mar. 14
28	Exemptions from Livestock Marketing Act	Signed by Gov. – Mar. 11
29	Brucellosis Eradication and Appropriation	Signed by Gov. – Feb. 27
30	Refund of Excess Inheritance Tax Paid	Signed by Gov. – Feb. 20
31	Prerequisites for Recording Real Estate Document	Enacting Clause Stricken by House – Mar. 14
32	Mixing Commercial Fertilizers	Signed by Gov. – Feb. 25
33	Creating Great Salt Lake Authority	Signed by Gov. – Mar. 22
34	Unemployment Compensation	Signed by Gov. – Feb. 27
35	Examining Board for Dispensing Opticians	Failed in Senate – Mar. 1
36	Prohibit Use of Age, Under 40 as Factor in Employment	Enacting Clause Stricken by House – Mar. 14
37	Repeal of Death Penalty	Enacting Clause Stricken by House – Mar. 14
38	All Sales Tax to Be Credited to General Fund	Signed by Gov. – Mar. 6
39	Railroad Cabooses to Provide Sanitary Facilities	Enacting Clause Stricken by House – Mar. 14
40	Clarifying Motor Vehicle Administration and Defining Nonresident and Providing for Issuance of "EX" Plates	Signed by Gov. – Mar. 18
41	Paternity Law	Enacting Clause Stricken by House – Mar. 14
42	Uniform Reciprocal Support Act	Signed by Gov. – Mar. 14
43	Irrigation District Law Amendments	Signed by Gov. – Mar. 15
44	Marking State Owned Vehicles	Signed by Gov. – Mar. 11
45	Licensing of Motor Clubs	Signed by Gov. – Mar. 22
46	Discharge of Mortgages	Signed by Gov. – Mar. 1
47	Use of Special Books by County Recorder	Signed by Gov. – Feb. 18
48	Coordination of Rehabilitation Agencies	Failed in Senate – Mar. 14
49	School Building Planning	Signed by Gov. – Mar. 22
50	Selection of Judges – Supreme Court and District Courts	Enacting Clause Stricken by House – Mar. 14
51	Smoking in Public Places	Enacting Clause Stricken by Senate – Feb. 28
52	Qualifications of Director of Registration	Signed by Gov. – Feb. 8
53	Continuity of Administration of Cities	Signed by Gov. – Mar. 1
54	Maturity Dates on General Obligation Bonds	Signed by Gov. – Mar. 21

HOUSE BILLS AND RESOLUTIONS (Continued)

H. B.	Subject Matter	Final Disposition
55	Physician Available to Industrial Center of Operation	Enacting Clause Stricken by House – Mar. 14
56	Publishing of Delinquent Tax Notices by County Treasurer	Failed in Senate – Feb. 7
57	Abatement of Weeds and Unsightly Objects	Signed by Gov. – Mar. 11
58	Fixing and Collecting Fees of Department of Registration	Signed by Gov. – Feb. 20
59	State Planning Coordinator	Signed by Gov. – Mar. 16
60	Increase State Income Tax Returns	Enacting Clause Stricken by House – Mar. 14
61	Bar Commission to Determine Own Fees	Failed in House – Feb. 7
62	Authorize Insurance for National Guard	Signed by Gov. – Mar. 7
63	Additional Distribution Units for Vocational Training	Signed by Gov. – Mar. 21
64	Amends Utah Public Employees' Retirement Act	Signed by Gov. – Mar. 18
65	Local Governments to Secure Bids for Purchases in Excess of $500	Enacting Clause Stricken by Senate – Mar. 14
66	Assessment of Mines	Signed by Gov. – Feb. 27
67	Per Diem Allowance – Engineering Examination Committee	Signed by Gov. – Mar. 11
68	Fees – Optometrists	Signed by Gov. – Feb. 20
69	Fees – Barbers	Signed by Gov. – Feb. 20
70	Fees – Plumbers	Signed by Gov. – Feb. 20
71	Per Diem – Examining Committee – Medicine, Etc.	Signed by Gov. – Mar. 11
72	Fees – Chiropodists	Signed by Gov. – Feb. 20
73	Application and Qualifications for Nursing and Maternity Home – Fixing Fees	Signed by Gov. – Feb. 27
74	Per Diem – Nursing School Accreditation Board	Signed by Gov. – Mar. 9
75	Per Diem – Cemetery Board	Signed by Gov. – Mar. 9
76	Fees – Pharmacy	Signed by Gov. – Feb. 20
77	Regulating Department of Registration	Signed by Gov. – Mar. 9
78	Fees – Dental Hygienist	Signed by Gov. – Mar. 5
79	Qualifications – Superintendent of Public Instruction	Enacting Clause Stricken by House – Mar. 14
80	Salary – Superintendent of Public Instruction	Enacting Clause Stricken by House – Mar. 14
81	Public Health – Medical Research	Signed by Gov. – Mar. 22

HOUSE BILLS AND RESOLUTIONS (Continued)

H. B.	Subject Matter	Final Disposition
82	Corporation Franchise Tax	Enacting Clause Stricken by House – Mar. 14
83	Purchases for Political Subdivisions	Signed by Gov. – Mar. 1
84	Fraudulent Issuance of Negotiable Instruments	Enacting Clause Stricken by House – Mar. 14
85	Insufficient Funds Instruments	Enacting Clause Stricken by House – Mar. 14
86	Mentally Ill	Signed by Gov. – Mar. 22
87	Operator's or Chauffeur's Licenses – Increase in Minimum Age	Enacting Clause Stricken by House – Mar. 14
88	Change of Name – Utah Technical Institute at Provo	Signed by Gov. – Mar. 1
89	Definition of Apprentice	Signed by Gov. – Mar. 1
90	Powers and Duties of Public Bodies in Awarding Contracts	Enacting Clause Stricken by House – Mar. 14
91	Fishing and Hunting Licenses for Disabled Persons	Enacting Clause Stricken by House – Mar. 14
92	Cosmetologists	Signed by Gov. – Mar. 11
93	Fee – Inactive Bar Membership	Signed by Gov. – Feb. 27
94	Military Graves	Enacting Clause Stricken by House – Mar. 14
95	Interstate Expenses of Legislature	Enacting Clause Stricken by House – Mar. 14
96	Basic Science Law	Signed by Gov. – Feb. 27
97	Salaries – National Guard Personnel	Enacting Clause Stricken by House – Mar. 14
98	Court Reporters' Salaries	Enacting Clause Stricken by House – Mar. 14
99	Salaries – Supreme Court Justices and Clerk – District Court Judges	Enacting Clause Stricken by House – Mar. 14
100	Salaries – District Attorneys	Enacting Clause Stricken by House – Mar. 14
101	Salaries – Elected Officials	Enacting Clause Stricken by House – Mar. 14
102	Salaries – State Tax Commission	Enacting Clause Stricken by House – Mar. 14
103	Salaries – Appointed State Officers	Enacting Clause Stricken by House – Mar. 14
104	Permanent Fishing License for Blind and Persons Over 65 Years of Age	Signed by Gov. – Mar. 5

HOUSE BILLS AND RESOLUTIONS (Continued)

H. B.	Subject Matter	Final Disposition
105	Possession of Tobacco and Beer By Persons Under 21	Enacting Clause Stricken by Senate – Mar. 14
106	Fire Prevention Law – State Fire Marshal	Signed by Gov. – Mar. 22
107	Citizens' Job Protection Act	Enacting Clause Stricken by Senate – Mar. 14
108	Widow's Appropriation – Wife of Civil War Veteran	Enacting Clause Stricken by House – Mar. 14
109	Tax Cooperative Benefit Association	Enacting Clause Stricken by House – Mar. 14
110	Insurance Premium Tax Coverage	Enacting Clause Stricken by House – Mar. 14
111	Civil Rights	Enacting Clause Stricken by House – Mar. 14
112	Prohibited Marriages	Enacting Clause Stricken by House – Mar. 14
113	State Building Bond Program	Enacting Clause Stricken by House – Mar. 14
114	CAPS School Finance Program	Enacting Clause Stricken by Senate – Mar. 14
115	Deposit of County Taxes	Signed by Gov. – Mar. 11
116	Saturday-Sunday Closing	Enacting Clause Stricken by Senate – Mar. 14
117	Marking of Police Vehicles	Failed in House – Feb. 25
118	Prohibiting Immodest Photography in State Supported Institutions	Failed in House – Mar. 7
119	Reapportionment	Enacting Clause Stricken by House – Mar. 14
120	To Extend Coverage of Liens of Materialmen	Failed in Senate – Feb. 27
121	Employment Discrimination	Enacting Clause Stricken by House – Mar. 14
122	State Aerial Tramway	Signed by Gov. – Mar. 20
123	Exemption From Jury Duty for Policemen	Enacting Clause Stricken by House – Mar. 14
124	Real Estate Brokers	Signed by Gov. – Mar. 22
125	Appropriation to A. Scoville for "Pageant of the West"	Enacting Clause Stricken by House – Mar. 14
126	Repairmen to Furnish Itemized Cost Statements to Customer	Failed in House – Mar. 1
127	Uniform System of Accounts	Enacting Clause Stricken by Senate – Mar. 14

HOUSE BILLS AND RESOLUTIONS (Continued)

H. B.	Subject Matter	Final Disposition
128	State Auditor to Issue Rules and Regulations Relating to Systems of Public Accounting	Enacting Clause Stricken by Senate – Mar. 14
129	Accounting Procedure Study – Appropriation	Enacting Clause Stricken by House – Mar. 14
130	Elections – Registration Dates	Signed by Gov. – Mar. 11
131	Marriage Licenses – Minors	Signed by Gov. – Feb. 27
132	Assigned Legal Counsel for Indigent Accused	Enacting Clause Stricken by House – Mar. 14
133	Sale of Motor Fuel	Enacting Clause Stricken by House – Mar. 14
134	Illegal Advertising and Redress	Signed by Gov. – Mar. 18
135	Nonresident Fees – State Universities and Colleges	Enacting Clause Stricken by House – Mar. 14
136	Cigarette Tax Increase	Signed by Gov. – Mar. 22
137	Obscenities	Signed by Gov. – Mar. 20
138	County Commissioners Providing for 4-Year Term	Enacting Clause Stricken by House – Mar. 14
139	Public Liability Insurance of Oversize Carriers	Enacting Clause Stricken by House – Mar. 14
140	School Programs for Gifted Children	Enacting Clause Stricken by House – Mar. 14
141	Recreation Area Defined	Enacting Clause Stricken by House – Mar. 14
142	Regulation of Motor Vehicles Used by Employer in Transporting Workers to and from Place of Business	Enacting Clause Stricken by House – Mar. 14
143	Structure of National Guard to Conform with that of U.S Military Services	Signed by Gov. – Mar. 20
144	Sales Tax – Exchanges of Property	Signed by Gov. – Mar. 21
145	Minimum Speeds	Enacting Clause Stricken by Senate – Mar. 14
146	County Libraries – Tax	Enacting Clause Stricken by House – Mar. 14
147	Department of Contractors to be Supervised by Department of Business Regulations	Enacting Clause Stricken by House – Mar. 14
148	Repairs and Improvements at State Training School – Appropriation	Enacting Clause Stricken by House – Mar. 14
149	Election of Cemetery Maintenance District Commissioners	Signed by Gov. – Mar. 14

HOUSE BILLS AND RESOLUTIONS (Continued)

H. B.	Subject Matter	Final Disposition
150	Reapportionment	Enacting Clause Stricken by House – Mar. 14
151	State-wide Driver Education in Public Schools	Enacting Clause Stricken by House – Mar. 14
152	Driver Education Tax Increase	Enacting Clause Stricken by House – Mar. 14
153	Original Operator's or Chauffeur's License to be Provisional	Enacting Clause Stricken by House – Mar. 14
154	Tax Rebate for Indigent	Enacting Clause Stricken by House – Mar. 14
155	Special Marking of Minor's Driver's License	Signed by Gov. – Mar. 18
156	Exchange of a Minor's Driver's License for a Regular Driver's License	Vetoed by Gov. – Mar. 21
157	Capital Improvements Reserve Fund	Signed by Gov. – Mar. 19
158	Claims Against Counties	Signed by Gov. – Mar. 18
159	Covering of Canals and Ditches	Enacting Clause Stricken by Senate – Mar. 14
160	Contractor's Bonds	Signed by Gov. – Mar. 22
161	Meetings of Board – 1st & 2nd Class Cities	Signed by Gov. – Mar. 21
162	Child Placement by Licensed Agencies Only	Enacting Clause Stricken by House – Mar. 14
163	Membership in Utah School Employees' Retirement System	Enacting Clause Stricken by House – Mar. 14
164	Indian Affairs Commission	Signed by Gov. – Mar. 22
165	Claims Against School Districts	Enacting Clause Stricken by House – Mar. 14
166	Issuing Public School Bonds	Signed by Gov. – Mar. 5
167	Appropriation for Governor-Elect	Enacting Clause Stricken by Senate – Mar. 14
168	Regulation of Nursing Practice	Signed by Gov. – Mar. 22
169	Separate Fund for Taxes for Care of Indigent	Enacting Clause Stricken by House – Mar. 14
170	School Drop-outs – Report	Enacting Clause Stricken by House – Mar. 14
171	University Entrance Examination Reports	Enacting Clause Stricken by House – Mar. 14
172	Reflectorized License Plates	Enacting Clause Stricken by House – Mar. 14
173	Agricultural Marketing Act	Signed by Gov. – Mar. 19
174	Tuition and Books Income Tax Deduction	Enacting Clause Stricken by House – Mar. 14

HOUSE BILLS AND RESOLUTIONS (Continued)

H. B.	Subject Matter	Final Disposition
175	Group Insurance for State Employees	Enacting Clause Stricken by House – Mar. 14
176	Retail Liquor Tax to Be Certified to Uniform School Fund	Enacting Clause Stricken by House – Mar. 14
177	Geological and Mineralogical Survey – Apportionment from Uniform School Fund	Signed by Gov. – Mar. 18
178	Establishment of Guardianship Division – Public Welfare Commission	Enacting Clause Stricken by House – Mar. 14
179	School District Budget Reports	Enacting Clause Stricken by House – Mar. 14
180	Employment Discrimination	Enacting Clause Stricken by House – Mar. 14
181	State Agencies Aircraft Liability Insurance	Enacting Clause Stricken by House – Mar. 14
182	Property Tax Exemption	Enacting Clause Stricken by House – Mar. 14
183	Pinball Machines	Enacting Clause Stricken by House – Mar. 14
184	Salaries – City Judges	Enacting Clause Stricken by House – Mar. 14
185	Age Limitation Public Schools	Signed by Gov. – Mar. 19
186	Elections to Fill Vacancies – Local Boards of Education	Signed by Gov. – Mar. 19
187	Payment of Water Service by State	Enacting Clause Stricken by House – Mar. 14
188	Cancellation of Satisfied Mortgages	Enacting Clause Stricken by House – Mar. 14
189	Funds for Fire Suppression on State Lands	Enacting Clause Stricken by House – Mar. 14
190	Common Trust Funds	Signed by Gov. – Mar. 21
191	Antitrust Stock Distributions	Signed by Gov. – Mar. 21
192	Deductibility of Contributions to a Trust	Signed by Gov. – Mar. 21
193	Printing and Distribution of Highway and Traffic Laws	Enacting Clause Stricken by House – Mar. 14
194	Filing of Tax Exemption Claims	Enacting Clause Stricken by House – Mar. 14
195	Eligibility and Qualification of the Members of the Board of Directors of Nonprofit Hospital Service Corporations	Failed in Senate – Mar. 14
196	Equal Pay for Women	Enacting Clause Stricken by House – Mar. 14

HOUSE BILLS AND RESOLUTIONS (Continued)

H. B.	Subject Matter	Final Disposition
197	Incorporation of Persons Rendering Professional Services	Signed by Gov. – Mar. 19
198	Utah Industrial Development Board	Enacting Clause Stricken by Senate – Mar. 14
199	Election of Justices of Peace	Enacting Clause Stricken by House – Mar. 14
200	Adoption Procedures – Limiting Stay in Foster Homes	Vetoed by Gov. – Mar. 22
201	Structural Pest Control	Enacting Clause Stricken by House – Mar. 14
202	Liability – Labor Unions	Enacting Clause Stricken by House – Mar. 14
203	Prohibiting Coercion of Political Contributions	Enacting Clause Stricken by House – Mar. 14
204	Reports by Unions and Disclosure of Officers	Enacting Clause Stricken by House – Mar. 14
205	Milk Inspection	Vetoed by Gov. – Mar. 20
206	Debt Management Act	Signed by Gov. – Mar. 21
207	Computation of Workmen's Compensation Benefits	Enacting Clause Stricken by House – Mar. 14
208	Milk Producers and Processors	Enacting Clause Stricken by House – Mar. 14
209	Redistricting of Counties	Enacting Clause Stricken by House – Mar. 14
210	Custody of State Capitol – State Building Board	Enacting Clause Stricken by House – Mar. 14
211	Tobacco Advertising by Public Communication Media	Failed in Senate – Mar. 14
212	Use of Signal System of Private Translator Without Compensating Owner – Misdemeanor	Failed in Senate – Mar. 14
213	Trust Fund Exemption from Execution	Enacting Clause Stricken by House – Mar. 14
214	School Indebtedness Elections	Enacting Clause Stricken by Senate – Mar. 14
215	Election of City Judges	Enacting Clause Stricken by House – Mar. 14
216	Nomination of Judges	Enacting Clause Stricken by House – Mar. 14
217	Humane Use of Animals	Signed by Gov. – Mar. 22
218	Commission for Blind	Signed by Gov. – Mar. 22

HOUSE BILLS AND RESOLUTIONS (Continued)

H. B.	Subject Matter	Final Disposition
219	Earmarking Increased Sales and Use Tax to State Building Board	Enacting Clause Stricken by House – Mar. 14
220	Election of Members of District Boards of Education	Enacting Clause Stricken by House – Mar. 14
221	State Development Corporations	Enacting Clause Stricken by House – Mar. 14
222	Watersheds	Enacting Clause Stricken by House – Mar. 14
223	Creation of County Justices' Courts	Enacting Clause Stricken by House – Mar. 14
224	Utah Administrative Procedure Act	Enacting Clause Stricken by House – Mar. 14
225	Obtaining Drugs Unlawfully	Enacting Clause Stricken by House – Mar. 14
226	Action Against Prosecutor	Enacting Clause Stricken by House – Mar. 14
227	State Building Aid	Enacting Clause Stricken by House – Mar. 14
228	Liberal Arts Degrees to Be Conferred by Utah State University	Signed by Gov. – Mar. 8
229	Exemptions fro State Sales Tax – All Artificial Limbs	Enacting Clause Stricken by House – Mar. 14
230	Administration – State Insurance Fund	Enacting Clause Stricken by Senate – Mar. 14
231	Day Care Centers for Handicapped	Enacting Clause Stricken by House – Mar. 14
232	Powers and Duties of Public Welfare Commission as Related to State Industrial School	Enacting Clause Stricken by House – Mar. 14
233	Transfers to State Hospital From Other State Institutions	Enacting Clause Stricken by House – Mar. 14
234	Powers and Duties of the Board of Corrections in Transferring Prisoners to State Hospital	Enacting Clause Stricken by House – Mar. 14
235	Powers and Duties of Public Welfare Commission Relating to State Training School	Enacting Clause Stricken by House – Mar. 14
236	Sentencing Sex Offenders	Enacting Clause Stricken by House – Mar. 14

HOUSE BILLS AND RESOLUTIONS (Continued)

H. B.	Subject Matter	Final Disposition
237	Removal of Vocational Schools From State Finance Commission Control	Enacting Clause Stricken by House – Mar. 14
238	Composition of Board – Utah Geological and Mineralogical Survey	Signed by Gov. – Mar. 18
239	Funds for Utah Geological and Mineralogical Survey	Signed by Gov. – Mar. 18
240	Injunction Against Violations of the Sales Tax Act	Enacting Clause Stricken by Senate – Mar. 14
241	Excise Tax on Transfer of Real Property	Enacting Clause Stricken by House – Mar. 14
242	Wrongful Refusal of Guests	Enacting Clause Stricken by House – Mar. 14
243	Widows' and Orphans' Tax Exemption	Enacting Clause Stricken by Senate – Mar. 14
244	Increase in Public Assistance Grants	Enacting Clause Stricken by House – Mar. 14
245	Collection of Delinquent Personal Property Tax	Enacting Clause Stricken by House – Mar. 14
246	Sale and Lease of Subdivision Lands	Enacting Clause Stricken by House – Mar. 14
247	Reduction of Points Against Traffic Violators	Failed in Senate – Mar. 14
248	Medical Service Plans Under Jurisdiction of State Insurance Department	Enacting Clause Stricken by House – Mar. 14
249	Workmen's Compensation and Occupational Disease Claims	Signed by Gov. – Mar. 12
250	Industrial Commission to Impose Fees for Inspection of Places of Employment	Enacting Clause Stricken by House – Mar. 14
251	Safety Inspection of Existing School Buildings	Enacting Clause Stricken by House – Mar. 14
252	Safety Inspection of Existing State Buildings	Enacting Clause Stricken by House – Mar. 14
253	Automobile Liability Insurance	Enacting Clause Stricken by House – Mar. 14
254	Motor Vehicles Accident Claims Fund	Enacting Clause Stricken by House – Mar. 14
255	Tax Deductions For Political Contributions	Enacting Clause Stricken by House – Mar. 14
256	Fish and Game Licensing	Enacting Clause Stricken by House – Mar. 14
257	Valuable Consideration in Lotteries	Enacting Clause Stricken by House – Mar. 14

HOUSE BILLS AND RESOLUTIONS (Continued)

H. B.	Subject Matter	Final Disposition
258	Anti-discrimination in Housing	Enacting Clause Stricken by House – Mar. 14
259	Discharge or Transfer of City Employees	Enacting Clause Stricken by House – Mar. 14
260	Apportionment of the Costs of Collecting Taxes	Enacting Clause Stricken by House – Mar. 14
261	Licensing and Accreditation of Various Schools	Enacting Clause Stricken by Senate – Mar. 14
262	Mental Health Services – Fees, Contracts, Eligibility	Enacting Clause Stricken by House – Mar. 14
263	Nonpartisan Governing Boards for Universities and Colleges	Enacting Clause Stricken by House – Mar. 14
264	State Funds for Universities for Campus Building Construction	Enacting Clause Stricken by House – Mar. 14
265	Child Labor Laws	Enacting Clause Stricken by House – Mar. 14
266	Daylight Savings Time	Enacting Clause Stricken by House – Mar. 14
267	Fees on Real Property Owned by Park and Recreation Commission	Failed in House – Mar. 5
268	Sales Tax on Rentals	Enacting Clause Stricken by House – Mar. 14
269	Public Livestock Market Board	Enacting Clause Stricken by House – Mar. 14
270	Utah Youth Camp Act	Enacting Clause Stricken by House – Mar. 14
271	Extending Time of Divorce Decree to Become Absolute	Enacting Clause Stricken by House – Mar. 14
272	Newspaper Tax	Enacting Clause Stricken by House – Mar. 14
273	Municipal Personnel Administration Act	Enacting Clause Stricken by House – Mar. 14
274	Size of Vehicles	Failed in Senate – Mar. 14
275	Tax on Self-Insurers – 2nd Injury Fund	Signed by Gov. – Mar. 14
276	Insurance Company Tax – 2nd Injury Fund	Signed by Gov. – Mar. 14
277	Compensation to Vendors for Collecting Sales Tax	Enacting Clause Stricken by House – Mar. 14
278	Supplemental Appropriation for the Biennium Ending June 30, 1963 – Departments or Agencies of State Government	Signed by Gov. – Mar. 21

HOUSE BILLS AND RESOLUTIONS (Continued)

H. B.	Subject Matter	Final Disposition
279	Supplemental Appropriation – Inheritance Tax Appraisers	Signed by Gov. – Mar. 21
280	Scholarships for Teachers of Visually Handicapped	Enacting Clause Stricken by House – Mar. 14
281	Legal Age for Possession of Tobacco	Signed by Gov. – Mar. 21
282	General Appropriation Bill	Signed by Gov. – Mar. 22

H. J. R.	Subject Matter	Final Disposition
1	Study of Income and Corporation Franchise Taxes – Legislative Council	Enacting Clause Stricken by Senate – Mar. 14
2	Term of House of Representatives Changed to Four Years	Enacting Clause Stricken by Senate – Mar. 14
3	Study of Proper Facilities for Juvenile Offenders – Legislative Council	Enacting Clause Stricken by Senate – Mar. 14
4	Limit Property Tax Upon Tangible Property	Enacting Clause Stricken by House – Mar. 14
5	High School Reserve Officer Training	Enacting Clause Stricken by House – Mar. 14
6	Audit of Public Accounts	Failed in House – Mar. 11
7	Legislator's Expenses	Enacting Clause Stricken by Senate – Mar. 14
8	Budget Session of the Legislature	Enacting Clause Stricken by Senate – Mar. 14
9	Eliminating Office of State Auditor	Enacting Clause Stricken by House – Mar. 14
10	Adequacy of State Highway System	Sent to Secretary of State Mar. 8
11	Repeal of 16th Amendment	Enacting Clause Stricken by Senate – Mar. 14
12	Bell from Battleship Utah	Enacting Clause Stricken by House – Mar. 14
13	Safety Code for Regulating Petroleum Industry	Enacting Clause Stricken by House – Mar. 14
14	Education on Harm of Tobacco and Alcohol	Failed in Senate – Mar. 14
15	Study of State Tuberculosis Program – Legislative Council	Failed in Senate – Mar. 14

HOUSE BILLS AND RESOLUTIONS (Continued)

H. J. R.	Subject Matter	Final Disposition
16	Amendment to Constitution of United States Providing for Four-Year Term in U.S. House of Representatives	Enacting Clause Stricken by House – Mar. 14
17	Repeal of Federal Retail Excise Tax on Ladies Handbags	Enacting Clause Stricken by House – Mar. 14
18	Property Tax Exemption on Inventories of Goods, Wares and Merchandise – Study by Legislative Council	Failed in Senate – Mar. 14
19	Use of Public Lands as Recreational Areas	Enacting Clause Stricken by House – Mar. 14
20	Study of Inheritance Tax Laws – Legislative Council	Enacting Clause Stricken by House – Mar. 14
21	Study of Governmental Immunity – Legislative Council	Sent to Secretary of State Mar. 14
22	Study of Feasibility of a Single Board to Govern State Universities – Legislative Council	Enacting Clause Stricken by House – Mar. 14
23	Study of Sanitary Facilities on Railroads – Legislative Council	Enacting Clause Stricken by House – Mar. 14
24	Study of Insufficient Fund Checks – Legislative Council	Enacting Clause Stricken by House – Mar. 14
25	Study of Reorganization of School Districts – Legislative Council	Enacting Clause Stricken by House – Mar. 14
26	Study of Care of Dependent Foster Children – Legislative Council	Enacting Clause Stricken by House – Mar. 14
27	Special Taxing Districts – Legislative Council Study	Enacting Clause Stricken by House – Mar. 14
28	Compensation of Legislators	Enacting Clause Stricken by House – Mar. 14
29	Earmarking of Highway Users Tax	Failed in House – Mar. 14

H. C. R.		
1	Revising Electoral College System	Signed by Gov. – Mar. 7
2	Utah State University and University of Utah to Belong to Same Athletic Conference	Signed by Gov. – Mar. 18
3	Financing of State Public School System – Legislative Council Study	Failed in Senate – Mar. 14
4	Naming of Flaming Gorge Dam	Signed by Gov. – Mar. 18

ERRATA

Page 446 in the first paragraph line 4, correct spelling of word "the."

Page 694 of the third communication on line 2, correct spelling of word "open."

Page 734, under "Communications From The House," in body of 2nd communication, correct H. B. No. 19 to read H. B. No. 195.

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SPECIAL NOTICE

In using the alphabetical index which follows, please use the following procedure:

Look up subject matter and then refer to either the Senate or House numerical index as the case may be and from the numerical index you can follow through in logical sequence the passage of any bill or resolution.

In the case of special committee or reference, turn to the page number indicated.

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SENATE JOURNAL

THIRTY-FIFTH SESSION
of the

LEGISLATURE

of the

STATE OF UTAH

FIRST SPECIAL SESSION
1963

PUBLISHED BY AUTHORITY

CERTIFICATION

The undersigned as the duly appointed committee on Revision of the Senate Journal for the First Special Session of the Thirty-fifth 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 May 28, 1963 and continuing for one legislative day.

COMMITTEE ON REVISION
OF THE SENATE JOURNAL

QUAYLE CANNON, JR.
Secretary of the Senate

SOPHIA C. BUCKMILLER
Minute Clerk

First Special Session

of the

THIRTY-FIFTH LEGISLATURE

FIRST DAY

MORNING SESSION

SENATE CHAMBER

State Capitol

Salt Lake City, Utah, May 28, 1963

Pursuant to a proclamation by His Excellency, Governor George D. Clyde, the Senate of the Thirty-Fifth Legislature of the State of Utah met in the First Special Session in the Senate Chamber at the State Capitol at 10:00 A.M.

The Senate was called to order by President Bullen.

Roll Call – All Senators present.

Prayer by Senator Charles R. Hunter.

Secretary of State Lamont F. Toronto read the following proclamation:

STATE OF UTAH

EXECUTIVE DEPARTMENT

SECRETARY OF STATE'S OFFICE

I, LAMONT F. TORONTO, Secretary of State of the State of Utah, do hereby certify that the attached is a full, true and correct copy of the Proclamation made by the Governor of the State, May 21, 1963, calling the

Legislature of the State of Utah to meet in Special Session at and upon the date therein specified, as appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the great seal of the State of Utah at Salt Lake City, this 28th day of May, 1963.

(S E A L)

/s/ LAMONT F. TORONTO
Secretary of State

Certification filed.

PROCLAMATION

WHEREAS, at the close of the regular session of the 35th Utah Legislature I deemed it necessary to veto Senate Bill 228, commonly known as the "Building Bill", for reasons set forth in the message addressed to the Senate at that time; and

WHEREAS, it is imperative that an orderly program of capital construction be pursued at State insitutions through the biennium beginning July 1, 1963,

NOW THEREFORE I, GEORGE DEWEY CLYDE, Governor of the State of Utah, by virtue of the authority vested in me by Section 6 of Article VII of the Constitution of Utah, do by this proclamation call the 35th Legislature into special session at the Capitol on the 28th Day of May, 1963, at 10.00 A.M. for the following purpose:

To consider a program of capital construction in the State of Utah to commence July 1, 1963.

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

(S E A L)

/s/ GEORGE D. CLYDE,
Governor of Utah

/s/ LAMONT F. TORONTO,
Secretary of State

By the Governor

Proclamation filed.

Senator Kerr moved that the President and officers of the Thirty-fifth session of the Legislature be the officers for the First Special Session of the Thirty-fifth Legislature.

Motion carried.

On motion of Senator D. Taylor, the Senate Rules of the Regular Session of the Thirty-Fifth Legislature were adopted as the rules for the First Special Session.

On motion of Senator Stacey, the Standing Committees of the Senate for the Regular Session of the Thirty-fifth Legislature were appointed for the First Special Session.

On motion of Senator B. Jenkins, the President appointed a committee consisting of Senators Gardner, Rees and Memmott to notify the House that the Senate is organized and ready for business.

On motion of Senator Hammond, the following were elected as officers and employees of the First Special Session of the Thirty-fifth Legislature of the State of Utah.

Secretary of Senate.....Quayle Cannon, Jr.
Minute Clerk.....Sophia C. Buckmiller
Docket Clerk .....Ellen J. Winegar
Reference Attorney.....Gerald R. Hansen
Sgt. at Arms.....Ferris Allen
Asst. Sgt. at Arms.....Lyle Williams
Asst. Sgt. at Arms.....James W. Gilbert
Supervisory Clerk.....Marjorie Child
Messenger and Clerk.....Grace K. Burbidge
Telephone Clerk and Messenger.....Marjorie Graham
Messenger .....Dorothy Rosebraugh
Messenger.....Helene E. Parker
Doorman.....Wilford J. Humphrey

Motion carried.

A committee from the House consisting of Representatives Adams, Cannon and Tanner appeared before the Senate and reported that the House is organized and ready for business.

On motion of Senator M. Jenkins, the Senate recessed to meet with the House in Joint Convention to hear a message from the Governor.

JOINT CONVENTION

The Joint Convention was called to order by President Bullen.

Roll call showed one hundred percent attendance of both Senate and House members present.

Prayer by Representative Albert L. Bott.

On motion of Senator Barlow, the President of the Senate appointed a Joint Committee consisting of Senators Gardner, Harmston and S. Taylor and Representatives Thomas, Tinker and Williams 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 George D. Clyde, who was presented to the Joint Convention by President Bullen.

The Governor then delivered the following message:

MESSAGE OF
GOVERNOR GEORGE D. CLYDE
TO THE FIRST SPECIAL SESSION
OF THE 35th LEGISLATURE
OF THE STATE OF UTAH

May 28, 1963

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

35th Utah Legislature:

We are convened here today in a special legislative session, which I have called by the authority of the emergency powers conferred on me by the Constitution of the State of Utah, for the purpose of considering a program of construction at state institutions in the period beginning July 1, 1963.

I am sure you are all aware of the events leading up to the summoning of this special legislative session, so I shall review them only very briefly for the sake of coherence and clarity.

In the closing hours of the regular legislative session, the legislature passed Senate Bill 228, known as the "Building Bill." This piece of legislation did not reach my desk until after the legislature had adjourned sine die.

I was constrained to veto Senate Bill 228, for a number of reasons which I discussed fully in the official veto message. The chief of these reasons was that this legislation would have placed the state in long-term debt – *unnecessarily*, to my way of thinking.

I stress this word "unnecessarily," because I believe it is the key to the issue which created the impasse.

I feel certain that we are all agreed that we must have an effective building program to take care of the accumulated critical needs at our various institutions. I am likewise certain in my mind that none of us want to see a major construction program undertaken, only to come to a wasteful halt for lack of operating funds.

It has been, and remains, my own opinion that it will not be physically possible for the building board to spend the total monies available from current income for construction purposes before the end of the 1963-65 biennium. In such case, it would not be necessary to borrow money beyond the biennium in order to assure a continuing program of construction. I know that many of you share this belief with me.

On the other hand, I am aware that many of you do not share this belief, and are honestly convinced that available monies from current income could be spent by mid-1964, leaving an undesirable gap between that time and the beginning of the 1965-67 biennium when additional income would become available.

In discussing this question with members of the legislature, I have found that those who hold the latter point of view fully agree that *if* monies available from current income cannot be spent before the end of the 1963-65 biennium, there would be no reason to obligate the state's credit beyond the end of the fiscal period.

Conversely, those who hold the first point of view – myself included – agree that *if* the money can be spent substantially before the end of the biennium, it would be harmful to allow the construction program to come to a halt.

From these two observations has developed what I believe is an area in which we can reach general agreement.

I therefore propose that the legislature enact legislation which would set up a program which would provide for construction of buildings on the so-called "critical list" prepared by the building board, the schedule for construction in 1963-65 to be limited to that which can be accomplished from current income. These funds include approximately $18 million from the sales tax, earmarked for capital construction by terms of Senate Bill 91 of the regular session, 35th Utah Legislature; approximately $3.8 million from the transfer of the Mine Occupation Reserve Fund to the Building Board, for the specific purpose of liquidating the loan authorizations extended by the 34th Legislature, as provided by Senate Bill 220 of the regular session, 35th Legislature; and $3 million in revenue bonds for library building at the University of Utah, authorized by Senate Bill 35 of the regular session, 35th Legislature.

The remainder of the buildings on the so-called "critical list," as printed in the Annual Report of the Building Board, would be authorized for detailed planning during the 1963-65 biennium, so that construction on the second phase of the program could begin immediately on July 1, 1965.

It has been proposed by legislators who supported Senate Bill 228 that there be no advance planning for buildings not on the "critical list," leaving the program for 1967-69 to be set up by the 36th and 37th Legislatures. I fully concur in this recommendation.

The schedule of construction which I now recommend would be essentially that embodied in Senate Bill 228.

Now if it is found that the 1963-65 program cannot proceed faster than I anticipate, and that the approximately $25 million available from current revenues cannot be spent before the end of the fiscal period, all are in agreement that there would be no interruption to the construction program, and the procedure I have outlined would be fully satisfactory.

If, however, we should find that my estimation of the rate of construction is faulty, and the full amount of the 1963-65 appropriation should be spent well before the end of the biennium and that other construction be planned and ready to go except for lack of funds, I should then take whatever action might be necessary to assure an orderly continuation of the construction program and avoid the necessity for a halt. Such action might entail the summoning of a special session of the legislature.

With this assurance, I believe we can proced on a pay-as-you-go program of construction, without fear in anyone's mind that we shall have to halt the program in mid-stream.

In order to assure a smooth and uninterrupted construction program, I renew the proposal I made to the regular session of the 35th Legislature that we authorize interim financing in the form of borrowing against anticipated revenues; but the term of such borrowing be restricted to August 31, 1965. This is two months beyond the close of the 1963-65 biennium, and marks the final collection date for sales tax payable in the 1963-65 biennium, a part of which has been earmarked for the construction program, as noted above.

I feel certain that the program I have outlined can meet the objectives of all of us, and I strongly recommend that you give it your most careful attention. It is my sincere hope – a hope which I am sure you all share – that we can dispose of the business of this special session in a short time, allowing all of you to return to your homes and businesses with a minimum of inconvenience.

The Joint Committee then escorted Governor Clyde to his chamber.

On motion of Representative Bullock, the President of the Senate announced the Joint Convention dissolved.

The Senate re-assembled.

On motion of Senator Kerr, the Senate ordered the Governor's message to be spread upon the pages of the Journal.

INTRODUCTION OF BILLS

S. B. No. 1 By Messrs. Brockbank, Kerr and Hafen

AN ACT AMENDING CHAPTER 10, TITLE 63, UTAH CODE ANNOTATED 1953, AS AMENDED; PROVIDING FOR A BUILDING PROGRAM TO BE CARRIED OUT BY THE UTAH STATE BUILDING BOARD, INCLUDING PAYMENT OF THE COSTS THEREOF; PROVIDING FOR THE ISSUANCE OF STATE TAX ANTICIPATION NOTES OR CERTIFICATES OF PAYMENT IN CONNECTION WITH THE TEMPORARY FINANCING OF SUCH BUILDING PROGRAM AND APPROPRIATING THE PROCEEDS OF THE SALE THEREOF FOR THE PURPOSES AUTHORIZED IN THIS ACT; PROVIDING A FUND FOR THE PAYMENT OF INTEREST ON AND THE REDEMPTION OF SAI DNOTES OR CERTIFICATES OF PAYMENT; CLARIFYING THE BASIS FOR APPLICATION OF THE LIMITATION ON STATE INDEBTEDNESS FIXED BY SECTION 1 OF ARTICLE XIV OF THE CONSTITUTION; EXEMPTING SUCH NOTES OR CERTIFICATES OF PAYMENT AND THE INTEREST THEREON FROM TAXATION; PROVIDING FOR MANDAMUS ACTION IN THE SUPREME COURT UNDER CERTAIN CIRCUMSTANCES: MAKING SUCH NOTES OR CERTIFICATES OF PAYMENT LEGAL INVESTMENTS FOR PUBLIC, TRUST AND OTHER FUNDS AND SECURITY FOR FAITHFUL PERFORMANCE ON EXECUTIONS; AND APPROPRIATING MONIES TO CARRY OUT SAID BUILDING PROGRAM AND TO REPAY THE LOANS FOR BUILDING CONSTRUCTION PROJECTS AUTHORIZED BY THE THIRTY-THIRD AND THIRTY-FOURTH LEGISLATURES.

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

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

S. B. No. 2 By Messrs. B. Jenkins and Waddingham

AN ACT AMENDING CHAPTER 10, TITLE 63, UTAH CODE ANNOTATED 1953, AS AMENDED; PROVIDING FOR A BUILDING PROGRAM TO BE CARRIED OUT BY THE UTAH STATE BUILDING

BOARD, INCLUDING PAYMENT OF THE COSTS THEREOF; PROVIDING FOR THE ISSUANCE OF STATE CERTIFICATES OF PAYMENT IN CONNECTION WITH THE TEMPORARY FINANCING OF SUCH BUILDING PROGRAM AND APPROPRIATING THE PROCEEDS OF THE SALE THEREOF FOR THE PURPOSES AUTHORIZED IN THIS ACT; PROVIDING A FUND FOR THE PAYMENT OF INTEREST ON AND REDEMPTION OF SAID CERTIFICATES OF PAYMENT; CLARIFYING THE BASIS FOR APPLICATION OF THE LIMITATION ON STATE INDEBTEDNESS FIXED BY SECTION 1 OF ARTICLE XIV OF THE CONSTITUTION; EXEMPTING SUCH CERTIFICATES OF PAYMENT AND THE INTEREST THEREON FROM TAXATION; PROVIDING FOR MANDAMUS ACTION IN THE SUPREME COURT UNDER CERTAIN CIRCUMSTANCES, AND MAKING SUCH CERTIFICATES OF PAYMENT LEGAL INVESTMENTS FOR PUBLIC, TRUST AND OTHER FUNDS AND SECURITY FOR FAITHFUL PERFORMANCE ON EXECUTIONS.

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

On motion of Senator Kerr, the rules were suspended and S. B. No. 2 was placed on the Second Reading Calendar immediately following S. B. No. 1.

On motion of Senator Brockbank, the rules were suspended and the Senate voted to now consider S. B. Nos. 1 and 2 together on the Second Reading Calendar.

CONSIDERATION OF BILLS

S. B. Nos. 1 and 2 were before the Senate for consideration.

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

Mr. Glen R. Swenson, Director, State Building Board, appeared before the Committee of the Whole.

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

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

AFTERNOON SESSION

The Senate re-assembled. President Bullen in the Chair.

COMMUNICATIONS FROM THE GOVERNOR

May 28, 1963

The Honorable Reed Bullen
President of the Utah State Senate
and
Members of the State Senate

Gentlemen:

In accordance with the power vested in me by the Constitution and Laws of the State of Utah, I herewith appoint and recommend to your honorable body for confirmation the following named individuals for service on the Fair Association:

Mr. Dale Worwood, Nephi; appointed to a four year term, expiring March 15, 1967.

Mrs. Dolores B. Bennett, Logan; appointed to a four year term, expiring March 15, 1967.

Yours sincerely,

GEORGE D. CLYDE,
Governor

May 28, 1963

The Honorable Reed Bullen
President of the Utah State Senate
and
Members of the State Senate

Gentlemen:

In accordance with the power vested in me by the Constitution and Laws of the State of Utah, I herewith appoint and recommend to your honorable body for confirmation the following named individuals for service on the Commission of State Indian Affairs:

Mr. Harold Drake, Navajo Mountain, appointed to a two year term, expiring March 1, 1965.

Mr. Ray D. Free, Salt Lake City, appointed to a four year term, expiring March 1, 1967.

Mr. Don E. Smith, Blanding, appointed to a six year term, expiring March 1, 1969.

Yours sincerely,

GEORGE D. CLYDE,
Governor

On motion of Senator Hammond, President Bullen appointed Senators Hunter, Kerr, Hammond, Waddingham and Mantes who acted as the Special Committee on Appointments during the regular session of the legislature to further act as the aforementioned committee for the first special session of the 1963 legislature.

Communications from the Governor referred to the Special Committee on Appointments.

President Bullen appointed Senators Rees, Lambert and Gardner to read and revise the Journal for the First Special Session of th 1963 Lgislature.

UNFINISHED BUSINESS

S. B. Nos. 1 and 2 being Unfinished Business, were before the Senate.

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

Dr. El Roy Nelson, Chairman, State Building Board, appeared before the Committee of the Whole.

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

On motion of Senator Brockbank, S. B. No. 1 was amended as follows:

Page 1, in the heading of bill insert "1963 – First Special Session" preceding words "STATE BUILDING BOARD ACT" then delete the word "(Substitute)".

Page 1, line 3 of the body of the bill add an "s" to the word "Section".

Page 2, line 10, strike the word "anticipated" and insert in lieu thereof the word "authorized".

Page 13, line 5, strike the word "the" then insert in lieu thereof the word "Loan".

On motion of Senator Hafen, the rules were suspended and S. B. No. 1 was read the Second Time.

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

Yeas, 13; Nays, 12; Absent, 0.

Voting in the affirmative were: Senators Barlow Bernhard, Brockbank, Gardner, Hafen, Hammond, Hunter, Kerr, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators Browning, Grover, Harmston, Holman, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Sowards and Waddingham.

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

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

Yeas, 13; Nays, 12; Absent, 0.

Voting in the affirmative were: Senators Barlow Bernhard, Brockbank, Gardner, Hafen, Hammond, Hunter, Kerr, Rees, Stacey, D. Taylor, S. Taylor and Mr. President.

Voting in the negative were: Senators Browning, Grover, Harmston, Holman, B. Jenkins, M. Jenkins, Lambert, Mantes, Memmott, Miller, Sowards and Waddingham.

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

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

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

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

COMMISSION ON INDIAN AFFAIRS:

Mr. Harold Drake, Navajo Mountain, appointed to a two year term, expiring March 1, 1965.

Mr. Ray D. Free, Salt Lake City, appointed to a four year term, expiring March 1, 1967.

Mr. Don E. Smith, Blanding, appointed to a six year term, expiring March 1, 1969.

FAIR ASSOCIATION:

Mr. Dale Worwood, Nephi; appointed to a four year term, expiring March 15, 1967.

Mrs. Dolores B. Bennett, Logan; appointed to a four year term, expiring March 15, 1967.

Motion carried.

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

On motion of Senator B. Jenkins, the call of the Senate was lifted.

INTRODUCTION OF BILLS

S. B. No. 3 By Messrs. Waddingham and B. Jenkins

AN ACT AMENDING SECTIONS 59-15-4.5 AND 59-16-3.5, UTAH CODE ANNOTATED 1953, AS ENACTED BY SENATE BILL 91, OF THE 35TH LEGISLATURE OF THE STATE OF UTAH, RELATING TO STATE SALES AND USE TAXES; LIMITING TH ONE-HALF OF ONE PER CENT INCREASE IN THE SALES AND USE TAXES TO THE PERIOD COMMENCING JULY 1, 1963 AND NDING JUNE 30, 1965 AND DESIGNATING THE USE FOR WHICH THE PROCEEDS FROM SAID TAX SHALL BE MADE.

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

On motion of Senator B. Jenkins, the rules were suspended and the Senate voted to place S. B. No. 3 at the head of the Second Reading Calendar.

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

On motion of Senator B. Jenkins, the call of the Senate was lifted.

On motion of Senator B. Jenkins, the rules were suspended and S. B. No. 3 was read the second time.

On motion of Senator D. Taylor, the enacting clause of S. B. No. 3 was struck.

On motion of Senator Kerr the Senate recessed.

The Senate re-assembled.

INTRODUCTION OF BILLS

S. B. No. 4 By Messrs. Hunter and Sowards

AN ACT APPROPRIATING $5,000.00 FROM THE GENERAL FUND TO THE THIRTY-FIFTH LEGISLATURE, FIRST SPECIAL SESSION, TO DEFRAY EXPENSES OF BOTH HOUSES THEREOF.

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

On motion of Senator Hunter the rules were suspended and S. B. No. 4 was read the second and third times and placed on its final passage.

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

Yeas, 19; Nays, 0; Absent, 6.

Voting in the affirmative were: Senators Barlow, Bernhard, Gardner, Grover, Hafen, Hammond, Holman, Hunter, B. Jenkins, Kerr, Lambert, Memmott, Miller, Rees, Sowards, Stacey, D. Taylor, S. Taylor and Mr. President.

Absent and not voting were: Senators Brockbank, Browning, Harmston, M. Jenkins, Mantes and Waddingham.

S. B. No. 4 was transmitted to the House.

UNFINISHED BUSINESS

S. B. No. 2 being Unfinished Business, was before the Senate.

On motion of Senator Kerr, the enacting clause of S. B. No. 2 was struck.

COMMUNICATIONS FROM THE HOUSE

May 28, 1963

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, and the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 1, as amended

STATE BUILDING BOARD ACT

and the same is transmitted herewith for your further action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 1 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

May 28, 1963

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. 4, by Messrs. Hunter and Sowards, entitled APPROPRIATION – FIRST SPECIAL SESSION, and the same is transmitted herewith for your action.

Respectfully,

HENRY NYGAARD,
Chief Clerk

Communication filed.

S. B. No. 4 was signed by the President in open session in the presence of the Senate, then referred to the Committee on Rules to be enrolled and engrossed after which same will be transmitted to the Governor.

On motion of Senator Kerr, the President appointed Senators Stacey, Holman and S. Taylor as a committee to notify the House that he Senate has concluded its business and is ready to adjourn sine die, and also to act with a like committee from the House to wait upon the Governor and inform him that the Legislature is ready to adjourn sine die.

President Bullen recognized a committee from the House that appeared and notified the Senate that the House has concluded its business and is ready to adjourn sine die.

May 28, 1963

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the first Special Session of the 1963 Legislature and find it correct with minor amendments noted on the final copy.

Respectfully,

G. STANFORD REES,
Chairman

Report adopted and filed.

The Committee appointed to wait upon the Governor reported that he had no further business to bring before the Legislature.

COMMUNICATIONS FROM THE GOVERNOR

May 28, 1963

Honorable Reed Bullen
President of the Senate
and
Members of the Utah State Senate

Dear President Bullen and Members of the Senate:

I have no further business to bring before your honorable body.

I wish to thank you for the work done during this special session.

Yours sincerely,

GEORGE D. CLYDE,
Governor

Communication filed.

On motion of Senator Hammond, the First Special Session, 35th Legislature, of the Utah State Senate adjourned sine die.

COMMUNICATION FROM THE GOVERNOR

June 4, 1963

The Honorable Lamont F. Toronto

Secretary of State

BUILDING

Dear Mr. Toronto:

There are herewith submitted the following bills passed by the 35th Legislature, special session, signed by the Governor and forwarded to you for your safekeeping.

S. B. No. 1 STATE BUILDING BOARD ACT

S. B. No. 4 APPROPRIATION FIRST SPECIAL SESSION

Yours sincerely,

GEORGE D. CLYDE,
Governor

cc: President of Utah State Senate

Communication filed.

House notified of governor's action.