

SENATE JOURNAL

THIRTIETH SESSION

OF THE

LEGISLATURE

OF THE

STATE OF UTAH

FIRST SPECIAL SESSION

1953

PUBLISHED BY AUTHORITY



CERTIFICATION

The undersigned, as the duly appointed committee on Revision of the Senate Journal for the First Special Session of the Thirtieth 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 December 1, 1953, and continuing for nineteen legislative days.

COMMITTEE ON REVISION OF THE SENATE JOURNAL

QUAYLE CANNON, JR.

Secretary of the Senate.

HENDRIK ROMEYN

Docket Clerk.

FIRST SPECIAL SESSION

OF THE

THIRTIETH LEGISLATURE

FIRST DAY

MORNING SESSION

SENATE CHAMBER,
State Capitol,

Salt Lake City, Utah, December 1, 1953

Pursuant to a proclamation by His Excellency, Governor J. Bracken Lee, the Senate of the Thirtieth 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 Paxton.

Roll Call—All Senators present.

Prayer by Senate Chaplain.

COMMUNICATIONS FROM THE SECRETARY OF STATE

December 1, 1953

Honorable Mark Paxton, President
Utah Senate
Building

Dear Mr. Paxton:

I have the honor to transmit to you herewith, certified copy of a proclamation of his Excellency, our Governor J. Bracken Lee, convening a special session of the Thirtieth Legislature of the State of Utah.

Very respectfully yours,

LAMONT F. TORONTO,
Secretary of State

Communication filed.

Secretary of State Lamont F. Toronto read the following proclamation:

BY THE GOVERNOR OF UTAH

A PROCLAMATION

WHEREAS, the Thirtieth Legislature in its regular session did not have time to consider the recommendations of the Public School Survey Commission which are of importance to the State of Utah; and

WHEREAS, it is deemed by the Governor, certain members of the Legislature, and segments of the public that many of these recommendations and certain other matters cannot await action by the next regularly convened Legislature; and

WHEREAS, this extraordinary condition makes the calling of a special session of the Legislature of the State of Utah necessary and advisable;

NOW, THEREFORE, I, J. BRACKEN LEE, 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 Legislature of the State of Utah into special session at the Capitol on the first day of December, 1953, at 10:00 o'clock a.m. for the following purposes:

First, to consider certain recommendations of the Public School Survey Commission, the Legislative Council, and the Governor, all relating to the same subject matter, as hereinafter enumerated:

1. Legislation to make uniform the use of textbooks throughout the State in all school districts.
2. Legislation to make uniform the course of study in all districts of the State, and to provide that in the future lay citizens, as well as school personnel, shall be represented on the committee to formulate aims, purposes, objectives, and philosophy of education.
3. Legislation to amend existing provisions relating to the compulsory maintenance of and attendance at kindergartens in the State.
4. Certain amendments to existing provisions for the taking of a school census, to include all children under 18 years of age, and provide an earlier annual date upon which a census is to be taken.
5. A resolution to propose an amendment to the Constitution to permit the Legislature to consolidate school districts.
6. Legislation to require county clerks to perform election duties for school board members on regular election day.
7. Legislation to provide for the registration of private schools.
8. Legislation to provide for the election of school board members on regular election day, and to specify their tenure of office.

- 9. Legislation to provide for the filling of school board vacancies by the appropriate county or city governing body after a failure for thirty days of the local board to fill the vacancy.
- 10. Legislation to provide for a merit or incentive salary payment plan for school personnel.
- 11. Legislation to permit employment of school personnel upon a five-year tenure by contract, and to provide certain standard terms for such contracts, placing certain limitations and restrictions on the boards and contracting personnel.
- 12. Legislation to require attendance at school of all children of ages six to eighteen years, providing exceptions.
- 13. Legislation to provide for the semi-annual inspection of school transportation vehicles.

Second, to make appropriations to cover the expenses of this special session; and

Third, to consider whatever other matters are presented to this special session by the Governor.

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

(Seal)

Done at the State Capitol, this 17th day of November, 1953, Salt Lake City, Utah.

By the Governor:

J. BRACKEN LEE, Governor of Utah

LAMONT F. TORONTO,
Secretary of State

I, LAMONT F. TORONTO, Secretary of State of the State of Utah, do hereby certify that the above and foregoing is a full, true and correct copy of the proclamation made by the Governor of the State, November 17, 1953, calling the Legislature of the State of Utah, to meet in special session at and upon the date therein specified as appears on record in my office.

(Seal)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 1st day of December, 1953.

/s/ LAMONT F. TORONTO
Secretary of State

Proclamation filed.

Senator Mabey moved that the President and officers of the Thirtieth session of the Legislature be the officers for the First Special Session of the Thirtieth Legislature.

Motion carried.

On motion of Senator Mabey, the Senate Rules of the Regular Session of the Thirtieth Legislature were adopted as the rules for the First Special Session.

On motion of Senator Cannon, the Standing Committees of the Senate for the Regular Session of the Thirtieth Legislature were appointed for the First Special Session.

On motion of Senator Thorn, the President appointed a committee consisting of Senators Hammond, Adams and Muir to notify the House that the Senate is organized and ready for business.

On motion of Senator Day, the President appointed Senators Hafen, Stringham and Selvin to act with a like committee from the House to wait upon the Governor and notify him that the First Special Session of the Thirtieth Legislature is organized and ready to receive any communications he may wish to send.

On motion of Senator Mabey, the Committee on Patronage and Employees was empowered to employ the necessary help for this Special Session.

REPORTS OF SPECIAL COMMITTEES

December 1, 1953

Mr. President:

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

- Secretary.....Quayle Cannon, Jr.
- Sergeant-At-Arms.....Colonel Fred Jorgensen
- Docket Clerk.....Hendrik Romeyn
- Minute Clerk.....Sophia C. Buckmiller
- Chaplain.....Joseph S. Bennion
- Assistant Sergeant-At-Arms.....Ferris Allen
- Supervising Clerk.....Beverly Hansen
- Reference Attorney.....John Hays O'Donnell

Committee Clerk.....Helen G. Scott
 Committee Clerk.....Eva M. Stewart
 Filing Clerk.....Ina Brown
 Mail ClerkEdith Y. Booth
 Assistant Mail Clerk.....Gladys H. Foley
 Messenger.....Eleanor B. Vier
 Messenger.....Alta J. Hayward
 Messenger.....Dorothy C. Rosebraugh
 Doorman.....Dan E. Davis
 Doorman.....A. LeRoy Davis
 Doorman.....Wilford Humphrey
 Doorman.....William M. Hurst
 Doorman.....Orson E. Hacking

Respectfully,

RENDELL N. MABEY,

Chairman

Committee report adopted and filed.

The President appointed Senators Tietjen, Watson and Openshaw to revise the Journal for this Special Session.

COMMUNICATIONS FROM THE GOVERNOR

November 30, 1953

Honorable Mark Paxton
President of the Senate
Building

Dear Mr. President:

I am transmitting herewith a copy of an opinion prepared by the Attorney General regarding the eligibility of Senator A. I. Tippetts to hold office as the Senator from Senatorial District No. 9.

I believe this matter should be brought to the attention of the Senate for whatever action is deemed appropriate.

Sincerely,

J. BRACKEN LEE,

Governor

November 27, 1953

Honorable J. Bracken Lee
Governor of Utah
Building

REQUESTED BY: Governor J. Bracken Lee.

OPINION BY: E. R. Callister, Attorney General; Walter L. Budge, Assistant Attorney General.

QUESTION: When a duly elected senator removes his residence from a designated senatorial district from which he was elected, does he thereupon become disqualified to represent the electorate of said district?

CONCLUSION: Yes, subject to action by the Senate.

For the purpose of this opinion we assume that Mr. A. I. Tippetts is the duly elected Senator for Sanpete County and Senatorial District Number 9, and that he has now removed his residence from the City of Ephraim, Sanpete County, to the City of Springville, Utah County. Based upon that assumption, we conclude that he has disqualified himself for the office to which he was elected.

Article VI, Section 5, of the Constitution of the State of Utah provides:

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.

Mr. Tippetts would no longer be a qualified voter in the district from which he was chosen, nor would he now meet the residence requirement for eligibility to office.

The general rule is that the fact, that the candidate is qualified at the time of his election, is not sufficient to entitle him to hold the office if, at the time of the commencement of the term of office or during the continuance of the term, he ceases to be qualified. Eligibility to public office is of a continuing nature, and must subsist at the commencement of the term and during the occupancy of the office. 88 A. L. R. 829; 42 Am. Jur. Public Officers, Sec. 41, 912.

Article VI, Section 10, of the Constitution of the State of Utah reads in part as follows:

Each house shall be the judge of the election and qualifications of its members,*****.

Thus, the question of qualification to hold the office is by constitutional provision to be resolved in this instance by the Senate and, in the exercise of such power, that body acts as a judicial tribunal whose decision is conclusive on the courts. Stats. 81 C. J. S., Sec. 34, 943. This constitutional provision to the effect that each house of the state Legislature shall be the judge of the election and qualifications of its own members is to be found in most, if not all, state constitutions. And, it is now well-settled that such

a provision vests the Legislature with sole exclusive power in this regard and deprives the courts of jurisdiction of these matters. However, the authority to pass upon the membership is a continuing one, and runs throughout the term, so that during the occupancy of the office the office holder, at all times, must meet the constitutional qualifications for his office. State V. Porter, Montana, 178 Pac. 832.

Very truly yours,

E. R. CALLISTER,
Attorney General

President Paxton read a formal letter signed by approximately 150 residents of Sanpete county, requesting that Senator Tippetts retain his seat in the Senate, representing their county.

On motion of Senator Mabey, the Senate voted that for lack of formal charges made to the Senate the communication be filed.

Communication filed.

COMMUNICATIONS FROM THE HOUSE

December 1, 1953

Mr. President:

I am directed to inform your Honorable Body that the First Special Session of the Thirtieth Session of the House of Representatives has this day organized and the Speaker has appointed Representatives Jack, Esplin and Sheffield to advise the Senate that it is ready to do business and to act with a like committee from the Senate to wait upon the Governor and inform His Excellency that the Legislature is organized and ready to receive any communications he may have to offer.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

A committee from the House consisting of Representatives Jack, Sheffield and Esplin appeared and reported that the House is organized and ready for business

The Special Committee consisting of Senators Day, Stringham and Selvin reported that it and a like committee from the House had waited upon the Governor and informed him that the Legislature was organized and ready to receive communications from him, and that they had been advised that when the Senate and House were assembled in Joint Convention he would appear and deliver his message.

President Paxton recognized Mr. Oral J. Wilkinson, Republican State Chairman and Mr. Milton L. Weilenmann, Democratic State Chairman.

On motion of Senator Clegg, the Senate recessed for twenty minutes.
The Senate re-assembled.

On motion of Senator Mabey, a call of the Senate was made.

On motion of Senator Mabey, after the report from the Sergeant-at-arms, the call of the Senate was lifted.

On motion of Senator Muir, the Senate voted to proceed to the House chambers to meet in Joint Convention and reassemble at 2:00 P.M.

JOINT CONVENTION

The Joint Convention was called to order by the President of the Senate.

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

Prayer by Senate Chaplain.

The President of the Senate directed the Joint Committee consisting of Senators Burton, Clegg and Jenkins and Representatives Durham, Hopkins and Messenger to notify the Governor that the Legislature is in Joint Convention and ready to hear his message.

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

The Governor then delivered the following message:

GOVERNOR'S MESSAGE

Ladies and Gentlemen of the Legislature:

I have convened this Special Session of the Thirtieth Legislature primarily to consider certain recommendations pertaining to the public schools, some of which I have enumerated in my proclamation. As the session progresses, I intend to submit others for your consideration.

Most of these recommendations are based on the studies made by the Public School Survey Commission and the Legislative Council. In some instances I have digressed from the conclusions reached by these two groups as you will note in the specific items of legislation that I shall bring to your attention. In other instances the legislation is identical with that proposed by the study groups.

But before getting involved in a discussion of the items on the agenda, I want to review the course of events leading up to the calling of this special session.

Little more than two years ago the Legislature passed a bill which established the Public School (sixty-man) Survey Commission. The members of this Commission were appointed by the Legislative Council in accordance with the requirements of the statute. Members of this Commission were selected from qualified voters and taxpayers without regard to political or religious affiliations, and at least one member was chosen from each school district.

A proportionately balanced Commission representing all walks of life was provided in the original membership. The Commission later employed a school superintendent as its executive secretary, hired six out-of-state professional educators as consultants, and named a number of local educators as fact-finders on Commission sub-committees. The fact-finders subsequently were given the right to vote on sub-committee studies, although they were not members of the Commission.

More time was required to complete the survey than had been provided by law. The survey was to have been finished by October of 1952, but it was not placed in preliminary report form until February of this year, a week or so beyond the mid-point of the 1953 Legislative session. Although the survey was to have dealt with "taxation and permanent financing of public education, including the adequacy of the present tax base," the Commission acknowledged that it had not undertaken a detailed study of tax sources "to help provide for financing the state-supported minimum program." This failure was serious for it meant that the property tax would have to bear the brunt of the recommended increase in funds. And it was only little more than a year ago that the *Deseret News*, one of the staunchest advocates of action now on the survey report, concluded a school financing editorial as follows:

"As for raising property taxes, they are already near the breaking point; to boost them further would threaten the very homes that we are trying, with the education program to preserve and perpetuate."

Despite the late hour in which the survey report reached the Legislature, there was some agitation to have its recommendations given immediate consideration. However, a Legislative Committee recommended that more time be taken to study the findings and the Legislature concurred. All that was done was to refer the report to the Legislative Council to study and make recommendations for a legislative program.

I had made it clear, in the meantime, that I could not pledge myself to call a special session of the Legislature to consider the survey findings. It is true that I previously had agreed to support the survey, but I never agreed to call a special session for this purpose. I felt that I should have an opportunity to study the Commission's work, as should the Legislative Council, before any decision on a Special Session was reached.

The delay that followed touched off a fever-pitched propaganda campaign, filled with crises and emotion, that was designed to force early action

on the report. Our schools were pictured as being destitute and talk of imminent disaster was so prevalent that many people were led to believe that the schools could not operate unless a Special Session were called. Most of this talk was general in nature but inflammatory in design, and it consistently ignored such basic facts involved in the school discussion as these:

—Operating expenditures for schools have increased from \$9,831,047 in 1940 to a total of \$33,137,469 for the past year.

—With each increase in enrollment, there is an automatic and corresponding increase in the funds made available to the schools, and this has been true ever since the school financing law was adopted.

—While the consumer price index (cost of living) has increased 92.6 percent since 1940, the per capita cost of operation and maintenance in the schools has increased over 139 per cent.

—Total expenditures for schools, not counting the school lunch program, have increased from \$12,240,015 in 1940 to \$47,681,087 for last year.

—During the past four years, over \$33,000,000 has been spent for capital improvements (new buildings and remodeling) in our schools.

—Salary payments constitute approximately seventy-four per cent of school operating costs, and average teacher salaries have increased from \$1413 in 1940 to an estimated \$3490 for the last school year.

—In ability to finance public education, measured in terms of personal income payments per child in average daily school attendance, Utah ranks last among the western states and is only 65 per cent of the national average.

—In terms of percentage of total personal income devoted to education, Utah ranks first or second among all states in the Nation.

—Utah's total state and local tax burden in proportion to total income is higher than that of any western state and sixth highest in the Nation.

This talk of crisis and disaster not only ignored the aforementioned information but tended to obscure the fact that school boards in districts which felt they faced a financial emergency had a ready solution right at hand. It is provided in our existing school financing law that any district, in an emergency, can increase the cost of its program by ten per cent simply by submitting such proposal to its taxpayers and obtaining an affirmative vote.

Under the law, such action had to be taken by May 1, but none of the districts chose to utilize this emergency clause. They let the deadline date slip by for one reason or another and chose to gamble on a special session to solve their problem.

As the Legislative Council study progressed, I met a number of times with school leaders who were urging immediate enactment of the survey report. It developed, however, that these leaders were not so much concerned with the survey report as a whole as they were with that portion having to

do with more funds. When I took the position that the report would have to be considered in its entirety, if a special session were called, the school leaders voiced objection to some phases of the report. Objection was directed particularly to two of the three survey recommendations singled out for special attention by the chairman in his letter of transmittal, namely, the recommendations that state aid to the school lunch program be withdrawn and that a merit or incentive payment plan for teachers be established.

At one of these meetings, I asked a school board president why his board had not called a special election of taxpayers to obtain the additional money he felt was necessary for his district's operation. He replied that he did not feel the taxpayers would approve a tax increase to raise the funds. But even though he had this feeling in his own district, he had every wish that I should recommend tax increases state wide.

The Legislative Council, after hurrying through its study, passed a motion on June 19, 1953, recommending the calling of a special session. The Council acknowledged, however, that time had not permitted any substantial study of the State tax system and, as a consequence, the burden of additional school finances would fall on state and local property taxes. Its financing plan was not then solidified, in any event, for the plan depended upon the constitutionality of a proposed uniform tax levy, and it was not until July 2, the day the Council delivered its recommendations to me, that an Attorney General's decision on the proposal was made.

It is common knowledge now that I did not then concur in the necessity for an immediate special session. I did not reject the findings of the Survey Commission or the Legislative Council, contrary to statements made at the time. My only action was to reject the recommendation for an immediate session of the Legislature.

I did not close the door on further discussions of school matters and, in fact, I encouraged the Legislative Council to continue its study of the survey. At all times I maintained a willingness to let the people vote on the issue of more money for the schools through higher taxes. I did not feel then, nor do I feel now that I could or can recommend higher taxes when I campaigned for and was elected to office on a tax-reduction platform.

In a subsequent meeting with the Legislative Council, I deemed it advisable to call a special session of the Legislature to resolve the mounting problem of teachers retirement. I made it clear, however, that while the session would be called before the end of this year, it would not be called until after school resumed. Later on I agreed to recommend that financing for this school year be made on a current year basis and to submit other recommendations pertaining to the schools, some of which are before you now.

This was the course of events that led up to the calling of this special session, but it would not be complete without further mention of the activities of the educational organizations and school boards during the same period of time.

At the very outset, many of the school boards for one reason or another failed to solve their own financial problems even though they had that opportunity. Excuses have been made by these boards and their spokesmen for this failure, but they do not explain it away. Instead of assuming their responsibilities as they should, these boards in common action with others gambled everything on the call of a special session. Not all boards or board members may have been aware of this concerted action or of the maneuvering that was done by the School Boards Association after the Common Board action had been agreed upon.

At least I would hope this to be the case, for there is evidence to show that the public interest was not observed. Minutes of a Utah Education Association meeting show that school boards and superintendents agreed to withhold all teacher contracts and teachers agreed not to sign them, in the apparent hope that this stalemate would hasten a special session. Excerpts from the minutes include the following reports of contract status in the various districts:

"Superintendent will keep contracts until teachers are ready."

"Board has agreed to withhold indefinitely."

"Board is sympathetic and is holding."

"Superintendent has agreed to hold."

"No contracts issued. We have a friendly board."

The minutes show that Iron county school district reached a near agreement with its teachers which the local UEA president from Iron attributed to this fact:

"Iron Board was never contacted by the State School Boards Association to hold, and the superintendent never heard from the Society of Superintendents."

The near agreement was cause for alarm among the local presidents of the UEA who were fearful that the news would prompt other districts to similar action. "Comment was made to the effect that if one goes, others will go," the minutes state. Thus it was that Iron county school district, from the board on down through to the teachers, was urged to hold so that the strategy to force a special session would not fail.

The failure of school boards to offer contracts to teachers, I might add, had a damaging effect on the recruitment of new teachers. Instances were brought to my attention wherein recent graduates from our colleges and universities sought employment as teachers in Utah schools but were not offered contracts by the boards concerned. Rather than risk the uncertainty of waiting for a contract offer, these new teachers turned to other states for employment.

As for the Utah Education Association, its past actions would seem to indicate that it originated the idea of the united action of boards, superintendents and teachers to force the special session. The UEA minutes from

which I have been quoting refer to a UEA program of regional meetings, "with four groups participating," to present school problems to the public. The four groups are identified as the school boards, Parent-Teachers Association, superintendents and the UEA. "Thus, the public sees united action," the minutes continue, "not just teachers asking for something." Were the public to see the remainder of the minutes, sixty per cent of which are devoted to a discussion of higher salaries, they would have a better conception of the purpose of "united action." The UEA leaders were asking for something, but they were concealing their request in their support of the survey report. As the secretary of the UEA told the local presidents, "UEA's strongest point is the survey report, not the salary issue".

When the UEA's "united" strategy failed to force a special session call, a demand for more drastic action was urged by some of the more radical UEA members. The latter group discarded the well-worn "welfare of the children" theme and proposed instead that teachers not show up for school until their salary demands were met. A state-wide meeting was called to consider this proposal, which was to strike against the public, and most of the teachers turned out. After five hours of the most bitter kind of debate, a vote was taken and the strike proposal was defeated by a two-to-one margin. Over one thousand teachers, however, voted to strike.

The incongruities of this meeting and strike vote were several. Here were public employees threatening to strike, although they have no such right under our laws. Here were school teachers engaging in politics, although politics was voted out of our schools. Here were state-supported employees denouncing the State administration and vowing political reprisals—actions that other State employees cannot take either because of the realities of politics or the restrictions of civil service—yet here were the teachers in full attack without the slightest fear of losing their jobs or being penalized in any way. I shall refer to this in more detail later on.

To round out this picture of pre-session activity on the part of school boards and educational organizations, mention should be made of the P-TA. At one time this organization may have had an independent voice of its own, but in recent years it has become nothing more than an echo of the UEA. State P-TA offices are now located appropriately in the new UEA building here in Salt Lake City.

At this point, let me state in all fairness that there were many individuals in the aforementioned organizations who did not approve of or participate in the pre-session tactics I have mentioned. There were many individuals in all groups, some of whom talked with me, who deplored what was being done but who felt powerless to stop it. I have not intended to be critical of these people, who I am certain constitute a majority in every group. My criticism is directed at those leaders and spokesmen who organized and directed the pressure tactics which preceded the session call.

It must be acknowledged that the "united action" of the school groups to emphasize only the financial aspects of the school survey report had telling effect. It succeeded to the extent that some of the other important recommendations have been overlooked or forgotten. Some of these will require

legislative action to be implemented, but others need only the action and support of school administrators and personnel. The important point is that all the major recommendations, not just those providing more money, should be adopted if the objective of a better school system is to be reached.

It has seemed to me, therefore, that it would be proper to devote first attention to the seemingly-forgotten items of the survey before getting involved in finances. Consequently, I am not placing school financing or related matters, including teachers retirement, on the agenda at this time. Later in the session I shall ask your indulgence to permit me to deliver a special message to you on these subjects.

Among the forgotten recommendations, as I have indicated, are a number that school administrators can implement through their own action. These include such things as improving the curriculum and instruction in the schools, establishing a merit or incentive salary plan, enforcing better discipline, and anticipating and planning a sound building construction and maintenance program. Some of the Commission's comments on these important phases of the school program are as follows:

CURRICULUM AND INSTRUCTION: "The Commission is of the opinion that one of the greatest dangers to a sound educational program is the trend towards placing too much emphasis on the generalized courses and less-essential subjects. As a result less attention and energy have been devoted to fundamental courses of study such as mathematics, science, English, and history.

"The Commission also believes that schools are endeavoring to cover such a wide variety of activities and courses, all requiring time of teachers and pupils, that they are not achieving a high quality of results with respect to the fundamental academic courses. The Commission feels that the trend toward generalized courses should be reversed and that more emphasis should be placed on fundamentals.

"There is reason to believe that an effort should be made to bring the teaching performance of many teachers up to a higher professional standard. Greater professional uniformity in educational philosophy within schools and districts would be another desirable improvement.

"The personnel of the State Textbook Commission could be improved by providing for lay membership. It is the opinion of the Commission that some textbooks treat controversial issues in a biased manner."

MERIT BASIS FOR TEACHER SALARIES: "We consider it a discouraging practice, tending toward mediocrity, to pay all teachers alike."

DISCIPLINE: "One-third of the professional personnel and one-third of the general public contacted by the Commission were of the opinion that discipline in the schools was not strict enough. . . . It was apparent that professional school personnel have a concept of discipline not shared extensively by lay citizens."

SCHOOL BUILDINGS: "Utah need not apologize for her public school plants if each district will wisely plan and aggressively execute a sound building

construction and maintenance program instead of neglecting the problem and allowing the need for facilities to accumulate over the years until the problem becomes a major one."

These comments bear out a statement made not long ago by the director of research of the Legislative Council in which he said, "The survey of our schools provides an even greater challenge to school administrators and personnel than it does to the legislative body." The Legislature might well consider the advisability of investigating what has been done by school administrators in carrying out survey recommendations.

Still another major survey recommendation was the one urging improved property assessment practices. I can report to you that the State Tax Commission has such a program underway.

Now as to the specific survey recommendations requiring legislative action that were considered by the Legislative Council and in some instances modified by that group and myself, I am presenting the following items, not including retirement and finances, for your consideration at this time. This presentation will follow as closely as possible the order in which the Legislative Council prepared and explained the legislation in its staff report.

1. **TEXTBOOK COMMISSION:** I recommend the adoption of legislation prepared by the Legislative Council which would subject cities of the first and second class to state textbook commission regulations so as to provide a uniform use of textbooks throughout the State.

2. **COURSE OF STUDY COMMITTEE:** I recommend that the legislation proposed by the Legislative Council be amended so as to provide a preponderance of citizen representatives on the Course of Study committee. This could be done by reducing the number of school superintendents from five to one, and adding one more citizen representative, leaving a seven-man board.

3. **KINDERGARTEN:** I recommend that school districts be permitted to establish either a short-term or full-term kindergartens. By conducting kindergartens during summer months with regularly employed elementary teachers, school districts could release classroom space for other use during the regular school year and at the same time help relieve the teacher shortage which they say exists.

4. **SCHOOL CENSUS:** I recommend the adoption of legislation prepared by the Legislative Council which would change the date of the school census and include all children under eighteen years of age.

5. **CONSOLIDATION:** I strongly recommend to you that an amendment to our Constitution be proposed to permit the Legislature to create school districts or consolidate existing school districts. Although Utah has remarkably few school districts as compared with the majority of states, there are instances where additional consolidation could be made to advantage. Better equalization of tax effort and availability of school funds could be accomplished and local responsibility for taxing as well as spending could be

preserved by such action. I recommend that the proposed amendment provide for supervision of local school districts by the State board of education but not control.

6. **ELECTION DUTIES OF COUNTY CLERKS:** I recommend the adoption of legislation prepared by the Legislative Council which would require county clerks to perform election duties for school board members on regular election day.

7. **REGISTRATION OF PRIVATE SCHOOLS:** I recommend the adoption of legislation prepared by the Legislative Council which would permit the State to register private schools and acquire factual data for statistical purposes.

8. **ELECTION OF LOCAL BOARDS:** I recommend that elections of school boards on a non-partisan basis be conducted on regular election dates in November, and that all school board terms be made to expire at one time. A greater citizen participation in school board elections, and a better opportunity for citizen shaping of school policies will be made possible by these changes. The latter provision is particularly important at a time when greater citizen participation in school programs is desired. Should the people of a school district disapprove of the actions of their school board, they are powerless under present laws to make any substantial changes in board personnel because of the staggered terms. This restriction is to be compared with the provisions which make it possible to vote periodically to either retain or reject an entire national or state administration. The argument that continuity of service should be maintained in school boards is not defensible. There is nothing in the proposal to prevent continuity of service; it need be interrupted only if the people desire the change.

9. **FILLING OF SCHOOL BOARD VACANCIES:** I recommend the adoption of legislation not only to authorize city and county commissions to fill school board vacancies, but also to further define the qualifications of school board members so as to prevent school employees or their relatives from serving on boards. It is contrary to the principles of good government for an employee or his relatives to serve as a member of his governing board, yet there have been instances in the past where this practice has prevailed.

10. **MERIT RATING STUDY:** I strongly recommend that action be taken in this session to make merit rating a requirement in the salary schedules of our school districts. The survey commission recommended the establishment of "pilot studies" in two school districts to work out an acceptable merit plan, while the Legislative Council tentatively has proposed a further citizen study of the problem. Both groups were convinced of the desirability of a merit plan but their proposals to achieve it are inadequate.

It seems to me that school boards have a responsibility to devise merit or incentive plans regardless of what the Legislature does to assist them. It is my intention to recommend that future school finance bills contain a policy statement to the effect that it is the purpose of the Legislature that salary payments be based on merit or incentive.

11. **FIVE-YEAR CONTRACTS:** I recommend the adoption of legislation to permit school boards to enter into five-year contracts with employees, subject to termination for cause at any time. More than that, I recommend that the contracts prohibit both political activity by employees and the deduction of organizational dues from salary checks. It has been the desire of the people to keep our schools out of politics and politics out of our schools. Just so long as school personnel are permitted to engage in political activity, the objective of the people cannot be achieved. The very nature of some functions of government is such that they should be free from politics, and in the case of our health and welfare departments, to name two, this has been accomplished. It is equally important if not more so that the same non-political provisions be extended to our schools and their employees. As matters now stand, school personnel are able to participate actively in partisan politics, reaping what rewards there may be without being subject to the penalties. But the worst feature is that the politics and the partisanship of the school personnel are bound to brush off in the classroom. There is a place for politics, but it is not in the schools. As for the checkoff of dues, I do not believe any unit of government should permit salary deductions to organizations, other than those made for bonds, savings, insurance, and the like.

12. **COMPULSORY ATTENDANCE:** I recommend the adoption of legislation prepared by the Legislative Council which would raise the age limit from fourteen to sixteen years for children asking to be excused for needy employment.

13. **SCHOOL BUS INSPECTION.** I recommend the adoption of legislation prepared by the Legislative Council to require inspection of school buses at least twice a year.

The legislation enumerated in the aforementioned thirteen paragraphs includes all the items listed in my proclamation convening this session and in the order specified. The order corresponds to the listing made by the Legislative Council, with the exception that I have not presented the legislation pertaining to retirement and finance. As I indicated previously, I will present the latter recommendations later in the session.

There are several other school matters that I am adding to the agenda of this special session at this time. I am numbering these recommendations in consecutive order to follow the previous thirteen for easy reference. These recommendations are:

14. **REDUCE FEDERAL TAXES:** I recommend the adoption of a resolution memorializing the President and Congress of the United States of America to reduce federal taxes and lessen the drain of money from this and other states into the federal treasury.

I made mention previously to two of three recommendations singled out for special attention by the Chairman of the Survey Commission in his letter of transmittal; the foregoing is the third.

15. **ELECTION COSTS:** I recommend the adoption of legislation to provide for the payment by school boards to the counties of a proportionate

share of the expenses incurred in conducting elections for members of the local boards of education.

16. TAX COLLECTION COSTS: I recommend the adoption of legislation to provide for the payment by school boards to the counties of a proportionate share of the expenses incurred in levying and collecting taxes. The counties, regardless of their comparative wealth, must now pay all these costs. This provides a subsidy of sorts to the school districts at the expense of the counties, which tends to distort the actual overall cost of the school program.

17. PUBLICATION OF SCHOOL RECORDS: It is now provided in our statutes that financial records of school boards must be published each year. The purpose of this statute undoubtedly was to provide detailed information to the public on which to base future school policies in the districts.

Many of the districts now ignore this law. I recommend that an amendment be adopted to provide a penalty against boards which refuse to comply with the statute.

Now there is one additional matter I wish to bring to your attention at this time. It is a matter that has received considerable newspaper publicity within the last few weeks and political attempts have been made to capitalize upon it. I refer, of course, to the Kennecott tax case.

The publicity this case has received has tended to create a doubt in minds of many people as to the propriety of the actions that have been taken. It has been my belief that whenever public doubts are raised as to an action of government, an impartial investigation should be made to resolve the facts. No one should be left feeling that his government is not doing the right things. It is my recommendation, therefore, that a joint committee of the Legislature be named to investigate the Kennecott tax case in its entirety, let the chips fall where they may.

This concludes the list of recommendations I shall make in this opening message. I felt it necessary to go into background and detail in presenting them to you because of the importance of these matters. I hope that you will take the necessary time to study each recommendation carefully and that you will be left free from outward coercion or pressure to reach a solution that will be of benefit to all the people of this State.

I am confident the members of the Legislature know that I have never attempted to coerce or intimidate any one to support my position. All that I have ever asked is that legislation be studied in its true light and that each bill be considered honestly and fairly on its own merits. The Utah Educator, official magazine for the UEA, thinks otherwise. In an editorial in its November issue, it concludes:

"The schools belong to the people. Let's let them decide the school question in the manner provided in the Constitution—by their elected representatives in an atmosphere of freedom from executive domination."

Let me say amen to that editorial, despite the untruth of its inference toward me, and add this afterthought: Let's let the Legislature decide the school problems in an atmosphere free from interference or intimidation from the UEA and its echoes. A great majority of the forty-eight governors will attest to the fact that the most powerful and unreasonable lobby in their legislatures is the education lobby.

These problems are now yours. I wish to assure you of my co-operation in resolving them.

The Joint Committee then escorted Governor Lee to his chambers.

On motion of Senator Day, the Joint Convention was dissolved.

AFTERNOON SESSION

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

PRESENTATION OF RESOLUTIONS

S. J. R. No. 1

By Messrs. Mabey, Kerr, Tietjen,
Woolley and Selvin

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 8, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO THE ESTABLISHMENT OF LOCAL SCHOOL DISTRICTS AND THE DESIGNATION OF THEIR POWERS BY THE LEGISLATURE, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 1

By Messrs. Kerr, Thorn, Tietjen, Hafen,
Woolley and Selvin

AN ACT AMENDING SECTIONS 53-13-2, 53-13-3, 53-13-10 AND REPEALING SECTION 53-13-11, UTAH CODE ANNOTATED 1953, RELATING TO THE STATE TEXTBOOK COMMISSION, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 2

By Messrs. Kerr, Thorn, Hafen, Tietjen,
Woolley and Selvin

AN ACT AMENDING SECTIONS 53-14-1 AND 53-14-2, UTAH CODE ANNOTATED 1953, RELATING TO THE COURSE OF STUDY COMMITTEE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 3

By Messrs. Hafen, Gibson and Mabey

AN ACT AMENDING SECTION 53-19-1, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ESTABLISHMENT OF KINDERGARTENS, AND REPEALING SECTION 53-19-2, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 4

By Messrs. Tietjen, Hafen and Mabey

AN ACT AMENDING SECTION 53-6-12, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ENUMERATION OF THE SCHOOL POPULATION OF ALL CHILDREN UNDER EIGHTEEN, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 5

By Messrs. Thorn, Hafen, Clegg and Hammond

AN ACT TO REQUIRE THE STATE TAX COMMISSION IN COOPERATION WITH COUNTY ASSESSORS TO MAKE A COMPLETE VALUATION OF ALL TAXABLE PROPERTY IN EACH COUNTY AT LEAST ONCE EVERY FIVE YEARS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 6

By Messrs. Gibson and Mabey

AN ACT AMENDING SECTIONS 53-2-3, 53-2-4, 53-2-5 AND 53-2-7, UTAH CODE ANNOTATED 1953, TO PROVIDE THAT IN THE ELECTION OF MEMBERS OF THE STATE BOARD OF EDUCATION THE COUNTY CLERKS SHALL PERFORM THE DUTIES NOW PLACED UPON THE CLERKS OF THE VARIOUS BOARDS OF EDUCATION, FOR THE CANVASSING OF RETURNS BY THE BOARDS OF COUNTY COMMISSIONERS INSTEAD OF THE DISTRICT BOARDS OF EDUCATION AND BY THE SECRETARY OF STATE INSTEAD OF THE STATE BOARD OF EDUCATION, AND FOR FILLING VACANCIES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 7

By Messrs. Tippetts and Gibson

AN ACT PROVIDING FOR THE REGISTRATION OF PRIVATE SCHOOLS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 8

By Messrs. Woolley, Muir and Mabey

AN ACT PROVIDING FOR THE ELECTION OF MEMBERS OF LOCAL BOARDS OF EDUCATION ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN CONJUNCTION WITH THE NON-PARTISAN ELECTION OF MEMBERS OF THE STATE BOARD

OF EDUCATION, AND REPEALING SECTIONS 53-5-1, 53-5-2, 53-5-3, 53-5-5 AND 53-5-6, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 9

By Messrs. Mabey and Clegg

AN ACT AMENDING SECTION 53-5-4, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE FILLING OF VACANCIES ON BOARDS OF EDUCATION OF LOCAL SCHOOL DISTRICTS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 10

By Messrs. Stringham and Gibson

AN ACT PROVIDING FOR THE ALLOCATION AND COLLECTION OF ELECTION COSTS AND EXPENSES INCURRED BY COUNTIES IN THE CONDUCT OF ELECTIONS FOR LOCAL SCHOOL BOARD OF EDUCATION MEMBERS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 11

By Messrs. Stringham, Hammond and Woolley

AN ACT PROVIDING FOR A STUDY OF THE EXTENT TO WHICH RECOMMENDATIONS OF THE SCHOOL SURVEY COMMISSION OF 1951 RELATING TO MERIT RATING ARE IMPLEMENTED, AND PROVIDING FOR THE APPOINTMENT OF A COMMITTEE TO STUDY MERIT RATING FOR SCHOOL PERSONNEL IN THE SCHOOL DISTRICTS OF THE STATE OF UTAH AND MAKING AN APPROPRIATION THEREFOR, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 12

By Messrs. Tippetts and Mabey

AN ACT PROVIDING THAT BOARDS OF EDUCATION OF LOCAL SCHOOL DISTRICTS MAY ENTER INTO WRITTEN CONTRACTS FOR THE EMPLOYMENT OF PERSONNEL FOR TERMS OF NOT MORE THAN FIVE YEARS ON CONDITION THAT SUCH CONTRACTS SHALL NOT RESTRICT THE POWER OF LOCAL BOARDS TO TERMINATE SUCH CONTRACTS FOR CAUSE AT ANY TIME, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 13

By Messrs. Clegg, Hammond and Gibson

AN ACT AMENDING SECTION 53-24-1, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR COMPULSORY SCHOOL ATTENDANCE OF MINORS BETWEEN SIX AND EIGHTEEN YEARS OF AGE EXCEPT IN SPECIFIED INSTANCES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 14

By Messrs. Mabey, Hammond, Tippetts,
Clegg and Selvin

AN ACT TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL CAUSE ALL MOTOR VEHICLES OPERATED BY SCHOOL DISTRICTS TO BE INSPECTED AT LEAST TWICE A YEAR AND TO BAR FROM THE PUBLIC HIGHWAYS SUCH VEHICLES FOUND TO HAVE MECHANICAL DEFECTS ENDANGERING SAFETY OF PASSENGERS AND THE PUBLIC UNTIL SUCH DEFECTS HAVE BEEN REMEDIED, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Watson, the Senate voted in favor of the appointment by the President, of a committee of five, to act with a like committee from the House to investigate the Kennecott tax case in its entirety and report.

On motion of Senator Openshaw, the Senate recessed to meet with the House in Joint Convention.

JOINT CONVENTION

The Joint Convention was called to order by the President of the Senate at 2:30 P.M.

On motion of Senator Hopkin, the Senate and House resolved themselves into a Joint Committee of the Whole, with the President of the Senate as Chairman.

On motion of Representative Jones, the Utah Legislative Council was requested to present its views concerning the matters set forth in the Governor's agenda.

Speaker Merrill K. Davis of Salt Lake City, President of the Legislative Council, addressed the members.

Mr. Louis H. Lloyd of Salt Lake City, ex-State Budget Director and present Director of Research for the Legislative Council, addressed the members.

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

On motion of Senator Kerr, the Joint Convention was dissolved.

The Senate reconvened and was called to order by the President at 3:30 P.M.

On motion of Senator Thorn, the Senate adjourned until Wednesday, December 2, 1953 at 10:00 A.M.

SECOND DAY

MORNING SESSION

December 2, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

December 2, 1953

Mr. President:

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

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report adopted and filed.

President Paxton appointed a committee consisting of Senators Kerr, Burton, Hafen, Watson and Adams to act with a like committee from the House to investigate the Kennecott tax case, and report.

COMMUNICATIONS FROM THE GOVERNOR

December 1, 1953

Dear Mr. President and Members of the Senate:

I am adding five additional items to the agenda of this Special Session at this time. Legislation to implement these recommendations has been prepared and is ready for introduction in both houses. The items are as follows:

1. **ELECTION OF STATE BOARD OF EDUCATION.** In my opening message, I recommended that elections of local school boards be made on a nonpartisan basis and be conducted on regular election dates, and that

all school board terms be made to expire at one time. I recommend that the present law governing the election of members to the State Board of Education be amended to provide for the expiration of all terms at the same time. The same reasons that I presented in recommending this change for local boards would apply.

2. **CAMPUS BUILDING PROVISIONS.** I recommend that legislation be enacted to restrict the funds which may be pledged for payment of building bonds issued by the University of Utah and the Utah State Agricultural College. The present law was passed with the purpose of permitting purely self-liquidating bonds to be issued. True self-liquidating bonds, payable solely from income to the project thus financed, would be in agreement with the constitutional interdictions against state indebtedness. However, under a recent Supreme Court decision construing those enactments, collateral revenues neither produced by nor even related to the building financed through the bonds have been permitted to be pledged for payment of those bonds. These collateral revenues include dedicated credits, tuitions, fees, federal grants and income from proprietary activities. These revenues have heretofore been established income to the institutions. If the bond retirement fund is to be fed by these revenues upon which the institution has heretofore relied to augment state appropriations, that condition will create a deficit in the operation and maintenance fund of the institution which must be made up by general taxation. If required to offset this deficit, the burden on the general taxpayer will be the same as if the bonds were made payable from appropriations by the State Legislature. This condition would obtain even though the present campus building provisions expressly declare, and require that the bonds recite, that no appropriations by the Legislature may be anticipated or used for the satisfaction of this indebtedness. As construed by the Supreme Court, the present laws permit the irrevocable pledging of these collateral revenues to payment of the bonds. No board of trustees or regents would have any option to repudiate the obligation or decline to carry out the terms of their covenants.

The logical extension of such a subterfuge, if sanctioned by statute, would not only constitute a drain on the public funds, but would effectually wipe out what is in my opinion the purpose and intent of constitutional provisions against state indebtedness. If funds augmenting state appropriations are displaced, they must be made up by further state grants. That the state biennially make up this deficit amounts to nothing less than an obligation and indebtedness of the state. The likelihood of this happening is rather remote under the present boards of control of these institutions, but it should be the purpose of this Legislature to provide the necessary limitations in our statutes so that the future may be governed by laws, not men.

3. **REPEAL OF CHAPTER 85, LAWS OF UTAH, 1951.** I recommend that this law, which permits the institutions of higher learning to retain their surplus funds at the end of a biennium, be repealed. This law was enacted over my veto in 1951 and my objections to it today are the same as those outlined in my veto message which was published in the House Journal on page 706. Chapter 85, Laws of Utah, 1951, is repugnant to provisions of the 1953 Appropriations Act requiring unexpended balances of

previous appropriations to be closed out to the general fund. The terms of Chapter 85 have been considered unworkable even by the administrators of the institutions themselves.

4. PAYMENT INTO STATE TREASURY OF MONEYS RECEIVED BY THE UNIVERSITY OF UTAH AND THE UTAH STATE AGRICULTURAL COLLEGE. In order to prepare a budget, appropriate and allocate funds to the institutions of higher learning, it is absolutely necessary that the state have accounting control over all their funds. The only means of obtaining that fiscal surveillance is to require periodic payments into the treasury of all departmental collections. Heretofore the institutions have been in some instances remiss in the transmittal of all their collections. The reason for their failure to deposit those funds may partially be attributable to misconception as to the duty imposed by law upon the institutions. These misconceptions may have arisen through inconsistent provisions in the general law and the Appropriations Act. The general law antedated the Reorganization Act of 1941 and is not entirely suited for present laws relating to administration of state finances. The more recent Appropriations Act has, in a measure, cured the defects in the general law.

I recommend legislation to clarify the duty imposed upon the University of Utah and the Utah State Agricultural College to make payments into the state treasury of all moneys received. I recommend that the general provisions be amended to be consistent with the Appropriations Act.

5. FIVE YEAR VALUATION OF PROPERTY. I recommend the enactment of legislation prepared by the Legislative Council to require a complete valuation of all taxable property in each county at least once every five years.

Sincerely yours,

J. BRACKEN LEE,
Governor of Utah

Communication filed.

November 30, 1953

Dear Mr. President:

There are a number of Matters that may require legislation which have been brought to my attention in recent weeks by various interested persons.

I have not acted upon these matters in the belief that it would be more appropriate for me to discuss them with a joint legislative committee, so as to receive the comments and advice of the Legislature. I would appreciate it, therefore, if you and the Speaker of the House would appoint a joint committee to wait upon me and consider the matters that I have before me.

Sincerely,

J. BRACKEN LEE,
Governor of Utah

Communication filed.

In compliance with the request proposed by the governor, President Paxton appointed Senators Mabey, Kerr and Hopkins, to meet with a like committee from the House to meet and advise with the governor.

REPORTS OF STANDING COMMITTEES

December 1, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 1, 1953

Mr. President:

Your committee on Revision and Enrolling reports back *S. B. No. 1*, by Messrs. Kerr, Thorn, Tietjen, Hafen, Woolley and Selvin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 1, 1953

Mr. President:

Your committee on Revision and Enrolling reports back *S. B. No. 2*, by Messrs. Kerr, Thorn, Hafen, Tietjen, Woolley and Selvin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 1, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 3*, by Messrs. Hafen, Gibson and Mabey, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 1, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 4*, by Messrs. Tietjen, Hafen and Mabey, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 1, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 1, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 1, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 1, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 8*, by Messrs. Woolley, Muir and Mabey, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 1, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 9*, by Messrs. Mabey and Clegg, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 1, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 1, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 11*, by Messrs. Stringham, Hammond, Woolley and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 1, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

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

December 1, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 13*, by Messrs. Clegg, Hammond and Gibson, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

S. B. No. 13 was ordered printed and referred to the Committee on Education.

December 1, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

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

On motion of Senator Kerr, the Senate recessed for twenty minutes.

The Senate re-assembled.

REPORTS OF STANDING COMMITTEES

December 2, 1953

Mr. President:

Your Committee on Education, to which was referred *S. J. R. No. 1*, by Messrs. Mabey, Kerr, Tietjen, Woolley and Selvin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

December 2, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 1*, by Messrs. Kerr, Thorn, Tietjen, Hafen, Woolley and Selvin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

December 2, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 2*, by Messrs. Kerr, Thorn, Hafen, Tietjen, Woolley and Selvin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

December 2, 1953

Mr. President:

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

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

December 2, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 4*, by Messrs. Tietjen, Hafen and Mabey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

December 2, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 5*, by Messrs. Thorn, Hafen, Clegg and Hammond, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

December 2, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 6*, by Messrs. Gibson and Mabey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

December 2, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 7*, by Mr. Gibson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

Report filed.

LUKE CLEGG,

Chairman

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

December 2, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 8*, by Messrs. Woolley, Muir, and Mabey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

Report filed.

LUKE CLEGG,

Chairman

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

December 2, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 9*, by Messrs. Mabey and Clegg, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

Report filed.

LUKE CLEGG,

Chairman

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

December 2, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 10*, by Messrs. Stringham and Gibson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

Report filed.

LUKE CLEGG,

Chairman

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

December 2, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 11*, by Messrs. Stringham, Hammond, Woolley and Gibson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

December 2, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 12*, by Messrs. Tippetts and Mabey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

December 2, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 13*, by Messrs. Clegg, Hammond and Gibson, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

December 2, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 14*, by Messrs. Mabey, Hammond, Tippetts, Clegg and Selvin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

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

CONSIDERATION OF BILLS ON SECOND READING

Under suspension of the rules, *S. J. R. No. 1* was read the second time.
Committee report read and adopted.

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

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

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

Under suspension of the rules, *S. B. No. 1* was read the second time.
Committee report read and adopted.

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

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

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

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

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE GOVERNOR

December 2, 1953

Dear Mr. President and Members of the Senate:

I am transmitting herewith a list of interim appointments for the advice and consideration of your honorable body, as required by law.

MEMBER, HIGHWAY PATROL CIVIL SERVICE COMMISSION:

C. H. Vance, to fill unexpired term ending January 1, 1957.

MEMBER, UTAH LIQUOR CONTROL COMMISSION:

Charles H. Foote, for six-year term ending July 1, 1959.

MEMBERS, UTAH TOURIST AND PUBLICITY COUNCIL:

<i>Qualifications and terms as follows:</i>		<i>Term expires:</i>
Dist. 1	Republican: Conley Watts, Logan.....	July 1, 1957
Dist. 2	Democrat: Darrell Greenwell, Ogden.....	July 1, 1955
Dist. 3	Republican: Gus P. Backman, Salt Lake.....	July 1, 1955
Dist. 4	Republican: Kenneth Sowards, Vernal.....	July 1, 1955
Dist. 5	Democrat: Andrew Pace, St. George.....	July 1, 1957
Dist. 6	Republican: Homer Bandle, Richfield.....	July 1, 1955
Dist. 7	Democrat: J. W. Corbin, Moab.....	July 1, 1955

MEMBERS, STATE WATER POLLUTION CONTROL BOARD:

<i>Qualifications and terms:</i>		<i>Term expires:</i>
Health Comr.....	Dr. George A. Spendlove.....	Ex-officio
Mineral Industries.....	Miles P. Romney, Salt Lake.....	Mar. 1, 1955
Food processing.....	R. A. Moss, Bountiful.....	Mar. 1, 1961
Other mfging.....	Frank R. Clark, Salt Lake.....	Mar. 1, 1960
Municipalities.....	Doren B. Boyce, South Ogden.....	Mar. 1, 1959
Agr. & livestock.....	Arion Erekson, Murray.....	Mar. 1, 1958
Fish, wildlife.....	Tony Madsen, Provo.....	Mar. 1, 1957
Member at large.....	Grant K. Borg, Salt Lake.....	Mar. 1, 1956
Member at large.....	E. J. Fjeldsted, Ogden.....	Mar. 1, 1954

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication referred to the Special Committee on Appointments.

PRESENTATION OF RESOLUTIONS

S. C. R. No. 1

By Messrs. Woolley and Tietjen

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO REDUCE FEDERAL TAXES AND LESSEN THE DRAIN OF MONEY FROM THIS AND OTHER STATES INTO THE FEDERAL TREASURY, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 15

By Mr. Woolley

AN ACT AMENDING SECTION 53-5-4, UTAH CODE ANNOTATED 1953, RELATING TO QUALIFICATIONS OF SCHOOL BOARD MEMBERS AND THE MANNER OF FILLING VACANCIES ON SUCH BOARDS, AND PROVIDING THAT NO PERSON SHALL SERVE AS A MEMBER OF A SCHOOL BOARD WHO IS EMPLOYED IN THE PUBLIC SCHOOL SYSTEM OF THIS STATE, AND PROVIDING THAT NO PERSON SHALL SERVE AS A MEMBER OF A SCHOOL BOARD WHO IS A "RELATIVE," AS HEREIN DEFINED, OF ANY OTHER EMPLOYEE OF THE DISTRICT, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

Under suspension of the rules, S. B. No. 2 was read the second time.

Committee report read and adopted.

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

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

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

Absent and not voting: Senator Hopkin.

On motion of Senator Stringham, the rules were suspended and the Senate voted to now consider S. B. No. 5.

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

Committee report read and adopted.

On motion of Senator Adams, *S. B. No. 5* was amended as follows:

Page 1, line 4, after the word "years" insert a period and strike the remainder of line 4 and all of line 5.

S. B. No. 5 was placed on the Third Reading Calendar on the following roll call:

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

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

Under suspension of the rules, *S. B. No. 6* was read the second time.

Committee report read and adopted.

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

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

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

Under suspension of the rules, *S. B. No. 7* was read the second time.

Committee report read and adopted.

On motion of Senator Gibson, *S. B. No. 7* was tabled.

Under suspension of the rules, *S. B. No. 8* was read the second time.

Committee report read and adopted.

On motion of Senator Woolley, *S. B. No. 8* was amended as follows:

Page 2, following line 32, insert the following new section:

"Sec. 3. Sec. 53-5-1, 53-5-2, 53-5-3, 53-5-5 and 53-5-6, Utah Code Annotated 1953 are hereby repealed."

On motion of Senator Hopkin, *S. B. No. 8* was amended as follows:

Page 1, line 6, after the word "judges" strike the word "constables".

Page 1, line 3, after the word "provided" strike the words "To the extent practical".

Page 1, line 4, capitalize the first letter of the word "such".

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

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

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

On motion of Senator Gibson, the Senate recessed.

The Senate re-assembled.

Under suspension of the rules, S. B. No. 9 was read the second time.

Committee report read and adopted.

On motion of Senator Mabey, the rules were suspended and S. B. No. 9 was read the third time and placed on the final passage.

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

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

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

Absent and not voting: Senators Cannon, Fowles, Kerr and Tippetts.

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

Under suspension of the rules, S. B. No. 10 was read the second time.

Committee report read and adopted.

On motion of Senator Day, the rules were suspended and S. B. No. 10 was read the third time and placed on its final passage.

S. B. No. 10 then passed on the following roll call:

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

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

Absent and not voting: Senators Cannon, Fowles and Tippetts.

S. B. No. 10 was transmitted to the House.

On motion of Senator Openshaw, the rules were suspended and the Senate voted to now consider *S. B. No. 13*.

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

Committee report read and adopted.

S. B. No. 13 was placed on the Third Reading Calendar on the following roll call:

Ayes, 19; Nos, 1; Absent, 3.

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

Voting in the negative was Senator Muir.

Absent and not voting: Senators Cannon, Fowles and Stringham.

Under suspension of the rules, *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:

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

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

Absent and not voting: Senator Cannon.

On motion of Senator Mabey, the Senate adjourned until Thursday, December 3, 1953 at 9:00 A.M.

THIRD DAY

MORNING SESSION

December 3, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

December 3, 1953

Mr. President:

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

Respectfully,

H. ROLAND TIETJEN,

Chairman

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

December 2, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

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

December 2, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 15*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

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

CONSIDERATION OF BILLS ON THIRD READING

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

On motion of Senator Hafen, *S. J. R. No. 1* was made a Special Order of Business for 2:00 P.M.

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:

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

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

Absent and not voting: Senators Cannon, Jenkins, Stringham and Woolley.

S. B. No. 1 was transmitted to the House.

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

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

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

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

Absent and not voting: Senators Cannon, Jenkins and Woolley.

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

S. B. No. 5 was read the third time and placed on its final passage.

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

Ayes, 20; Nos, 0; Absent 3.

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

Absent and not voting: Senators Hopkin, Jenkins and Woolley.

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

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

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

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

Those voting in the affirmative were Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen and Tippetts.

Absent and not voting: Senators Hopkin, Jenkins, Paxton, Watson and Woolley.

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

S. B. No. 8 was read the third time and placed on its final passage.

On motion of Senator Gibson, *S. B. No. 8* was made a Special Order of Business for 3:00 P.M.

S. B. No. 13 was read the third time and placed on its final passage.

On motion of Senator Burton, *S. B. No. 13* was amended as follows:

Page 1, line 5, strike the words "and registered".

Page 1, line 16, after the word "established" strike the word "and".

Page 1, line 17, strike the word "registered".

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

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

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

Voting in the negative was Senator Muir.

Absent and not voting: Senators Jenkins, Tippetts, Watson and Woolley.

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

S. B. No. 14 was read the third time and placed on its final passage.

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

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

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

Absent and not voting: Senators Fowles, Gibson, Jenkins, Tippetts and Watson.

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

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

The Senate re-assembled.

COMMUNICATIONS FROM THE GOVERNOR

December 3, 1953

Dear Mr. President and
Members of the Senate:

I mentioned in my opening message that it is my desire to deliver a personal message to a joint convention of the Legislature on the subjects of school retirement and finance. I am writing to ask the permission of the Legislature to make this address on Friday, December 4, at 11:30 a.m. In the meantime, I shall submit a series of non-school recommendations which I am adding to the agenda of this session.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

December 2, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under the suspension of the rules, *H. B. No. 3*, by Messrs. W. G. Larson, Hopkins, Sheffield, Dalebout, Durham, Rowberry, Poulson, Sanders, G. D. Taylor, W. E. Anderson, H. V. Davis, Thomas, L. B. Johnson, R. C. Anderson, C. W. Larson, J. H. Johnson, Monson, and Dunn, entitled:

AN ACT AMENDING SECTION 53-19-1, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ESTABLISHMENT OF KINDERGARTENS, THEIR FINANCING AND THE QUALIFICATIONS OF THE

TEACHERS THEREOF, AND REPEALING SECTION 53-19-2, UTAH CODE ANNOTATED 1953, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

December 2, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under the suspension of the rules, *H. B. No. 4*, by Messrs. W. G. Larson, Hopkins, Sheffield, Dalebout, Durham, Rowberry, Poulson, Sanders, G. D. Taylor, W. E. Anderson, H. V. Davis, Thomas, E. C. Larsen, L. B. Johnson, R. C. Anderson, C. W. Larson, J. H. Johnson, and Monson, entitled:

AN ACT AMENDING SECTION 53-6-12, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ENUMERATION OF THE SCHOOL POPULATION OF ALL CHILDREN UNDER EIGHTEEN, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 4 was read the first time and referred to the Committee on Education.

December 2, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. B. No. 12*, by Messrs. Rowberry, W. G. Larson, Dalebout, Durham, Poulson, W. E. Anderson, H. V. Davis, Thomas, E. C. Larsen, L. B. Johnson, C. W. Larsen, J. H. Johnson, Monson, and Dunn, entitled:

AN ACT PROVIDING THAT BOARDS OF EDUCATION OF LOCAL SCHOOL DISTRICTS MAY ENTER INTO WRITTEN CONTRACTS FOR THE EMPLOYMENT OF PERSONNEL FOR TERMS OF NOT MORE THAN FIVE YEARS ON CONDITION THAT SUCH CONTRACTS SHALL

NOT RESTRICT THE POWER OF LOCAL BOARDS TO TERMINATE SUCH CONTRACTS FOR CAUSE AT ANY TIME, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 12 was read the first time and referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

December 3, 1953

Mr. President:

Your Committee on Revenue and Taxation, to which was referred *S. C. R. No. 1*, by Messrs. Woolley and Tietjen, has carefully considered said bill and reports the same out favorably.

Respectfully,

ELIAS L. DAY,

Report filed.

Chairman

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

December 3, 1953

Mr. President:

Your Committee on Education, to which was referred *S. B. No. 15*, by Mr. Woolley, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,

Report filed.

Chairman

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

December 3, 1953

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 3*, by Messrs. W. G. Larson, Hopkins, Sheffield, et al., has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,

Report filed.

Chairman

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

December 3, 1953

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 4*, by Messrs. W. G. Larson, Hopkins, Sheffield, et al., has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

December 3, 1953

Mr. President:

Your Committee on Education, to which was referred *H. B. No. 12*, by Messrs. Rowberry, W. G. Larson, Dalebout, et al., has carefully considered said bill and reports the same out without recommendation.

Respectfully,

LUKE CLEGG,
Chairman

Report filed.

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

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

CONSIDERATION OF BILLS ON SECOND READING

Under suspension of the rules *S. C. R. No. 1* was read the second time. Committee report read and adopted.

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

Page 2, line 8, strike the word "senate" and insert in lieu thereof the word "senators".

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

Page 1, line 15, after the word "hereby" insert the following: "commended for the effort that has been made to reduce expenditures and return government to the people and is".

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

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

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

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

On motion of Senator Tippetts, *S. B. No. 7* was lifted from the table and the Senate voted to now consider *S. B. No. 7*.

On motion of Senator Fowles, *S. B. No. 7* was made a Special Order of Business for 3:15 P.M.

Under suspension of the rules *S. B. No. 15* was read the second time. Committee report read and adopted.

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

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE GOVERNOR

December 3, 1953

Dear Mr. President and Members of the Senate:

I am adding to the agenda of this special session the following proposals for which legislation has been prepared.

1. Resolution to amend Article V of the U. S. Constitution. I recommend that a joint resolution be enacted memorializing the Congress of the United States of America to propose an amendment to Article V of the U. S. Constitution to provide a more suitable means for the sovereign states to amend the Constitution. This resolution was approved by the American Bar Association in convention at Boston, Massachusetts, in August of this year.

2. Resolution in support of proposed treaty amendment to U. S. Constitution. I recommend that a joint resolution be enacted memorializing the Congress of the United States of America to approve Senate Joint Resolution 1 of the 83rd Congress, first session, which would prevent any provision of

a treaty from becoming effective when it conflicts with the U. S. Constitution, provide that a treaty shall become effective as internal law only through legislation, and grant to Congress the power to regulate all executive and other agreements with any foreign power or international organization. Our Constitution now provides that treaties shall be the supreme law of the land, notwithstanding other Constitutional provisions, a situation that Frank E. Holman, past president of the American Bar Association and former dean of the University of Utah Law School, has described as potentially more dangerous to American rights and this form of government than total war.

3. Resolution to rescind Utah's support for world government. I recommend the adoption of a resolution rescinding the action of the 1945 Utah Legislature in its support of world government.

4. Repeal of law making prize fighting a felony. I recommend the repeal of Section 76-47-1, Utah Code Annotated, 1953, which makes prize fighting a felony. The present law has not and should not be enforced because of public acceptance of prize fighting as a sport.

5. Servicemen construed as residents. I recommend the adoption of an amendment to the Fish and Game Code which would permit men and women assigned to duty in Utah with the armed forces to be considered as "residents" under the definitions of this law. The nature of duty with the armed forces frequently does not allow sufficient time for servicemen to establish residence in this state, and as a consequence they must purchase the more expensive nonresident fish and game licenses. The Fish and Game Commission and the Ogden Chamber of Commerce, among others, are in support of this proposal.

6. Prohibiting double public compensation for legislators. I recommend the enactment of a law which would prohibit a member of the Legislature from receiving compensation from public funds for any other public office or position during the time he serves in the Legislature. Our Constitution disqualifies a person holding another office of public profit or trust from serving in the Legislature, but permits the Legislature to be the judge of its members. This recommendation would add effect to the first-mentioned Constitutional provision.

7. Placing Criminal Identification under Department of Public Safety. I recommend the adoption of legislation that would place the present State Bureau of Criminal Identification and Investigation under the Department of Public Safety. There is no good reason why this Bureau should remain as an independent agency when its functions are so closely related to the Department of Public Safety.

8. Fixing a fee for traffic reports. I recommend the enactment of new legislation to provide for the charging of a fee by the Department of Public Safety for copies of accident reports it furnishes to various investigators. The fees collected would likely pay for the entire cost of this service.

9. Interstate compact for civil defense. I recommend the enactment of legislation authorizing an interstate compact for civil defense and permitting

the Governor to enter into agreements with Western States, Hawaii and Alaska in accordance with the terms of the compact. Utah stands alone among the Western States as being the only state without an interstate compact for civil defense. A disaster of the kind anticipated by civil defense would be no respecter of state boundaries, and Utah could very well suffer because of the absence of a mutual aid compact. The State Civil Defense Council recommended the enactment of this compact by unanimous vote.

10. State Guard. I recommend that our present laws be amended so as to permit, but not necessarily maintain, the organization of a State Guard at all times, not just during those periods when the National Guard is ordered to Federal duty.

11. Voting machines. I recommend the enactment of legislation to authorize the use of voting machines in all elections. It is felt that the use of voting machines in the larger districts of the state would provide a faster and more accurate tally of votes at a lower cost.

12. Public Service Commission amendments. I recommend the adoption of legislation as recommended by the Public Service Commission which would accomplish the following: repeal a provision of the present law requiring the display of identification plates on all motor vehicles operated in interstate and intrastate commerce; permit the filing of a "certificate of insurance" in lieu of policies by motor carriers; permit the Commission to require motor carriers to post a reasonable bond to protect the public on payment of C.O.D. collections.

13. Open meetings. I recommend the enactment of a law, patterned after one recently adopted in California, which would make it mandatory that all meetings of state, county, city and other public governing bodies be open to the public. An exception is made in certain cases where the nature of the meetings would prove injurious to the reputations of persons if the meetings were open. Public officials acquire no special power while in office to determine what is best for the public to know about government. The requirement that meetings be open would protect the public in its fundamental right to information about governmental affairs.

Sincerely,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

December 3, 1953

Mr. President:

I am directed by the House of Representatives to invite the Senate to meet with the House of Representatives in Joint Convention on Friday, De-

ember 4, 1953, at 11:30 A.M., to hear his Excellency, the Governor, deliver a personal message on the subjects of school retirement and finance.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 2 By Messrs. Mabey, Kerr and Hopkin

A JOINT RESOLUTION OF THE LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROPOSE AN AMENDMENT TO ARTICLE V OF THE UNITED STATES CONSTITUTION, was read the first time and referred to the Committee on Revision and Enrolling.

S. J. R. No. 3 By Messrs. Mabey, Hopkin and Cannon

A JOINT RESOLUTION OF THE LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES BY PASSING SENATE JOINT RESOLUTION 1 OF THE 83RD CONGRESS, FIRST SESSION AS PROPOSED BY SENATOR BRICKER, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 16 By Messrs. Day, Hammond and Openshaw

AN ACT RELATING TO THE USE OF VOTING MACHINES AT ELECTIONS; PROVIDING FOR THE PROCUREMENT, ADOPTION AND MECHANICAL REQUIREMENTS OF MACHINES; OPERATORS' DUTIES IN TABULATING VOTES AND SUPERVISING OPERATION AND CUSTODY OF MACHINES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 17 By Messrs. Selvin and Mabey

AN ACT ADDING A NEW SECTION TO CHAPTER 7, TITLE 23, UTAH CODE ANNOTATED 1953, ENACTED AS A PART OF CHAPTER 39, LAWS OF UTAH 1953, WHICH SECTION SHALL BE KNOWN AS SECTION 23-7-30, UTAH CODE ANNOTATED 1953, PROVIDING THAT PERSONS SERVING IN THE UNITED STATES ARMED FORCES ASSIGNED TO DUTY IN UTAH AND MEMBERS OF THE FAMILY OF SUCH PERSONS WHO LIVE IN UTAH MAY PURCHASE LICENSES

TO FISH AND TO HUNT GAME ANIMALS AND GAME BIRDS FOR THE SAME FEES AS RESIDENTS OF UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 18

By Messrs. Burton and Cannon

AN ACT PROVIDING THAT THE FINANCIAL RESPONSIBILITY DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY SHALL FURNISH COPIES OF TRAFFIC ACCIDENTS REPORTS TO APPLICANTS AND PROVIDING FOR A FEE TO BE COLLECTED THEREFOR, AND ESTABLISHING A FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 19

By Messrs. Day, Hammond and Fowles

AN ACT AMENDING 39-4-1, UTAH CODE ANNOTATED 1953, RELATING TO THE UTAH STATE GUARD, AND PROVIDING THAT THE GOVERNOR MAY ORGANIZE AND MAINTAIN, UNDER SUCH REGULATIONS AS THE SECRETARY OF WAR OF THE UNITED STATES MAY PRESCRIBE FOR DISCIPLINE IN TRAINING, SUCH FORCES AS HE DEEMS NECESSARY TO DEFEND THIS STATE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 20

By Messrs. Day, Hammond and Fowles

AN ACT AUTHORIZING THE GOVERNOR TO EXECUTE A CIVIL DEFENSE COMPACT WITH WESTERN REGIONAL STATES AND THE TERRITORIES OF ALASKA AND HAWAII, PROVIDING FOR MUTUAL AID AND UTILIZATION OF THE RESOURCES OF THE RESPECTIVE STATES AND TERRITORIES IN MEETING ANY EMERGENCY OR DISASTER FROM ENEMY ATTACK OR OTHER CAUSE, AND PROVIDING THAT DIRECTORS OF CIVIL DEFENSE OF PARTY STATES SHALL CONSTITUTE A COMMITTEE FOR IMPLEMENTATION OF THE COMPACT, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 21

By Mr. Day

AN ACT TRANSFERRING TO THE DEPARTMENT OF PUBLIC SAFETY ALL THE POWERS, DUTIES AND FUNCTIONS OF THE BOARD OF MANAGERS AND DIRECTOR OF THE STATE BUREAU OF CRIMINAL IDENTIFICATION CONFERRED UPON OR REQUIRED OF SUCH BOARD AND DIRECTOR BY EXISTING LAW RELATING TO SUCH MATTERS AND TRANSFERRING TO THE DEPARTMENT OF PUBLIC SAFETY CERTAIN APPROPRIATIONS MADE TO THE BUREAU OF CRIMINAL IDENTIFICATION BY SECTION 14, ITEM 77 OF CHAPTER 136, LAWS OF UTAH 1953; AMENDING SECTION 41-13-4, UTAH CODE ANNOTATED 1953, RELATING TO THE POW-

ERS AND DUTIES OF THE COMMISSIONER OF PUBLIC SAFETY AND AMENDING SECTIONS 77-59-3, 77-59-6, 77-59-7, 77-59-8, 77-59-10, 77-59-12, 77-59-14, 77-59-20, 77-59-21, 77-59-22, 77-59-23, 77-59-25, 77-59-26, AND 77-59-27, UTAH CODE ANNOTATED 1953, RELATING TO POWERS AND DUTIES OF THE BOARD OF MANAGERS OF THE STATE BUREAU OF CRIMINAL IDENTIFICATION AND REPEALING SECTIONS 77-59-1 AND 77-59-2, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

S. J. R. No. 1, being a special order of business, was before the Senate.

On motion of Senator Tietjen, S. J. R. No. 1 was referred back to the Third Reading Calendar.

REPORTS OF STANDING COMMITTEES

December 3, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 3, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 3, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 3, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 17 was ordered printed and referred to the Committee on Fish and Game.

December 3, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 18 was ordered printed and referred to the Committee on State and Municipal Affairs.

December 3, 1953

Mr. President:

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

Respectfully,

Report filed.

A. I. TIPPETTS,
Chairman

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

December 3, 1953

Mr. President:

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

Respectfully,

Report filed.

A. I. TIPPETTS,
Chairman

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

December 3, 1953

Mr. President:

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

Respectfully,

Report filed.

A. I. TIPPETTS,
Chairman

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

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Clegg, the rules were suspended and *H. B. No. 3* was read the second time.

Committee report read and adopted.

On motion of Senator Thorn, the rules were suspended and *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:

Ayes, 20; Nos, 1; Absent 2.

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

Voting in the negative was Senator Watson.

Absent and not voting: Senators Hafen and Openshaw.

H. B. No. 3 was returned to the House.

On motion of Senator Clegg, the rules were suspended and *H. B. No. 4* was read the second time.

Committee report read and adopted.

On motion of Senator Gibson, *H. B. No. 4* was tabled.

On motion of Senator Day, the rules were suspended and *H. B. No. 12* was read the second time.

Committee report read and adopted.

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

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

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts and Woolley.

Those voting in the negative were: Senators Cannon, Fowles, Watson and Mr. President.

Absent and not voting: Senator Gibson.

H. B. No. 12 was returned to the House.

SPECIAL ORDER

S. B. No. 7, being a special order of business, was before the Senate.

On motion of Senator Hafen, S. B. No. 7 was amended as follows:

Page 1, delete all of Section 1, and insert in lieu thereof the following new section:

"Section 1. It shall be the duty of each private school operating within the State of Utah and providing full-time education for pupils of elementary and secondary school age to register with the state board of education and to furnish such board the necessary factual data on enrollments, and attendance required by it to complete the biennial report on educational training received by children of the State of Utah."

On motion of Senator Fowles, the rules were suspended and S. B. No. 7 was read the third time and placed on its final passage.

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

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

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

Absent and not voting: Senators Gibson, Jenkins, Kerr and Thorn.

S. B. No. 7 was transmitted to the House.

S. B. No. 8, being a special order of business, was before the Senate.

On motion of Senator Day, S. B. No. 8 was made a special order of business for December 4, 1953, at 10:30 A.M.

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

On motion of Senator Day, the enacting clause of S. B. No. 12 was struck.

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

The Senate re-assembled.

PRESENTATION OF RESOLUTIONS

S. R. No. 1

By Messrs. Hopkin, Hafen and Gibson

RESOLUTION OF THE UTAH STATE SENATE ON THE OCCASION OF THE 70TH BIRTHDAY OF MRS. NETTIE THORN, was read the first time.

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

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

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

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

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

On motion of Senator Tippetts, the Senate adjourned until Friday, December 4, 1953 at 10:00 A.M.

FOURTH DAY

MORNING SESSION

December 4, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

December 4, 1953

Mr. President:

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

Respectfully,

H. ROLAND TIETJEN,

Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

December 3, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, *S. B. No. 1*, by Messrs. Kerr, Thorn, Tietjen, Hafen, Woolley and Selvin, entitled:

AN ACT AMENDING SECTIONS 53-13-2, 53-13-3, 53-13-10 AND REPEALING SECTION 53-13-11, UTAH CODE ANNOTATED 1953, RELATING TO THE STATE TEXTBOOK COMMISSION, DEFINING THE DUTIES OF THE COMMISSIONERS AND OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION WITH RESPECT THERETO, OUTLINING THE PROCEDURE TO BE FOLLOWED IN THE ADOPTION OF TEXT BOOKS AND MAKING IT A MISDEMEANOR FOR A MEMBER OF THE BOARD OF EDUCATION TO REFUSE OR NEGLECT TO ENFORCE THE USE OF TEXTBOOKS ADOPTED BY THE COMMISSION, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, the Senate voted to concur with the House amendments of *S. B. No. 1* on the following roll call:

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

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

Absent and not voting: Senators Adams, Kerr, Openshaw and Watson.

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

December 3, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, *S. B. No. 2*, by Messrs. Kerr, Thorn, Hafen, Tietjen, Woolley, and Selvin, entitled:

AN ACT AMENDING SECTIONS 53-14-1 AND 53-14-2, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT OF LAY MEMBERS AND THE APPOINTMENT OF LOCAL SCHOOL DISTRICT SUPERINTENDENTS, TO THE COURSE OF STUDY COMMITTEE,

THEIR TERMS OF OFFICE, TIMES OF MEETING, RESPONSIBILITIES AND COMPENSATION, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, the Senate refused to concur in the House amendments to *S. B. No. 2*, and requests the House to recede.

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

December 3, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and House, *S. B. No. 5*, by Messrs. Thorn, Hafen, Clegg, and Hammond, entitled:

AN ACT TO REQUIRE THE STATE TAX COMMISSION IN CO-OPERATION WITH COUNTY ASSESSORS TO MAKE A COMPLETE VALUATION OF ALL TAXABLE PROPERTY IN EACH COUNTY AT LEAST ONCE EVERY TEN YEARS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, the Senate refused to concur in the House amendments to *S. B. No. 5*, and requests the House to recede.

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

December 3, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, *S. B. No. 6*, by Messrs. Gibson and Mabey, entitled:

AN ACT AMENDING SECTIONS 53-2-3, 53-2-4, 53-2-5 AND 53-2-7, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR THE HOLDING OF REGIONAL CONVENTIONS AND FOR THE FILING OF PETITIONS FOR THE PURPOSE OF NOMINATING CANDIDATES FOR MEMBERSHIP IN THE STATE BOARD OF EDUCATION, FOR THE PROCEDURE TO BE FOLLOWED IN ELECTING SAID MEMBERS,

LISTING THE DUTIES OF THE SECRETARY OF STATE AND OF COUNTY CLERKS WITH RESPECT TO SAID NOMINATIONS AND ELECTIONS, PROVIDING FOR THE CANVASSING OF THE RETURNS OF SAID ELECTIONS BY THE BOARD OF COUNTY COMMISSIONERS, AND THE SECRETARY OF STATE AND SETTING FORTH THE PROCEDURE TO BE FOLLOWED IN FILLING VACANCIES OF SCHOOL BOARD MEMBERS BY CONVENTIONS CALLED FOR THAT PURPOSE BY THE CHAIRMAN OF THE STATE BOARD OF EDUCATION, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Mabey, the Senate voted to concur with the House amendments to *S. B. No. 6* on the following roll call:

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

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

Absent and not voting: Senators Gibson, Hopkin, Kerr, Thorn and Watson.

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

December 3, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 9*, by Messrs. Mabey and Clegg, entitled:

AN ACT AMENDING SECTION 53-5-4, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE FILLING OF VACANCIES ON BOARDS OF EDUCATION OF LOCAL SCHOOL DISTRICTS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 9 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Tietjen, the rules were suspended and the Senate voted to now consider *S. C. R. No. 1*.

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

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

Ayes, 13; Nos, 4; Absent, 6.

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

Those voting in the negative were: Senators Adams, Fowles, Selvin and Tippetts.

Absent and not voting: Senators Gibson, Hopkin, Jenkins, Kerr, Thorn and Watson.

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

SPECIAL ORDER

On motion of Senator Woolley, *S. B. No. 8* was made a special order of business for 3:00 P.M.

On motion of Senator Mabey, the Senate recessed until 11:00 A.M.

The Senate re-assembled.

On motion of Senator Clegg, the Senate voted to proceed to the House chambers to meet in Joint Convention and reassemble at 2:00 P.M.

JOINT CONVENTION

The Joint Convention was called to order by the President of the Senate.

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

Prayer by the Senate Chaplain.

On motion of Senator Thorn, the President of the Senate appointed a Joint Committee consisting of Senators Tietjen, Stringham and Selvin and Representatives Barlow, Peterson and Russell to notify the Governor that the Legislature was in Joint Convention and ready to hear his message.

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

The Governor then delivered the following message:

GOVERNOR'S MESSAGE

Let me begin this address by expressing my appreciation for your willingness to permit me to present a personal message on these all important subjects of school retirement, finance, and taxation.

It is appropriate to describe these school matters as all important, simply because of their great impact upon the State and its people. Any program that must receive forty cents out of every dollar of State taxes for its support, as our school program does, is important if only because of its cost. The importance of the program, of course, cannot be measured in cost alone. It goes far beyond cost to include the very shaping of our lives. Some feel that its benefits and far-reaching effects are such that costs should be ignored. One such person recently wrote a newspaper forum letter insisting that in school budget matters it was "trite" to give consideration to costs or taxpayer ability to pay. He asked if we ever can spend enough. I do not recommend that we join this individual in the clouds of unreality to consider these matters. We must consider them on solid ground, on the basis of cold facts with consideration for the welfare of all.

As I have stated, forty per cent of all State taxes are devoted to the support of education. The welfare and highway programs, by comparison, receive approximately twenty per cent each. A recent survey showed that total educational expenditures in Utah increased 228 per cent in the period from 1939-40 to 1950-51, whereas in the same period welfare expenditures increased only 54 per cent and highway expenditures 144 per cent. We have done well by our schools!

One of the recommendations of the Public School Survey Commission is that additional financial support be given to the schools. This recommendation became the primary motivation for the concerted effort that was made to force a special session of the Legislature. Other recommendations of the Commission were ignored, overlooked, or forgotten in the stampede that followed to get the additional funds. The leaders of the stampede were intolerant of any opinion on financing that differed from their own. It soon became clear that from their standpoint an individual's classification as a so-called "friend" or "enemy" of education depended upon his support or opposition to their goal. I have not been intimidated or silenced by false accusations and name calling, but I know of instances where those who would defend me dared not speak out.

It is a deplorable situation in this great land of ours when men can be silenced by a threat of being stigmatized. One of our governors struck at the heart of this campaign of fear in a speech made to a group of educators in

his state. His words are so expressive in defining this danger to freedom that I want to repeat a portion of them at this time. I quote:

“. . . thought, criticism and debate can be stifled by indirect means as effectively as by direct, by fear as well as by force. I have witnessed with deepening concern the development in recent months of this new danger to personal freedom. It is not the danger of forcible repression by government; it stems from action by individuals or groups exercising a pressure not less powerful than that of government. It works not violently but by putting in fear. Its method is not direct interference with freedom of expression but it is no less destructive of that freedom because it intimidates men so that they dare not exercise their undoubted legal right to speak. The threat is not that they will be arrested, but that they will be stigmatized. Duress by name calling is, if anything, more irresponsible than formal official action. It is more cruel and unjust, for while arrest leads to trial under some legal safeguards, the smear is employed without restraint or responsibility and the victim is punished in the very process "of being accused, without trial of any kind. There is no semblance of 'due process'. The result is that men who cannot be silenced by authority are gagged by fear, for they know that oftentimes the penalty of forthrightness is character assassination, economic ruin, and social ostracism.

"If a group favors an appropriation for a cause which it sponsors and a public official takes a different view, the spirit of the day is not to debate the matter but to characterize the official as an enemy of the cause. Political discussion has, perhaps, nearly always been less than fair, but never has it been debased by such general extravagant attacks on the good faith of opponents."

There is little need for further comment as to how these words apply here in Utah. They constitute an indictment against some of the more outspoken leaders in the education circles. These individuals have been injudicious in branding any and all critics of the school program as "enemies of education." And the definition of an enemy, which they presume to apply, is left sufficiently broad and flexible to serve as a deterrent to others. The effect of the implied threat has been to stifle honest debate on topics of universal public concern.

Mortimer Smith, author of the book, "And Madly Teach," which was critical of modern education, elaborated on the name-calling technique of educators in an article in which he said:

"The professionals react to criticism in the way threatened monopolists always react; they make almost no attempts at rational defense of their system but call their critics names, in this case reactionaries, crackpots, and enemies of the schools. Let any group of laymen whose interest in education goes beyond a docile acceptance of the

official line venture criticism of the schools, and the panjandrums of the National Education Association (NEA) and the teachers' colleges descend on them with shrill cries of outrage. Nothing annoys the educators more than the assumption that the educational system belongs to the people who support it."

It is interesting to observe how the NEA has endeavored to silence criticism of the schools by stigmatizing its critics—even in advance of their criticism. The NEA has listed a "pattern of accusations" that national and local groups have used in what the NEA terms as "unwarranted criticism of public education on certain issues." The objective of this classification is to belittle and besmirch any future criticism which may happen to follow the same pattern. It so happens that many of the legitimate and well-founded criticisms of our schools made by the Public School Survey Commission closely parallel the NEA list. A comparison offers these interesting similarities:

NEA: "The schools do not teach the Three R's properly."

SURVEY: "The Commission also believes that schools are endeavoring to cover such a wide variety of activities and courses, all requiring time of teachers and pupils, that they are not achieving a high quality of results with respect to the fundamental academic courses."

NEA: "There are too many 'frills and fads' in the schools.

SURVEY: (Same comment as above.)

NEA: "There is insufficient emphasis on the teaching of U. S. History."

SURVEY: "The Commission is of the opinion that one of the greatest dangers to a sound educational program is the trend towards placing too much emphasis on the generalized courses and less-essential subjects. As a result, less attention and energy have been devoted to fundamental courses of study such as mathematics, science, English, and history."

NEA: "There is a need for more rigid discipline in the schools."

SURVEY: "One-third of the professional personnel and one-third of the general public contacted by the Commission were of the opinion that discipline in the schools was not strict enough."

Let me repeat again that the NEA list was supposed to represent the "pattern of accusations" that national and local groups have used in what the NEA term as "unwarranted criticism of public education on certain issues." The subtleties of the NEA campaign to pre-judge and discredit all critics and criticisms of education are carried into an attack on taxpayer groups. ". . . an economy-minded taxpayer may contribute to a tax foundation which is campaigning for reduced public expenditures," the NEA explains. "He may be totally unaware of the fact that this organization is

working against an adequate budget for the public schools." It is only too obvious with a statement of this kind that the NEA has established itself as the final authority on what constitutes an "adequate budget." Anyone who differs from this NEA opinion is likely to be stigmatized for his views.

"Perhaps to a greater extent than in any other field, a sharp distinction is drawn between the professional and the layman in education," an analyst of Princeton Surveys once wrote, "Although the layman supplies the children, pays the bill and lives with the results, the prerogative of educational vision is assumed to be peculiarly that of the professional."

That there is growing dissatisfaction with our schools despite the NEA and other professionals is becoming increasingly apparent. This dissatisfaction can be found among educators themselves, a number of whom have written articles and books on the subject. The general theme of the criticism advanced is that present-day education is not achieving the desired results in the schools. There is evidence that the quality of education is not keeping pace with the ever-increasing cost. It is little wonder, under these circumstances, that a demand is growing that the public be assured of a better school product before being asked to shoulder a greater tax load.

The demand for more money for the schools is justified by school leaders primarily from the standpoints of the influx of new students and the inroads of inflation. These arguments, at first glance, are effective. It makes sense that more students will require more money, or that the dollar today will buy only little more than half of what it would fifteen years ago. The arguments, however, are not this one-sided. Our school financing law, for example, provides an automatic increase in funds to compensate for increases in enrollment. With every enrollment increase, there is a guaranteed money increase. This statutory provision has been defective in that the money increase lags one year behind the enrollment increase, but otherwise it has served to offset the problem created by the influx of new students. The defect in the law should be corrected in this session.

Inflation has had its effects on every segment of our society. It has been equally harmful to taxpayers and schools alike. An examination of the record, however, will show that it has not been as disastrous to the school program as some people have been led to believe. The measure of inflation is the cost-of-living index, which today stands at 192.6 per cent. This means, of course, that there has been a 92.6 per cent increase in the cost-of-living since 1939, the base year. What has happened to school costs over the same period?

A comparison of per capita costs for operation and maintenance of schools is the only fair method of determining this. Such a comparison properly equates enrollment with expense to give a true end result. The per capita operation and maintenance cost for students in average daily attendance in 1939-40 was \$78.76 whereas in 1952-53 it had increased to \$188.39. The percentage increase is approximately 139 per cent. Put cost-of-living and per-capita-cost percentage increases together and you have cost-of-living lagging behind per capita cost—92.6 per cent compared with 139 per cent.

School leaders object to such a comparison because 1939 is used as the base year. They believe the comparison should be made using the 1947-48 school year as the base inasmuch as it was in that year that the present basic school financing law became effective. They argue that school costs were below average in 1939 but up to standard in 1947-48. The argument overlooks the fact that the 1947 Legislature increased the cost of the basic school program 10 percent above that recommended by a special Tax Study Committee. It is likely, therefore, that if school costs were below average in 1939, they were above average in 1947-48.

Although enrollment increases and inflation are listed as the main reasons for the demand for more funds, it is more probable that the chief factor is the demand for higher salaries. Salary payments constitute seventy-four per cent of the operation and maintenance costs of schools. It is obvious that any increase in salaries will reflect heavily in the overall cost of the school program.

Since 1942-43 when the average teacher salary was \$1618, salaries have more than doubled and so has the cost of the school program. Today the average Utah teacher receives an annual salary of over \$3490 which is about equal to the national average but somewhat below the western states average. The Survey Commission recommended that the Utah average be raised by \$200 but it emphasized that its recommendation was not intended to mean a blanket increase. It took the position that increases should be made on the basis of merit, a recommendation that is opposed by most school groups.

The Utah Education Association has termed the recommended \$200 increase as outmoded. Minutes of a meeting of local presidents of the UEA show that an increased figure of \$400 or \$500 was the objective of many. One local president asked, "What will happen to public sentiment even getting up to \$400?" and another, as if to reply, commented, "People have accepted \$200, but we must now educate them to another figure."

It would be well, in the process, to educate the public on the salary increases teachers have received since 1939. From time to time I have read or received letters objecting to the fact that State officials were given a salary increase by this Legislature but not the teachers. I will not comment on the erroneous assumption that the Legislature sets the salary of teachers, but I cannot refrain from drawing some comparisons on salaries. Since 1939, the average salary of teachers has increased 147 per cent whereas the Governor's has increased 67 per cent, the Secretary of State's 60 per cent, the Attorney General's 67 per cent, the Auditor's 71 per cent, the Treasurer's 100 per cent, and the Commissioners' 50 per cent. The Board of Examiners for the State, composed of the Governor, Secretary of State, and Attorney General, are paid \$10,000, \$7200, and \$7500 respectively. The Superintendent of Salt Lake City schools and his two assistants are paid \$12,798, \$9264, and \$9042 respectively. One has cause to wonder about some of the cries of low pay and poverty that originate in the schools.

Any discussion of salary increases must give consideration to all factors involved. It is not enough simply to compare salary averages from one state

to another. The financial ability of our taxpayers to compete with those of other states is equally important. So is a comparison of teacher salaries with salaries of other public employees or with other salaries within the community. Consideration should be given not only to the training teachers must have but also to the short year they must work. There are fringe benefits that enter the picture, the preponderance of women over men, the relationships between urban and rural areas, the lack of dependency and merit payment plans, and so forth. All of these factors must be given appropriate consideration before conclusions on salaries are drawn.

It is of more than passing interest to note some conclusions made by advertising representatives of a school magazine as they concern teacher salaries and work years. A recent form letter sent to prospective advertisers included the following:

"The basic facts are well known to and accepted by everyone who wants his share of the Country's travel dollars, namely:

1. There are more travel prospects per 1000 among teachers than any other group.
2. They are well paid—have money to travel.
3. Approved travel gains them credits which help toward advancement and better pay.
4. No other class of employed people have so much time to travel—ten weeks in summer, ten days each at Christmas and Easter.

The Deseret News in April of 1952 mentioned some of these same points in an editorial discussing teacher salaries and school finances. The editorial said in part:

"... the teacher salary schedule should appear quite adequate to the single person, and especially so when they are offered three months off in the summer, two weeks at Christmas, a week in the spring and two days at Thanksgiving. They are required to devote one summer out of five to study, and are assured of an additional increase in pay if they use their free time to secure a master's degree. Reasonably accurate statistics show the average wage earner puts in 87 more working days a year than the school teacher, taking into account the summer study required of a teacher."

Teacher salary schedules, as they are now constituted in Utah, are based on tenure and degrees. Little if any recognition is given to the individual ability of a teacher. An exceptionally talented teacher is paid on the same basis as others less qualified. There is no incentive to excel, no reward for achievement. Said the Survey Commission of this situation, "We consider it a discouraging practice, tending toward mediocrity, to pay all teachers alike." Adding emphasis to these words, the Commission qualified its recommendation of higher salaries for teachers on the condition that increases be based

on merit. Surely this is not unreasonable. It is fundamental in the American competitive system to recognize and reward merit. Why not with teachers?

The National Citizens Commission for the Public Schools observed that teachers generally oppose merit plans while the rest of the people generally favor them. "Since the question of spending the taxpayers' money to get the best possible teachers directly and personally affects both groups," the Commission continued, "some way to reconcile the differences (on merit plans) must be found. The principle of paying above the average for outstanding value is well established. Its advantages in offering incentive to teachers of superior ability are obvious."

Opposition to merit plans is centered in the definition of "merit." The fear exists that the difficulty in finding a common basis to judge the quality of a teacher's work would tend to make merit raises unfair. There is no question in my mind but that some injustices would crop up in a merit plan. It is unlikely, however, that they would equal the injustices of the present system.

The task of finding the right merit plan has thus far been left up to the Legislature even though it rightfully belongs to the school boards. It is possible that the boards could devise suitable plans of their own if their responsibility to do so was made clear. The necessity of their doing this certainly was indicated in the Survey Commission report. The fact that a detailed plan was not or has not been given them should not excuse them from making some effort of their own. While I have not presented or endorsed a specific merit or incentive plan, I shall, nevertheless, recommend as the Survey Commission has done that further increases in teacher salaries be conditioned on merit. The substance of this recommendation as a policy statement is included in both the current year and long-term financing proposals I shall make. Let the school boards take it from there.

Thus far in this discussion of school finances and related matters, I have said little about taxation and our financial ability. Those who have been leading the drive for more funds have said even less. Any discussion of further increases in finances, however, must be related to our present tax burden and to what we can afford. It has been on this issue particularly that I have been unable to reconcile my views with the views of those wanting more funds. I believe there is a limit to what we should ask taxpayers to pay, whereas, those wanting more funds are unwilling to recognize any such limit. The latter view is exemplified in the standards developed by the National Education Association to measure "sound programs of school finances." Three of these "standards" are as follows:

"The amount of tax on general property, which electors of a local school administrative unit can levy for current school operating expenses, is not limited.

"The general property tax levies of the local school system are determined by school officials without the necessary approval of, or power of modification by, any municipal or other local government authority.

"The local school system has authority to issue bonds for capital outlay secured by an unlimited levy or an irrevocable levy."

There seems to be no logical reason why always a floor should be established under spending—such as the guarantee to support a minimum school program—while nothing is done to limit taxes. The taxpayers of Utah were required to pay more than one dollar out of every three they earned to pay taxes last year. These payments totaled more than \$350 million, which represents an average tax burden of \$475 for every man, woman, and child in the State. Most of these payments were made to the Federal government, but State and local taxes represent a significant part of the total. As a matter of fact, Utah has a higher total State and local tax burden than any western state and is sixth highest in the Nation. Faced with these facts, are we to tell our taxpayers that insofar as further tax levies are concerned, the end is not in sight?

Proposals have been made from time to time to extend our present tax laws or to devise new taxes to tap additional sources of income. More often than not the emphasis is for higher taxes, and constantly a search is being made to find a tax that is painless. One tax expert has described the most desirable kind of taxes as "the taxes that somebody else levies and we spend." The fallacy of all these proposals and searches is that no matter how taxes are disguised or concealed, they ultimately are paid by the consumer. There is no concealment of a tax on property, income, or sales, and its payment is recognized and felt by the taxpayer. Other taxes are hidden in one way or another and, although the tax will be passed along to the consumer by way of an increased service charge or commodity price, the taxpayer may not realize he has paid the tax. The tax is there, nevertheless. It should be made clear in every discussion of taxation, therefore, that the consumer ultimately will have to pay for any tax that is levied.

Two years ago I made a number of talks in which I quoted some eminent authorities on the dangers of high taxes. Our newspapers have been repetitious with their warnings. Still the trend of expenditures is always upward and increased taxes are an inevitable result. History will show that taxation becomes destructive when it is too high. It is destructive not only of the incentive of people to earn more, but also of the freedoms that have enriched our lives. Said the President of Temple University on this point: "When taxation reaches the saturation point, production falls and with it the people's living standards . . . free peoples all through history have yielded their freedoms when bureaucracy overwhelms them economically." It was no doubt superfluous to add that bureaucracies are built with high taxes.

It goes without saying that I am opposed to any increase in taxes, unless the people themselves vote to impose them. I am not here to propose new or higher taxes to finance the school program, but I do intend to propose

changes in our present school financing law as well as certain reductions in some State services. There are certain requisites to a changed financing law that will be met in my proposal including better equalization among districts and greater local responsibility and control. It is essential that we increase local board responsibilities, I believe, if we are ever to bring taxing and spending into line. "Those who decide on expenditure policies should bear the political responsibility for raising of the necessary funds. In no other way can we strike a sound balance between the demand for public services and the people's willingness to pay for them."*

The financing law I intend to propose will require greater local effort and lower State aid, yet it will provide better equalization among districts than now is the case. It will provide school districts with a substantial state-supported school program, and, if the program is geared higher, it will fix the responsibility of tax increases on the school boards or the people. Those who subscribe to the belief that a high level of expenditure is the only measure of the adequacy of a school program will find comfort in the proposal. A recent study has shown that states with prevailing local school financing maintain higher school expenditure levels than other states where State-aid predominates. State aid, this study concludes, has often served more to lighten the burden of local taxation and to relieve local officials of an onerous duty than to support the schools.

Now for a word of caution. The financing proposal I shall make offers to school districts the same State-supported program as recommended by the Legislative Council with ample leeway over and above that. Like other public funds, the money available in the proposal can be dissipated rapidly unless school boards budget carefully on a long-range basis and use restraint in their spending policies. Boards should remember that annual increment increases in teacher salaries will be a growing cost in future years until the leveling off point is reached, and budgets should be planned to provide for these increases. A reserve to meet other contingencies should be planned. Everything possible should be done so that it will not be necessary for school districts to come back to the Legislature in a few short years pleading poverty and crisis.

Now, let us proceed to the specific proposals I have to make. I am listing these recommendations by number and letter for easy reference. The order of presentation does not necessarily relate to Legislative Council proposals.

1-F. CURRENT YEAR FINANCING: One of the complaints school leaders have had with the present school financing law is that the allotment of funds is based on the prior year's enrollment rather than the current. I agreed to recommend that provision be made in this session to place this year's financing on a current-year basis. The Legislative Council staff calculated the cost of this shift at \$912,000. These calculations brought out a number of inequities, however, that made it impractical to base legislation on the enrollment factor alone. For example, it was shown that Jordan district, the State's wealthiest, would receive substantial State-aid for its enroll-

* (Roger A. Freeman, *The State Government*, October 1953.)

ment increase, even though it has ample local tax leeway to meet its own needs. It was decided, therefore, that local effort and ability as well as enrollment would have to be considered in the computation of this additional State-aid. A bill has been prepared based on these factors which will provide an additional \$935,000 to eligible school districts for this year. The bill also provides, in accordance with the recommendation of the Survey Commission, that any use of this money for salary adjustments should be based on merit. I recommend the adoption of this legislation which will apply only to the 1953-54 school year.

As to the source of the funds, I recommend that they be obtained by borrowing from the appropriation of \$2,157,000 that was made in the regular session to the School Building Fund. The justification for this borrowing can be found in the reports of the School Building Survey Commission. This Commission twice has protested actions by the State Board of Education which have tended to make State building aid a maximum rather than a minimum program. I feel confident that it was the original intention of the Legislature to provide only a minimum State-supported School Building Program. Inasmuch as the direction of this program may have been changed too much upward, it would be well for the Legislature to investigate the matter. In the meantime, the borrowing of \$935,000 from the School Building Fund would not be out of order. The money could be re-appropriated in 1955.

2-F and 3-F. RETIREMENT: Over a period of years, the State has not met its obligation to the State Teachers' Retirement System with the result that today we are in arrears by approximately \$13.6 million. It is necessary that action be taken by this session to finance this growing debt. It is necessary, also, that action be taken by the end of the year if the solution to the debt problem is to be coupled with an integration of Teachers' Retirement with Social Security.

The Legislative Council has studied two plans, either of which would liquidate the present retirement debt over a period of years and provide Social Security benefits to members. The plans also would provide for the enactment of a State Foundation System which would recognize past service and be integrated with Social Security. The combined benefits available under these plans would, in most cases, provide benefits that are substantially greater than those now provided by the existing retirement system. The question to be decided, therefore, is which plan to adopt. Which plan would be most equitable both from the standpoint of the contributing member and the taxpaying public?

It is my recommendation that the so-called 100 per cent plan rather than the 70 per cent plan be adopted by the Legislature. The differences between the two plans are in the service retirement benefits allowed and the contribution rate required. There are greater retirement benefits obtainable under the 70 per cent plan, but its costs to the members and the taxpayers are also greater. The 100 per cent plan provides a combined maximum benefit after 40 years service of \$171.43. I suggest that members of the Legislature compare their own future retirement benefits, if any, with this figure. The 100

per cent plan also would provide for an earlier liquidation of the accumulated retirement debt and at a lower contribution rate than the more costly plan. Its overall advantages, particularly from the public standpoint, are obvious.

The injection of local retirement into the foregoing comparisons presents a distortion that should not be considered by the Legislature. The support of the local systems is not an obligation of the State, even though the State has been contributing to them. Either of the two proposed retirement plans would permit an orderly termination of the three local systems, which are financially unsound. The plans also would meet other criteria of a sound and sensible retirement system. The future of local retirement systems after they are terminated should be determined by local boards.

Now to reiterate, it is my recommendation that the Legislature enact the 100 per cent retirement plan, which can be done by making a few simple amendments to the Legislative Council's proposal. It should be observed that the precedent of the action taken on Teachers' Retirement will serve as a guide to future programs. The costs involved as they might apply at a later date to other public employee groups seeking retirement benefits should be weighed most carefully.

4-F. DISTRICT TAX LEVIES: The Legislative Council has devised a new method of establishing the uniform school levy in the districts to support the basic school program. The uniform levy under the old law was determined by the levy required in the wealthiest district to finance the basic or minimum school program in that district. The new plan proposes a ten mill local levy for a \$3450 per unit program graduated up to a 12 mill local levy for a \$4050 program. This plan provides that any tax yield in excess of the minimum program for any district would revert to the Uniform School Fund for distribution to the remaining school districts. I recommend that the legislation to implement this plan as prepared by the Legislative Council be adopted.

5-F. LOCAL TAXING LEEWAY. The Legislative Council has proposed that school districts be permitted to finance a school program up to a maximum of 23½ per cent above the basic program of \$4050 or to apply a local tax levy not to exceed six mills, whichever amount is greater. The bill also would permit a continuing leeway by election of 10 per cent above the basic program. It is my recommendation that the permissive leeway and levy that school boards may use without resorting to an election of taxpayers be reduced from 23½ to 14 per cent and from six mills to four mills, respectively, and that the leeway by election be increased from 10 to 18 per cent.

These changes will provide for a state-supported program up to \$4550 on a current-year basis plus increased transportation, as the Legislative Council recommended. Such a program should be more than adequate for the immediate needs of all districts. Should local boards decide to go beyond the level of the State-supported program, they can do so by submitting their proposal to a vote of their taxpayers. It should be noted that a greater amount

of election leeway is provided in my recommendation than in the Council proposal. I am recommending these amendments to the Council plan in the firm belief that they improve the program and provide greater local responsibility.

6-F. MINIMUM SCHOOL PROGRAM: There are two amendments and one addition to the Legislative Council's proposal for a minimum school program that I recommend be adopted. The addition I propose is a policy statement by the Legislature that further salary adjustments be based on merit. One amendment would be to decrease the State contribution rate for retirement purposes from three and one-half to three per cent in keeping with my recommendation on teacher retirement. The second would alter the definition of the distribution unit as it pertains to kindergartens so as to assist the districts in providing short-term kindergartens.

The ever-increasing demands for more money to support education, the limitations on our ability to pay, and the present high taxes we are carrying are compelling reasons why steps should be taken to eliminate some activities from the education program so the money involved can be applied more effectively. The Public School Survey Commission recommended one such step when it proposed that the State support of the School Lunch Program be withdrawn and the money saved be placed in the Uniform School Fund. It was not the intention of the Commission that the School Lunch Program be discontinued; rather, it recommend that the program be continued—but that it be provided and paid for by local districts and the beneficiaries of it. "Surely free children of pioneer ancestry need not be fed by the Federal and State government," the Commission chairman wrote. The amount of State money involved is slightly more than \$500,000 per year.

It has not been surprising that some school districts, at taxpayer time and at taxpayer expense, have been flooding their patrons with propaganda in support of the School Lunch Program. One district prepared an article stating that the education program now is more than merely training the minds of the children; it also includes building their bodies. This same article refers in disparaging terms to those who believe the State money involved in the School Lunch Program could be used to better advantage in the Uniform School Fund. The article emphasizes the Governor is "against" the School Lunch Program, but neglects to explain that all the Governor has done is to approve the Survey Commission's recommendation and particularly the comments of the chairman.

Here again we reach a decision as to whether we can have our cake and eat it too. There is no question as to some of the beneficial features of a school lunch. The same could be said for a school breakfast or dinner, a school dormitory, a school "clothe the child" program, and so forth. What needs to be asked, when the other costs of the education program continue to mount is can we afford the school lunch. Can we justify asking our overburdened taxpayers to dig up more funds for other school costs while we continue to use State money to finance the School Lunch Program? The

Public School Survey Commission did not think so and I am in agreement. Like the Commission, I believe the continuance of the program should be left up to the local districts and its beneficiaries and that the money saved should be used to offset other school costs. Accordingly, I am recommending the following two bills for adoption:

7-F. A bill to continue the School Lunch Program in the districts without State appropriation, and

8-F. A bill to remit the liquor tax for school lunches to the Uniform School Fund.

The impact on the districts of the withdrawal of State support for the School Lunch Program would not be particularly great. One district has concluded that the withdrawal of State support would necessitate either a reduction in the quality of the meal or an increase in the pupil price per meal of four cents. "We should regret to see the quality reduced," a district spokesman has written, "because it is the quality of the meal now which makes it popular." To which I might add, are meals being served because they are popular or because they are necessary? And if it is concluded that they are necessary, why haven't their costs been included in the definition of the minimum school program? The answer is obvious, as is my further comment. We have got to draw the line between the necessary and the desirable in our school program if we are to live within what we can afford.

One other item from the statement of the aforementioned school district is of interest. The figures compiled by the district show that while the actual cost of the school lunch is approximately 32½ cents per meal, a number of "adults" are being served at a charge of only 30 cents per meal. It is not explained in the handout why these "adults," who presumably are employees of the school system, are not required to pay the full cost of the meal or more.

The forecast of further increases in school enrollments makes it certain that costs of the school program will continue to increase in the future. These increases will be automatic in accordance with the provisions of our financing laws. Any increase in enrollment reflects in the unit of distribution on which the allocation of funds is based. It follows, therefore, that unless the wealth of the State keeps pace with the increase in enrollment, the rate of taxation to support the school program will increase by law. As it is now provided, the tax increase would apply primarily against property. The only way the increased levy on property can be postponed or avoided is to provide more money in the Uniform School Fund from other sources. This was done in the regular session when the Legislature appropriated annual amounts of \$4.8 million from sales tax to the Uniform School Fund. These appropriations have served to reduce the property tax in the same amount or, expressed in other terms, by nearly five mills. There is no guarantee, however, that appropriations in this amount can be made in future years. It should be clear in future years that if we are to hold the line on taxes, particularly on property tax,

it will be necessary to dispense with the support of some functions of government. I propose that we take this step effective next June by discontinuing the operation and support of Carbon, Snow, and Dixie colleges. Separate bills to accomplish this have been prepared for each college. It is provided that the Board of Examiners shall be empowered to dispose of the school properties. The property deeds for Snow and Dixie colleges provide that if the property is not used for school purposes, it shall be returned to the original owner, the Church of Jesus Christ of Latter-day Saints. It is possible that the LDS Church would continue to operate these two institutions as church schools, in view of the expanded educational program the church has undertaken. As for Carbon college, it would be my recommendation as a member of the Board of Examiners that the property of the college be transferred to Carbon county school district.

In addition, I recommend that State support for the operation and support of the Central Area and Salt Lake Area Vocational Schools be withdrawn effective next June, and that the properties be made available to the school districts in the respective areas for their use. Vocational education is conducted in all school districts, the costs of which are included in the minimum school program. Should the districts in the Salt Lake and Provo areas find it desirable to combine their resources with necessary tuitions and fees and continue the operation of the area vocational schools, I would have no objection. It does not seem proper to me, however, that vocational education in these two areas should be a state responsibility when the districts in all other areas accept the responsibility as their own.

I realize the sentiment that is attached to all of these schools particularly in the college communities of Price, Ephraim, and St. George. The employees of the schools particularly would oppose any change in the school status. However, they should not have difficulty finding other employment in the school system in view of the complaints of a teacher shortage. There are times when government or a school program must be trimmed to fit what the people can afford. This State is now supporting a university, an agricultural college, five junior colleges, two vocational schools, two schools for the handicapped, a school for youth correction and a school for mental deficients. The elimination of three of the five junior colleges will have the effect of strengthening the remaining institutions while at the same time releasing needed State funds for use elsewhere. A precedent for this action was established in Idaho several years ago when two junior colleges were abolished. Inasmuch as our financial situation, as measured in tax load and ability to pay, is somewhat worse than Idaho's, I feel the necessity of our action is every bit as great as that which motivated our sister state.

There is one final measure I wish to propose and that is a joint resolution to abolish the Constitutional provision for earmarking of funds. The tendency in the past to earmark funds has depleted the general fund to a serious extent and consequently has hampered the preparation of the State budget. If earmarking were abolished and all revenues placed in the general fund, both the Executive and the Legislature could do a better job of budgeting. All departments of government would be assured of an equitable share of State

revenue and, during the periods of emergency, the Legislature could adjust appropriations to provide for the important activities of government at the expense of the lesser functions.

The foregoing constitute my recommendations for the retirement system and the financing of our schools. I have deviated from Legislative Council proposals in some instances and have injected new items into the program where I have felt it necessary. I am certain you are aware of the tremendous importance of these problems. I hope you will weigh all factors involved in reaching final solutions that will do justice both to the taxpayers and the school system.

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

The Joint Committee then escorted Governor Lee to his chamber.

On motion of Representative Peterson, the Joint Convention voted to meet in Joint Convention Monday, December 7, 1953 at 10:00 A.M.

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

AFTERNOON SESSION

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

PRESENTATION OF RESOLUTIONS

S. R. No. 2

By Mr. Watson

A RESOLUTION OF THE SENATE OF THE FIRST SPECIAL SESSION OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH SHOWING APPRECIATION TO VARIOUS PERSONS AND ORGANIZATIONS FOR THE FAVORABLE PUBLICITY RECEIVED BY THE STATE THROUGH THE NATIONAL TELEVISIONING OF THE LAST THANKSGIVING DAY FOOTBALL GAME BETWEEN TWO UTAH UNIVERSITIES, was read the first time.

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

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

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

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

Absent and not voting: Senators Adams, Gibson, Hammond and Openshaw.

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

INTRODUCTION OF BILLS

S. B. No. 22

By Messrs. Mabey, Hopkin, Day
and Clegg

AN ACT REPEALING CHAPTER 29 OF TITLE 53, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW CHAPTER 29 OF TITLE 53 RELATING TO THE UTAH STATE TEACHERS' RETIREMENT SYSTEM, PROVIDING FOR THE EXTENSION OF FEDERAL SOCIAL SECURITY COVERAGE TO PERSONNEL OF THE STATE AND LOCAL EDUCATIONAL SYSTEMS, PROVIDING FOR A NEW RETIREMENT ACT FOR EMPLOYEES OF THE EDUCATIONAL SYSTEMS OF THE STATE AND PROVIDING FOR APPROPRIATIONS, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 23

By Messrs. Mabey, Hopkin, Day
and Clegg

AN ACT REPEALING CHAPTER 28 OF TITLE 53, UTAH CODE ANNOTATED 1953, RELATING TO LOCAL PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS, PROVIDING FOR THE TERMINATION OF EXISTING LOCAL RETIREMENT ASSOCIATIONS, PROVIDING FOR THE EXTENSION OF FEDERAL SOCIAL SECURITY COVERAGE TO MEMBERS OF SAID LOCAL SYSTEMS, PROVIDING FOR THE CONTINUED PAYMENT OF BENEFITS TO PERSONS RETIRED THEREUNDER, AND PROVIDING FOR A TEMPORARY TAX LEVY, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 24

By Messrs. Day, Gibson, Burton,
Cannon and Kerr

AN ACT AMENDING SECTIONS 53-7-2, 53-7-5, UTAH CODE ANNOTATED 1953; ENACTING NEW SECTIONS 53-7-5A AND 53-7-5B, UTAH CODE ANNOTATED 1953, AND AMENDING SECTION 53-7-7, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR DETERMINING COSTS OF THE STATE-SUPPORTED MINIMUM SCHOOL PROGRAM AND FOR DISTRIBUTING THE STATE CONTRIBUTION TOWARD SUCH PROGRAM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 25

By Messrs. Day, Gibson, Hopkin,
Burton, Cannon and Kerr

AN ACT AMENDING SECTION 53-7-8, UTAH CODE ANNOTATED 1953, RELATING TO SCHOOL PROGRAMS IN EXCESS OF THE STATE-SUPPORTED MINIMUM PROGRAM, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 26

By Messrs. Day, Hopkin, Gibson,
Burton, Cannon and Kerr

AN ACT AMENDING SECTIONS 59-9-2 AND 59-9-3, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE SCHOOL DISTRICT TAX LEVIES FOR A STATE-SUPPORTED MINIMUM SCHOOL PROGRAM, BASIC AND SUPPLEMENTAL, was read the first time and referred to the Committee on Revision and Enrolling.

REPORTS OF STANDING COMMITTEES

December 4, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 16*, by Messrs. Day, Hammond and Openshaw, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,

Chairman

Report filed.

S. B. No. 16 was placed on the Second Reading Calendar.

December 4, 1953

Mr. President:

Your Committee on Fish and Game, to which was referred *S. B. No. 17*, by Messrs. Selvin and Mabey, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

VERN B. MUIR,

Chairman

Report filed.

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

December 4, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 18*, by Messrs. Burton and Cannon, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

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

December 4, 1953

Mr. President:

Your Committee on Military Affairs, to which has been referred *S. B. No. 19*, by Messrs. Day, Hammond and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

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

December 4, 1953

Mr. President:

Your Committee on Military Affairs, to which has been referred *S. B. No. 20*, by Messrs. Day, Hammond and Fowles, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

D. E. HAMMOND,
Chairman

Report filed.

S. B. No. 20 was placed on the Second Reading Calendar.

December 4, 1953

Mr. President:

Your Committee on State and Municipal Affairs, to which was referred *S. B. No. 21*, by Mr. Day, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

RENDELL N. MABEY,
Chairman

Report filed.

S. B. No. 21 was placed on the Second Reading Calendar.

December 4, 1953

Mr. President:

Your Committee on Judiciary, to which was referred *S. J. R. No. 2*, by Messrs. Mabey, Kerr and Hopkin, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,

Report filed.

Chairman

S. J. R. No. 2 was placed on the Second Reading Calendar.

December 4, 1953

Mr. President:

Your Committee on Judiciary, to which has been referred *S. J. R. No. 3*, by Messrs. Mabey, Hopkin and Cannon, has carefully considered said bill and reports the same out without recommendation.

Respectfully,

EDWIN B. CANNON,

Report filed.

Chairman

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

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

Under suspension of the rules *S. B. No. 16* was read the second time.

Committee report read and adopted.

On motion of Senator Thorn, the enacting clause of *S. B. No. 16* was struck.

On motion of Senator Gibson, the Senate voted that when it adjourns today, it stands adjourned until Monday, December 7, 1953 at 9:30 A.M.

COMMUNICATIONS FROM THE HOUSE

December 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 13*, by Messrs. Clegg, Hammond and Gibson, entitled:

AN ACT AMENDING SECTION 53-24-1, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR COMPULSORY SCHOOL ATTENDANCE OF MINORS BETWEEN SIX AND EIGHTEEN YEARS OF AGE EXCEPT IN SPECIFIED INSTANCES, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 13 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

December 3, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed under suspension of the rules and upon reconsideration *H. B. No. 11*, by Messrs. Dalebout, Hopkins, Sheffield, W. G. Larson, Rowberry, Poulson, Sanders, Young, Bunderson, W. E. Anderson, Davis, Thomas, E. C. Larsen, C. W. Larsen, and Monson, entitled:

AN ACT PROVIDING FOR A STUDY BY THE LEGISLATIVE COUNCIL OF THE EXTENT TO WHICH RECOMMENDATIONS OF THE SCHOOL SURVEY COMMISSION OF 1951 RELATING TO PERSONNEL APPRAISAL ARE IMPLEMENTED AND CARRIED OUT, FOR THE APPOINTMENT OF A COMMITTEE TO DETERMINE THE PRACTICABILITY OF FORMULATING A PLAN OR PLANS OF MERIT RATING AND INCENTIVE PAY SCHEDULES FOR SCHOOL PERSONNEL, AUTHORIZING THE COMMITTEE TO ENTER INTO COOPERATIVE AGREEMENTS WITH LOCAL BOARDS OF EDUCATION AND WITH INSTITUTIONS OF HIGHER LEARNING FOR THE PURPOSE OF CONDUCTING EXPERIMENTS AND EVALUATIONS THAT ARE DEEMED NECESSARY AND DESIRABLE, FOR THE SUBMISSION OF AN INTERIM REPORT BY THE COMMITTEE OF ITS ACTIVITIES AND CONCLUSIONS TO THE LEGISLATIVE COUNCIL NOT LATER THAN SEPTEMBER 1, 1954, FOR THE SUBMISSION OF A FINAL REPORT TO THE LEGISLATIVE COUNCIL UPON COMPLETION OF THE STUDY, AND FOR THE MAKING OF AN APPROPRIATION OF \$15,000 TO EMPLOY OR RETAIN COMPETENT HELP AND TO PAY THE ACTUAL TRAVEL EXPENSES OF MEMBERS OF THE COMMITTEE, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

H. B. No. 11 was read the first time and, under suspension of the rules, referred to the Second Reading Calendar.

On motion of Senator Woolley, the Senate recessed for fifteen minutes. The Senate re-assembled.

INTRODUCTION OF BILLS

S. B. No. 27

By Mr. Woolley

AN ACT AMENDING SECTION 10 OF CHAPTER 86, LAWS OF UTAH 1953, RELATING TO AN APPROPRIATION TO THE STATE BOARD OF EDUCATION FOR THE SCHOOL BUILDING SURVEY COMMISSION; PROVIDING FOR A TRANSFER OF ONE MILLION DOLLARS (\$1,000,000.00) OUT OF THE FUNDS THUS APPROPRIATED TO THE UNIFORM SCHOOL FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 28

By Mr. Woolley

AN ACT APPROPRIATING THE SUM OF ONE MILLION DOLLARS TO THE UNIFORM SCHOOL FUND FROM THE UNENCUMBERED BALANCE IN THE STATE BOARD OF EDUCATION SCHOOL BUILDING SURVEY COMMISSION APPROPRIATION; PROVIDING FOR THE APPORTIONMENT AND DISTRIBUTION OF SUCH MONEY TO LOCAL BOARDS OF EDUCATION WITHIN THE STATE FOR SALARIES AND OTHER SCHOOL COSTS BASED ON MERIT REQUIREMENTS AND NEED, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 29

By Mr. Muir

AN ACT ABOLISHING CARBON COLLEGE AS A STATE MAINTAINED INSTITUTION; PROVIDING FOR DISPOSITION BY THE BOARD OF EXAMINERS OF REAL AND PERSONAL PROPERTY COMPRISING SAID COLLEGE; AND REPEALING SECTIONS 53-33-14, 53-33-15, 53-33-16, AND 53-33-17, UTAH CODE ANNOTATED 1953, RELATING TO THE ESTABLISHMENT AND OPERATION OF CARBON COLLEGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 30

By Mr. Gibson

AN ACT AMENDING SECTION 53-8-1, UTAH CODE ANNOTATED 1953, PROVIDING THAT THE TAX ON SALE OF WINE AND LIQUORS BE CREDITED TO THE UNIFORM SCHOOL FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 31

By Mr. Stringham

AN ACT ABOLISHING SNOW COLLEGE AS A STATE MAINTAINED INSTITUTION; PROVIDING FOR DISPOSITION BY THE

BOARD OF EXAMNERS OF REAL AND PERSONAL PROPERTY COMPRISING SAID COLLEGE; AND REPEALING SECTIONS 53-33-1, 53-33-2, AND 53-33-3, UTAH CODE ANNOTATED 1953, RELATING TO THE ESTABLISHMENT AND OPERATION OF SNOW COLLEGE, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 32

By Mr. Gibson

AN ACT AMENDING SECTION 53-8-3, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE OPERATION OF A SCHOOL LUNCH PROGRAM BY LOCAL SCHOOL DISTRICTS; PROVIDING FOR A STATE ADMINISTRATIVE AGENCY, AND REPEALING SECTIONS 53-8-2, 53-8-4 AND 53-8-5, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 33

By Mr. Muir

AN ACT ABOLISHING DIXIE JUNIOR COLLEGE AS A STATE MAINTAINED INSTITUTION; PROVIDING FOR DISPOSITION BY THE BOARD OF EXAMINERS OF REAL AND PERSONAL PROPERTY COMPRISING SAID COLLEGE; AND REPEALING SECTIONS 53-33-11, 53-33-12, AND 3-33-13, UTAH CODE ANNOTATED 1953, RELATING TO THE ESTABLISHMENT AND OPERATION OF DIXIE JUNIOR COLLEGE, was read the first time and referred to the Committee on Revision and Enrolling.

SPECIAL ORDER

On motion of Senator Gibson S. B. No. 8 was made a special order of business for Monday, December 7, 1953 at 3:00 P.M.

On motion of Senator Thorn, a call of the Senate was made.

On motion of Senator Fowles, after the report from the Sergeant-at-arms, the call of the Senate was lifted.

CONSIDERATION OF BILLS ON SECOND READING

Under suspension of the rules, S. B. No. 18 was read the second time. Committee report read and adopted.

S. B. No. 18 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Kerr, Mabey, Muir, Openshaw, Stringham, Thorn, Tietjen and Woolley.

Absent and not voting: Senators Adams, Burton, Cannon, Jenkins, Paxton, Selvin, Tippetts and Watson.

Under suspension of the rules, *S. B. No. 21* was read the second time. Committee report read and adopted.

S. B. No. 21 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Stringham and Tietjen.

Voting in the negative was Senator Watson.

Absent and not voting: Senators Adams, Burton, Cannon, Gibson, Paxton, Selvin, Thorn, Tippetts and Woolley.

Under suspension of the rules, *S. B. No. 17* was read the second time. Committee report read and adopted.

S. B. No. 17 was placed on the Third Reading Calendar on the following roll call:

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

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

Absent and not voting: Senators Adams, Burton, Cannon, Gibson, Jenkins, Thorn, Tippetts and Woolley.

COMMUNICATIONS FROM THE GOVERNOR

December 4, 1953

Honorable Mark Paxton, President
Members of the Senate

Dear Mr. President and Members of the Senate:

I am adding to the agenda of this special session the following proposal for which legislation has been prepared:

Resolution on Public Lands. I recommend that a concurrent resolution be enacted memorializing the President and Congress of the United States of America to pass legislation recognizing State title to certain assigned school land, assigning leasing funds derived from such lands in escrow, and providing funds for a modified survey of unsurveyed lands.

Sincerely yours,

J. BRACKEN LEE,

Communication filed.

Governor

December 4, 1953

Honorable Mark Paxton, President
Members of the Senate

Dear Mr. President and Members of the Senate:

In view of the error that occurred in typing the quotation from a Deseret News editorial that I used in my opening message, I have had the editorial reproduced in its entirety for distribution to the Legislature. The editorial suggested the payment of a dependency salary differential as a means of meeting the chief agitation for more pay for school teachers. The suggestion is one of considerable merit but school administrators have been just as reluctant in implementing its provisions as they have been in adopting a merit system.

A 1951 Utah Foundation study contained comments relating to dependency difficulties as they affect male teachers which are worth repeating. The comments are as follows:

Concern has been expressed over the inability of school districts to retain competent male teachers. Under present salary schedules, women teachers receive the same salary as men. Two districts make special allowances for teachers having dependents, and at least two districts pay veterans an additional allowance over the base salary. Some other districts are reported to be including allowances for veterans in their 1951-52 salary schedules.

The present policy of paying women teachers the same as men recognizes the principle of equal pay for equal work, but encounters a rather serious economic obstacle. Many occupations are competing with the teaching field for college-trained men, while relatively few occupations are competing with teaching for college-trained women. In other fields, supply and demand factors determine salary policies. School administrators recognize that it would be highly desirable to increase the ratio of men to women in teaching. However as long as teaching salary schedules fail to recognize the economic facts of the present competitive position of men compared with women in teaching and in other occupations, it will be difficult to attract a larger proportion of men to the teaching profession.

Sincerely yours,

J. BRAOKEN LEE,

Communication filed.

Governor of Utah

PRESENTATION OF RESOLUTIONS

S. C. R. No. 2

By Messrs. Mabey and Day

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO PASS LEGISLATION RECOGNIZING AND CONFIRMING STATE TITLE TO CERTAIN ASSIGNED SCHOOL LAND AND ASSIGNING LEASING FUNDS DERIVED FROM SUCH LANDS IN ESCROW, AND PROVIDING FOR FUNDS FOR A MODIFIED SURVEY AND RECOMMENDATION FOR A MODIFIED SURVEY, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Day, the Senate adjourned.

SEVENTH DAY

MORNING SESSION

December 7, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

December 7, 1953

Mr. President:

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

Respectfully,

H. ROLAND TIETJEN,

Report adopted and filed.

Chairman

COMMUNICATIONS FROM THE HOUSE

December 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this this day passed, under suspension of the rules, as amended by the House, S. B. No. 14, by Messrs. Mabey, Hammond, Tippetts, Clegg and Selvin, entitled:

AN ACT TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL CAUSE ALL MOTOR VEHICLES OPERATED BY SCHOOL DISTRICTS TO BE INSPECTED AT LEAST TWICE A YEAR AND TO BAR FROM THE PUBLIC HIGHWAYS SUCH VEHICLES FOUND TO HAVE MECHANICAL DEFECTS ENDANGERING SAFETY OF PASSENGERS AND THE PUBLIC UNTIL SUCH DEFECTS HAVE BEEN REMEDIED, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

On motion of Senator Tietjen, the Senate voted to concur with the House amendments of *S. B. No. 14* on the following roll call:

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

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

Absent and not voting: Senators Fowles, Gibson, Hopkin, Kerr, Muir, Openshaw and Watson.

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

December 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 3*, by Messrs. W. G. Larson, Hopkins, Sheffield, Dalebout, Durham, Rowberry, Poulson, Sanders, G. D. Taylor, W. E. Anderson, H. V. Davis, Thomas, L. B. Johnson, R. C. Anderson, C. W. Larsen, J. H. Johnson, Monson, and Dunn, entitled:

AN ACT AMENDING SECTION 53-19-1, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ESTABLISHMENT OF KINDERGARTENS, THEIR FINANCING AND THE QUALIFICATIONS OF THE TEACHERS THEREOF, AND REPEALING SECTION 53-19-2, UTAH CODE ANNOTATED 1953, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 3 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 12*, by Messrs. Rowberry, W. G. Larson, Dalebout, Durham, Poulson, W. E. Anderson, H. V. Davis, Thomas, E. C. Larsen, L. B. Johnson, C. W. Larsen, J. H. Johnson, Monson, and Dunn, entitled:

AN ACT PROVIDING THAT BOARDS OF EDUCATION OF LOCAL SCHOOL DISTRICTS MAY ENTER INTO WRITTEN CONTRACTS FOR THE EMPLOYMENT OF PERSONNEL FOR TERMS OF NOT MORE THAN FIVE YEARS ON CONDITION THAT SUCH CONTRACTS SHALL NOT RESTRICT THE POWER OF LOCAL BOARDS TO TERMINATE SUCH CONTRACTS FOR CAUSE AT ANY TIME, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 12 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

INTRODUCTION OF BILLS

S. B. No. 34

By Mr. Woolley

AN ACT WITHDRAWING STATE SUPPORT AND APPROPRIATIONS FROM THE METROPOLITAN OR SALT LAKE AREA VOCATIONAL SCHOOL AND THE CENTRAL UTAH VOCATIONAL SCHOOL; PROVIDING THAT THE BOARD OF EXAMINERS MAY PERMIT AND SUPERVISE THE USE OF THE PROPERTY OF SAID SCHOOLS BY LOCAL SCHOOL BOARDS IN THE RESPECTIVE AREAS THEREOF; AMENDING CHAPTER 53-16-18 AND REPEALING SECTIONS 53-16-14, 53-16-15 AND 53-16-17, UTAH CODE ANNOTATED 1953, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Day, the Senate voted to recess to proceed to the House chambers to meet in Joint Convention and re-assemble at 2:00 P.M.

JOINT CONVENTION

The Joint Convention was called to order by the President of the Senate.

On motion of Representative W. E. Anderson, the Senate and the House resolved itself into a Committee of the Whole.

Dr. Ernest V. Hollis, Chief of College Education, United States Department of Education, appeared before the Committee of the Whole.

Mr. Lewis H. Lloyd appeared before the Committee of the Whole to discuss the "Teacher Retirement Plan."

Mr. Walter Green, consulting actuary, appeared before the Committee of the Whole.

On motion of Senator Gibson, the Senate and the House voted to reconvene in Joint Convention at 2:15 P.M.

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

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE GOVERNOR

December 7, 1953

Honorable Mark Paxton, President
Members of the Senate

Dear Mr. President and Members of the Senate:

My message to the Legislature on retirement and finance stated that the annual salary of Utah teachers presently was "over \$3490." I also pointed out that this salary was about equal to the national average but somewhat below the western states' average.

The information on which the above statements were made is not as recent as that compiled by the State Department of Public Instruction in a pamphlet entitled, STATUS OF TEACHER PERSONNEL IN UTAH, 1952-53. Table L of this pamphlet lists the estimated average salaries paid teachers, principals, and supervisors in all 48 states, the listing being based on information supplied by the U. S. Office of Education and NEA estimates.

I have prepared an extract from Table L of this pamphlet, copies of which are attached, showing the estimated average salaries in the western states only. It will be noted that the Rocky Mountain States' average salary is \$3451, the national average \$3530, the Utah average \$3546, and the eleven western states' average \$3625.

The averages have been computed and estimated for the 1952-53 school year. There is no question but that salary increases have been made this year in every state, including Utah, so that current averages would be higher than those listed.

Sincerely yours,

J. BRACKEN LEE,

Communication filed.

Governor

EXTRACT FROM TABLE L, PAGE 60,
STATUS OF TEACHER PERSONNEL IN UTAH, 1952-53,

PUBLISHED BY UTAH STATE DEPARTMENT
OF PUBLIC INSTRUCTION

ESTIMATED AVERAGE SALARIES PAID TEACHERS, PRINCIPALS,
AND SUPERVISORS, ALL STATES AND U.S.
1952-53 PER CENT VARIOUS STATES ARE OF U.S. AVERAGE

STATE	1952-53	1952-53 STATE PER CENTS OF U.S. AVERAGE
Continental U.S.	\$3530	100.0
Arizona	3900	110.2
California	4600	130.3
Colorado	3500	99.1
Idaho	2845	80.6
Montana	3309	93.7
Nevada	3600	102.0
New Mexico	3560	100.8
Oregon	3825	108.3
Utah	3546	100.5
Washington	3850	109.0
Wyoming	3350	94.9

Source: U. S. Office of Education, and NEA estimates

The above tabulation is confined to Western States only, although the table includes all States.

The Western States' average salary, including the Pacific Coast States, is \$3625.

The Rocky Mountain States' average salary, excluding the Pacific Coast States, is \$3451.

It will be noted that the Utah average salary is above both the national average and the Rocky Mountain States' average.

COMMUNICATIONS FROM THE HOUSE

December 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to *S. B. No. 2* by Messrs. Kerr, Thorn, Hafen, Tietjen, Woolley, and Selvin, entitled:

AN ACT AMENDING SECTIONS 53-14-1 AND 53-14-2, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT OF LAY MEMBERS AND THE APPOINTMENT OF LOCAL SCHOOL DISTRICT SUPERINTENDENTS, TO THE COURSE OF STUDY COMMITTEE, THEIR TERMS OF OFFICE, TIMES OF MEETING, RESPONSIBILITIES AND COMPENSATION, and has appointed a conference committee consisting of Representatives W. E. Anderson, Durham and E. C. Larsen to act with a like committee from the Senate on this bill.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

President Paxton appointed a Conference Committee consisting of Senators Tietjen, Kerr and Gibson to act with a like Committee from the House to confer on *S. B. No. 2*.

December 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to *S. B. No. 5*, by Messrs. Thorn, Hafen, Clegg and Hammond, entitled:

AN ACT TO REQUIRE THE STATE TAX COMMISSION IN CO-OPERATION WITH COUNTY ASSESSORS TO MAKE A COMPLETE VALUATION OF ALL TAXABLE PROPERTY IN EACH COUNTY AT LEAST ONCE EVERY TEN YEARS, and has appointed a conference committee consisting of Representatives C. E. Peterson, Young and Grover to act with a like committee from the Senate on this bill.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

President Paxton appointed a Conference Committee consisting of Senators Thorn, Hafen and Hopkin to act with a like Committee from the House to confer on *S. B. No. 5*.

December 4, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and House, S. B. No. 7, by Messrs. Tippetts and Gibson, entitled:

AN ACT PROVIDING FOR THE REGISTRATION OF PRIVATE SCHOOLS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Tippetts, the Senate voted to concur with the House amendments to S. B. No. 7 on the following roll call:

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

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

Absent and not voting: Senators Hafen, Hopkin, Mabey, Openshaw and Woolley.

S. B. No. 7 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

December 7, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred S. R. No. 2, by Mr. Watson, entitled:

A RESOLUTION OF THE SENATE OF THE FIRST SPECIAL SESSION OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH SHOWING APPRECIATION TO VARIOUS PERSONS AND ORGANIZATIONS FOR THE FAVORABLE PUBLICITY RECEIVED BY THE STATE THROUGH THE NATIONAL TELEVISIONING OF THE LAST THANKSGIVING DAY FOOTBALL GAME BETWEEN TWO UTAH UNIVERSITIES, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Communication filed.

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

December 7, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

S. C. R. No. 2 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 7, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

S. B. No. 22 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 7, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

S. B. No. 23 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 7, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 24 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 7, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 25 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 7, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 26*, by Messrs. Day, Hopkin, Gibson, Burton, Cannon and Kerr, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 26 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 7, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,

Report filed.

Chairman

S. B. No. 27 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 7, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 28*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Report filed.

Chairman

S. B. No. 28 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 7, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 29*, by Mr. Muir, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Report filed.

Chairman

S. B. No. 29 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 7, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 30*, by Mr. Gibson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Report filed.

Chairman

S. B. No. 30 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 7, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 31*, by Mr. Stringham, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

Report filed.

A. I. TIPPETTS,
Chairman

S. B. No. 31 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 7, 1953

Mr. President:

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

Respectfully,

Report filed.

A. I. TIPPETTS,
Chairman

S. B. No. 32 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 7, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 33*, by Mr. Muir, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

Report filed.

A. I. TIPPETTS,
Chairman

S. B. No. 33 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 7, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 34*, by Mr. Woolley, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 34 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

On motion of Senator Mabey, the Senate voted that when it adjourns today, it stands adjourned until Tuesday, December 8, 1953 at 9:00 A.M.

On motion of Senator Day, the Senate recessed in order to proceed to the House chambers to meet in Joint Convention.

JOINT CONVENTION

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

Mr. Lewis H. Lloyd, Director of the Legislative Council, appeared before the Committee of the Whole.

On motion of Representative W. E. Anderson, the Committee of the Whole and the Joint Convention were dissolved.

The Senate re-assembled.

REPORTS OF STANDING COMMITTEES

December 4, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 1*, by Messrs. Kerr, Thorn, Tietjen, Hafen, Woolley and Selvin, entitled:

AN ACT AMENDING SECTIONS 53-13-2, 53-13-3, 53-13-10 AND REPEALING SECTION 53-13-11, UTAH CODE ANNOTATED 1953, RELATING TO THE STATE TEXTBOOK COMMISSION, DEFINING THE DUTIES OF THE COMMISSIONERS AND OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION WITH RESPECT THERETO, OUTLINING THE PROCEDURE TO BE FOLLOWED IN THE ADOP-

TION OF TEXTBOOKS AND MAKING IT A MISDEMEANOR FOR A MEMBER OF THE BOARD OF EDUCATION TO REFUSE OR NEGLECT TO ENFORCE THE USE OF TEXTBOOKS ADOPTED BY THE COMMISSION, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 7, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 6*, by Messrs. Gibson and Mabey, entitled:

AN ACT AMENDING SECTIONS 53-2-3, 53-2-4, 53-2-5 AND 53-2-7, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR THE HOLDING OF REGIONAL CONVENTIONS AND FOR THE FILING OF PETITIONS FOR THE PURPOSE OF NOMINATING CANDIDATES FOR MEMBERSHIP IN THE STATE BOARD OF EDUCATION, FOR THE PROCEDURE TO BE FOLLOWED IN ELECTING SAID MEMBERS, LISTING THE DUTIES OF THE SECRETARY OF STATE AND OF COUNTY CLERKS WITH RESPECT TO SAID NOMINATIONS AND ELECTIONS, PROVIDING FOR THE CANVASING OF THE RETURNS OF SAID ELECTIONS BY THE BOARD OF COUNTY COMMISSIONERS, AND THE SECRETARY OF STATE AND SETTING FORTH THE PROCEDURE TO BE FOLLOWED IN FILLING VACANCIES OF SCHOOL BOARD MEMBERS BY CONVENTIONS CALLED FOR THAT PURPOSE BY THE CHAIRMAN OF THE STATE BOARD OF EDUCATION, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 4, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 9*, by Messrs. Mabey and Clegg, entitled:

AN ACT AMENDING SECTION 53-5-4, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE FILLING OF VACANCIES ON BOARDS OF EDUCATION OF LOCAL SCHOOL DISTRICTS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 9 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

December 7, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 13*, by Messrs. Clegg, Hammond and Gibson, entitled:

AN ACT AMENDING SECTION 53-24-1, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR COMPULSORY SCHOOL ATTENDANCE OF MINORS BETWEEN SIX AND EIGHTEEN YEARS OF AGE EXCEPT IN SPECIFIED INSTANCES, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 13 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

On motion of Senator Kerr, the Senate voted to now consider *S. B. No. 18*.

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 18 was read the third time and placed on its final passage.

On motion of Senator Gibson, *S. B. No. 18* was amended as follows:

Page 1, line 5, after the word "state" insert the words "general fund"; then insert a period following the word "fund" and strike remainder of line 5, all of lines 6, 7, 8, 9, 10, 11, 12 and 13.

On motion of Senator Gibson, the title of *S. B. No. 18* was amended to conform with the body of the bill as follows:

Line 5, after the word "THEREFOR" insert a period and strike the words ", AND ESTABLISHING A FUND".

S. B. No. 18 then passed on the following roll call:

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

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

Absent and not voting: Senators Mabey, Thorn and Woolley.

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

SPECIAL ORDER

S. B. No. 8, being a special order of business, was before the Senate.

On motion of Senator Gibson, *S. B. No. 8* was amended as follows:

Delete all of the body and the title of *S. B. No. 8* and insert in lieu thereof the following:

"AN ACT PROVIDING FOR THE ELECTION OF MEMBERS OF LOCAL BOARDS OF EDUCATION ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER; FIXING TERMS OF OFFICE; PROVIDING JURISDICTION BY COUNTY COMMISSIONERS, AND REPEALING SECTIONS 53-5-1, 53-5-2, 53-5-3, 53-5-5 AND 53-5-6, UTAH CODE ANNOTATED 1953.

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

Section 1. Elections to fill vacancies occurring on local boards of education shall be held on the first Tuesday after the first Monday of November of the years as hereinafter provided. Said elections shall be conducted as a part of general or other elections, including municipal elections, held on the same day, and with the same qualifications, procedures, judges, and polling places, but with separate non-partisan ballots or combined with other non-partisan ballots. When no other election is to be held in a particular precinct or municipal ward, the board of county commissioners may consolidate polling places provided there must be at least one voting place in each school representative precinct and municipal ward.

On the first Tuesday after the first Monday of November of the year hereinafter designated there shall be elected in all county school districts, members of the board of education from school representative precincts in the years and for the terms designated in the following schedule:

<i>Representative Precinct Number</i>	<i>Year</i>	<i>Terms</i>
2	1954	4 years
3	1955	3 years
4	1956	4 years
5	1957	3 years
1	1958	4 years

On the first Tuesday after the first Monday of November, next preceding the expiration of each of the above mentioned terms and each four year term thereafter, there shall be elected for a term of four years, one member of the board of education from each school representative precinct in which the term of a member expires.

There shall be elected in cities of the first class on the first Tuesday after the first Monday in November of each even numbered year one member of the board of education from each municipal ward, for a term of four years; provided, that in the creation of a new municipal ward in any city of the first class there shall be elected at the next ensuing election of school board members two additional members of the board of education representing such newly created ward, one of whom shall be elected for a term of four years and the other for a term of two years.

On the first Tuesday after the first Monday of November of the year hereinafter designated there shall be elected in cities of the second class, members of the board of education from municipal wards in the years and for the terms designated in the following schedule:

<i>Municipal Ward Number</i>	<i>Year</i>	<i>Term</i>
3	1954	4 years
4	1955	3 years
5	1956	4 years
1	1957	3 years
2	1958	4 years

On the first Tuesday after the first Monday of November, next preceding the expiration of each of the above mentioned terms and each four year term thereafter, there shall be elected for a term of four years, one member of the board of education from each school representative precinct in which the term of a member expires.

Section 2. Nominations in writing must be filed with the clerk of the board of county commissioners by a candidate, or by at least five citizens on behalf of a candidate, not less than thirty days preceding the day of election. Appointment of judges, except where combined with municipal elections, shall be made by the board of county commissioners prior to the day of election. The board of county commissioners shall furnish to the judges of election at every polling place a sufficient number of official ballots and other supplies for local school board election purposes. Said board shall pay all lawful and necessary expenses of election except where combined with municipal elections. The board of county commissioners shall exercise all such powers relative to elections of local boards of education as are conferred by law for other elections so far as conformable with this chapter. In cases where elections are combined with municipal elections the returns for local school board elections shall be filed with the board of county commissioners by the judges of election.

Section 3. Sections 53-5-1, 53-5-2, 53-5-3, 53-5-5 and 53-5-6, Utah Code Annotated 1953, are hereby repealed."

On motion of Senator Gibson, *S. B. No. 8* was made a special order of business for Tuesday, December 8, 1953 at 11:00 A.M.

REPORTS OF STANDING COMMITTEES

December 7, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 7*, by Messrs. Tippetts and Gibson, entitled:

AN ACT PROVIDING FOR THE REGISTRATION OF PRIVATE SCHOOLS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 7 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

December 7, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 14*, by Messrs. Mabey, Hammond, Tippetts, Clegg and Selvin, entitled:

AN ACT TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL CAUSE ALL MOTOR VEHICLES OPERATED BY SCHOOL DISTRICTS TO BE INSPECTED AT LEAST TWICE A YEAR AND TO BAR FROM THE PUBLIC HIGHWAYS SUCH VEHICLES FOUND TO HAVE MECHANICAL DEFECTS ENDANGERING SAFETY OF PASSENGERS AND THE PUBLIC UNTIL SUCH DEFECTS HAVE BEEN REMEDIED, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 14 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

President Paxton recognized former Senators, Mrs. A. C. Jensen and Mr. Ward C. Holbrook.

On motion of Senator Fowles, the Senate adjourned.

EIGHTH DAY

MORNING SESSION

December 8, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

December 8, 1953

Mr. President:

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

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. C. R. No. 1*, by Messrs. Woolley and Tietjen, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO REDUCE FEDERAL TAXES AND LESSEN THE DRAIN OF MONEY FROM THIS AND OTHER STATES INTO THE FEDERAL TREASURY, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

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

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 1*, by Messrs. Kerr, Thorn, Tietjen, Hafen, Woolley, and Selvin, entitled:

AN ACT AMENDING SECTIONS 53-13-2, 53-13-3, 53-13-10 AND REPEALING SECTION 53-13-11, UTAH CODE ANNOTATED 1953, RELATING TO THE STATE TEXTBOOK COMMISSION, DEFINING THE DUTIES OF THE COMMISSIONERS AND OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION WITH RESPECT THERETO, OUTLINING THE PROCEDURE TO BE FOLLOWED IN THE ADOPTION OF TEXT BOOKS AND MAKING IT A MISDEMEANOR FOR A MEMBER OF THE BOARD OF EDUCATION TO REFUSE OR NEGLECT TO ENFORCE THE USE OF TEXTBOOKS ADOPTED BY THE COMMISSION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

S. B. No. 1 was transmitted to the Governor.

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 6*, by Messrs. Gibson and Mabey, entitled:

AN ACT AMENDING SECTIONS 53-2-3, 53-2-4, 53-2-5 AND 53-2-7, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR THE HOLDING OF REGIONAL CONVENTIONS AND FOR THE FILING OF PETITIONS FOR THE PURPOSE OF NOMINATING CANDIDATES FOR MEMBERSHIP IN THE STATE BOARD OF EDUCATION, FOR THE PROCEDURE TO BE FOLLOWED IN ELECTING SAID MEMBERS, LISTING THE DUTIES OF THE SECRETARY OF STATE AND OF COUNTY CLERKS WITH RESPECT TO SAID NOMINATIONS AND ELECTIONS, PROVIDING FOR THE CANVASSING OF THE RETURNS OF SAID ELECTIONS BY THE BOARD OF COUNTY COMMISSIONERS, AND THE SECRETARY OF STATE AND SETTING FORTH THE PROCEDURE TO BE FOLLOWED IN FILLING VACANCIES OF SCHOOL BOARD MEMBERS BY CONVENTIONS CALLED FOR THAT PURPOSE BY THE CHAIRMAN OF THE STATE BOARD OF EDUCATION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

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

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 7*, by Messrs. Tippetts and Gibson, entitled:

AN ACT PROVIDING FOR THE REGISTRATION OF PRIVATE SCHOOLS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 7 was transmitted to the Governor.

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 9*, by Messrs. Mabey and Clegg, entitled:

AN ACT AMENDING SECTION 53-5-4, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE FILLING OF VACANCIES OF BOARDS OF EDUCATION OF LOCAL SCHOOL DISTRICTS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

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

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 13*, by Messrs. Clegg, Hammond, and Gibson, entitled:

AN ACT AMENDING SECTION 53-24-1, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR COMPULSORY SCHOOL ATTENDANCE OF MINORS BETWEEN SIX AND EIGHTEEN YEARS OF AGE EXCEPT IN SPECIFIED INSTANCES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

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

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 14*, by Messrs. Mabey, Hammond, Tippetts, Clegg, and Selvin, entitled:

AN ACT TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL CAUSE ALL MOTOR VEHICLES OPERATED BY SCHOOL DISTRICTS TO BE INSPECTED AT LEAST TWICE A YEAR AND TO BAR FROM THE PUBLIC HIGHWAYS SUCH VEHICLES FOUND TO HAVE MECHANICAL DEFECTS ENDANGERING SAFETY OF PASSENGERS AND THE PUBLIC UNTIL SUCH DEFECTS HAVE BEEN REMEDIED, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

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

December 7, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, *H. B. No. 17*, by Mr. Wm. E. Anderson, entitled:

AN ACT AMENDING SECTIONS 17-19-16 AND 17-19-17, UTAH CODE ANNOTATED 1953, RELATING TO THE APPORTIONMENT BY THE COUNTY AUDITOR OF THE COST OF COLLECTING TAXES AMONG THE VARIOUS TAXING FUNDS OR DISTRICTS, PROVIDING FOR REIMBURSEMENT TO THE COUNTY OF THOSE COSTS; PROVIDING THAT THE COST OF COLLECTING SUCH TAXES SHALL BE APPORTIONED TO AND BORNE BY THE SEVERAL TAXING FUNDS OR DISTRICTS, INCLUDING SCHOOL DISTRICTS, AND THAT THE SEVERAL TAXING UNITS SHALL REIMBURSE THE COUNTY FOR THE PROPORTIONATE COSTS THEREOF; AND REPEALING SECTION 17-19-18, UTAH CODE ANNOTATED 1953, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

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

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, *H. B. No. 19*, by Messrs. Harrison Conover and C. E. Peterson, entitled:

AN ACT AMENDING SECTION 53-6-15, UTAH CODE ANNOTATED 1953, RELATING TO THE DUTIES OF THE CLERK OF BOARDS OF EDUCATION, REQUIRING THE PUBLICATION OF A STATEMENT OF RECEIPTS AND DISBURSEMENTS OF THE BOARDS; PROVIDING THAT STATEMENT OF ALL BOARDS SHALL SHOW RECIPIENTS OF DISBURSEMENTS, AND PROVIDING THAT THE FAILURE TO PUBLISH SUCH STATEMENT SHALL CONSTITUTE A MISDEMEANOR, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

H. B. No. 19 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

S. J. R. No. 1 was before the Senate.

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

Ayes, 20; Nos, 2; Absent 1.

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

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

Absent and not voting: Senator Jenkins.

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

S. B. No. 21 was read the third time and placed on its final passage.

S. B. No. 21 then passed on the following roll call:

Ayes, 16; Nos, 3; Absent, 4.

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

Those voting in the negative were: Senators Adams, Burton and Watson.

Absent and not voting: Senators Gibson, Hopkin, Jenkins and Tippetts.

S. B. No. 21 was transmitted to the House.

S. B. No. 17 was read the third time and placed on its final passage.

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

Ayes, 16; Nos, 3; Absent, 4.

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

Those voting in the negative were: Senators Adams, Burton and Watson.

Absent and not voting: Senators Gibson, Hopkin, Jenkins and Tippetts.

S. B. No. 17 was transmitted to the House.

On motion of Senator Kerr, *H. B. No. 4* was lifted from the table and the Senate voted to now consider *H. B. No. 4*.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Kerr, *H. B. No. 4* was amended as follows:

Page 1, line 7, strike "October" and insert in lieu thereof "April".

Page 1, line 7, after the word "and" strike "31"; then following the word "and" insert "May 1".

Page 1, line 8, strike "July 31" and insert in lieu thereof "May 1".

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

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

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

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

Absent and not voting: Senators Gibson, Hopkin, Jenkins and Tippetts.

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

On motion of Senator Day, the enacting clause of *S. B. No. 4* was struck.

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

The Senate re-assembled.

SPECIAL ORDER

S. B. No. 8, being a special order of business, was before the Senate.

S. B. No. 8 then passed on the following roll call:

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

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

Those voting in the negative were: Senators Fowles, Jenkins and Watson.

Absent and not voting: Senators Adams and Hafen.

S. B. No. 8 was transmitted to the House.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider *S. B. No. 19*.

CONSIDERATION OF BILLS ON SECOND READING

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

Committee report read and adopted.

On motion of Senator Hopkin, the rules were suspended and *S. B. No. 19* was read the third time and placed on its final passage.

S. B. No. 19 then passed on the following roll call:

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

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

S. B. No. 19 was transmitted to the House.

S. B. No. 20 was read the second time.

Committee report read and adopted.

On motion of Senator Day, *S. B. No. 20* was amended as follows:

Page 5, line 19, after the word "and" insert the words "the State of Utah and".

On motion of Senator Thorn, the rules were suspended and *S. B. No. 20* was read the third time and placed on its final passage.

S. B. No. 20 then passed on the following roll call:

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

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

Absent and not voting: Senators Watson and Woolley.

S. B. No. 20 was transmitted to the House.

S. J. R. No. 2 was read the second time.

Committee report read and adopted.

On motion of Senator Mabey, a call of the Senate was made.

On motion of Senator Mabey, after a report from the Sergeant-at-arms, the call of the Senate was lifted.

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

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

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

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

S. J. R. No. 3 was read the second time.

Committee report read and adopted.

S. J. R. No. 3 was placed on the Third Reading Calendar on the following roll call:

Ayes, 17; Nos, 6; Absent, 0.

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

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

On motion of Senator Clegg, the Senate recessed.

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE HOUSE

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, *H. B. No. 23*, by Ralph A. Sheffield, entitled:

AN ACT RELATING TO THE USE OF VOTING MACHINES AT ELECTIONS; PROVIDING FOR THE PROCUREMENT, ADOPTION AND MECHANICAL REQUIREMENTS OF MACHINES; OPERATORS' DUTIES IN TABULATING VOTES AND SUPERVISING OPERATION AND CUSTODY OF MACHINES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

H. B. No. 23 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. B. No. 24*, by Mr. G. Douglas Taylor, entitled:

AN ACT TO REPEAL SEC. 76-47-1, UTAH CODE ANNOTATED 1953, MAKING PRIZE-FIGHTING A FELONY, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

H. B. No. 24 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

Under suspension of the rules, *S. C. R. No. 2* was read the second time.

On motion of Senator Day, 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:

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

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

Absent and not voting: Senators Adams, Kerr, Openshaw and Stringham.

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

S. B. No. 22 was read the second time.

On motion of Senator Mabey, S. B. No. 22 was made a special order of business for Wednesday, December 9, 1953 at 10:30 A.M.

COMMUNICATIONS FROM THE HOUSE

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 4*, by Messrs. W. G. Larson, Hopkins, Sheffield, Dalebout, Durham, Rowberry, Poulson, Sanders, G. D. Taylor, W. E. Anderson, H. V. Davis, Thomas, E. C. Larsen, L. B. Johnson, R. C. Anderson, C. W. Larsen, J. H. Johnson, and Monson, entitled:

AN ACT AMENDING SECTION 53-6-12, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ENUMERATION OF THE SCHOOL POPULATION OF ALL CHILDREN UNDER EIGHTEEN.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 17*, by Messrs. Selvin and Mabey, entitled:

AN ACT ADDING A NEW SECTION TO CHAPTER 7, TITLE 23, UTAH CODE ANNOTATED 1953, ENACTED AS A PART OF CHAPTER 39, LAWS OF UTAH 1953, WHICH SECTION SHALL BE KNOWN AS SECTION 23-7-30, UTAH CODE ANNOTATED 1953, PROVIDING THAT

PERSONS SERVING IN THE UNITED STATES ARMED FORCES ASSIGNED TO DUTY IN UTAH AND MEMBERS OF THE FAMILY OF SUCH PERSONS WHO LIVE IN UTAH MAY PURCHASE LICENSES TO FISH AND TO HUNT GAME ANIMALS AND GAME BIRDS FOR THE SAME FEES AS RESIDENTS OF UTAH, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 17 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 18*, by Messrs. Burton and Cannon, entitled:

AN ACT PROVIDING THAT THE FINANCIAL RESPONSIBILITY DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY SHALL FURNISH COPIES OF TRAFFIC ACCIDENTS REPORTS TO APPLICANTS AND PROVIDING FOR A FEE TO BE COLLECTED THEREFOR, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 18 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 19*, by Messrs. Day, Hammond and Fowles, entitled:

AN ACT AMENDING 39-4-1, UTAH CODE ANNOTATED 1953, RELATING TO THE UTAH STATE GUARD, AND PROVIDING THAT THE GOVERNOR MAY ORGANIZE AND MAINTAIN, UNDER SUCH REGULATIONS AS THE SECRETARY OF WAR OF THE UNITED STATES MAY PRESCRIBE FOR DISCIPLINE IN TRAINING, SUCH

FORCES AS HE DEEMS NECESSARY TO DEFEND THIS STATE, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 19 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, S. B. No. 21, by Mr. Day, entitled:

AN ACT TRANSFERRING TO THE DEPARTMENT OF PUBLIC SAFETY ALL THE POWERS, DUTIES AND FUNCTIONS OF THE BOARD OF MANAGERS AND DIRECTOR OF THE STATE BUREAU OF CRIMINAL IDENTIFICATION CONFERRED UPON OR REQUIRED OF SUCH BOARD AND DIRECTOR BY EXISTING LAW RELATING TO SUCH MATTERS AND TRANSFERRING TO THE DEPARTMENT OF PUBLIC SAFETY CERTAIN APPROPRIATIONS MADE TO THE BUREAU OF CRIMINAL IDENTIFICATION BY SECTION 14, ITEM 77 OF CHAPTER 136, LAWS OF UTAH 1953; AMENDING SECTION 41-13-4, UTAH CODE ANNOTATED 1953, RELATING TO THE POWERS AND DUTIES OF THE COMMISSIONER OF PUBLIC SAFETY AND AMENDING SECTIONS 77-59-3, 77-59-6, 77-59-7, 77-59-8, 77-59-10, 77-59-12, 77-59-14, 77-59-20, 77-59-21, 77-59-22, 77-59-23, 77-59-25, 77-59-26, AND 77-59-27, UTAH CODE ANNOTATED 1953, RELATING TO POWERS AND DUTIES OF THE BOARD OF MANAGERS OF THE STATE BUREAU OF CRIMINAL IDENTIFICATION AND REPEALING SECTIONS 77-59-1 AND 77-59-2, UTAH CODE ANNOTATED 1953, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Day, the Senate voted to concur with the House amendments of S. B. No. 21 on the following roll call:

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

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

Voting in the negative was Senator Adams.

Absent and not voting: Senator Woolley.

S. B. No. 21 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

INTRODUCTION OF BILLS

S. B. No. 35

By Mr. Watson

AN ACT AMENDING SECTIONS 59-13-3, 59-13-7, UTAH CODE ANNOTATED 1953; RELATING TO THE CORPORATE FRANCHISE TAX, AND PROVIDING FOR AN INCREASE OF SAID TAX TO FOUR PER CENT OF NET INCOME AND REMOVAL OF FEDERAL INCOME TAX PAYMENTS OF ACCRUALS AS ITEMS DEDUCTIBLE FROM GROSS INCOME FOR THE PURPOSE OF COMPUTING TAXABLE NET INCOME, was read the first time and referred to the Committee on Revision and Enrolling.

REPORTS OF STANDING COMMITTEES

December 8, 1953

Mr. President:

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

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO REDUCE FEDERAL TAXES AND LESSEN THE DRAIN OF MONEY FROM THIS AND OTHER STATES INTO THE FEDERAL TREASURY, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

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

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

The Senate re-assembled.

COMMUNICATIONS FROM THE HOUSE

December 8, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 20*, by Messrs. Day, Hammond and Fowles, entitled:

AN ACT AUTHORIZING THE GOVERNOR TO EXECUTE A CIVIL DEFENSE COMPACT WITH WESTERN REGIONAL STATES AND THE TERRITORIES OF ALASKA AND HAWAII, PROVIDING FOR MUTUAL AID AND UTILIZATION OF THE RESOURCES OF THE RESPECTIVE STATES AND TERRITORIES IN MEETING ANY EMERGENCY OR DISASTER FROM ENEMY ATTACK OR OTHER CAUSE, AND PROVIDING THAT DIRECTORS OF CIVIL DEFENSE OF PARTY STATES SHALL CONSTITUTE A COMMITTEE FOR IMPLEMENTATION OF THE COMPACT, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 20 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

December 8, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 35*, by Mr. Watson, with a few minor changes assented to by the author, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Report filed.

Chairman

S. B. No. 35 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

CONSIDERATION OF BILLS ON SECOND READING

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

On motion of Senator Hafen, *H. B. No. 11* was amended as follows:

Page 1, line 5, after the word "formulating" insert the following words: "and if practicable to formulate".

On motion of Senator Hafen, the title of *H. B. No. 11* was amended to conform with the body of the bill as follows:

Line 4, after the word "FORMULATING" insert the words "AND IF PRACTICABLE TO FORMULATE".

On motion of Senator Gibson, the rules were suspended and *H. B. No. 11* was read the third time and placed on its final passage.

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

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

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

Absent and not voting: Senator Hopkin.

H. B. No. 11 was returned to the House.

On motion of Senator Adams, *S. B. No. 11* was tabled.

On motion of Senator Kerr, the Senate adjourned until Wednesday, December 9, 1953 at 9:00 A.M.

NINTH DAY

MORNING SESSION

December 9, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

December 9, 1953

Mr. President:

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

Respectfully,

H. ROLAND TIETJEN,

Chairman

Report adopted and filed.

REPORTS OF STANDING COMMITTEES

December 8, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 17*, by Messrs. Selvin and Mabey, entitled:

AN ACT ADDING A NEW SECTION TO CHAPTER 7, TITLE 23, UTAH CODE ANNOTATED 1953, ENACTED AS A PART OF CHAPTER 39, LAWS OF UTAH 1953, WHICH SECTION SHALL BE KNOWN AS SECTION 23-7-30, UTAH CODE ANNOTATED 1953, PROVIDING THAT PERSONS SERVING IN THE UNITED STATES ARMED FORCES ASSIGNED TO DUTY IN UTAH AND MEMBERS OF THE FAMILY OF SUCH PERSONS WHO LIVE IN UTAH MAY PURCHASE LICENSES TO FISH AND TO HUNT GAME ANIMALS AND GAME BIRDS FOR THE SAME FEES AS RESIDENTS OF UTAH, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,

Chairman

Communication filed.

S. B. No. 17 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

December 9, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 1*, by Messrs. Hopkin, Hafen and Gibson, entitled:

RESOLUTION OF THE UTAH STATE SENATE ON THE OCCASION OF THE 70TH BIRTHDAY OF MRS. NETTIE THORN, has exam-

ined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

INTRODUCTION OF BILLS

S. B. No. 36

By Mr. Fowles

AN ACT APPROPRIATING UP TO \$50,000 FROM THE GENERAL FUND TO THE THIRTIETH LEGISLATURE, FIRST SPECIAL SESSION, TO DEFRAY EXPENSES, was read the first time.

On motion of Senator Fowles, the rules were suspended and *S. B. No. 36* was read the second and third times and placed on its final passage.

S. B. No. 36 then passed on the following roll call:

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

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

Absent and not voting: Senators Adams, Hafen, Jenkins and Openshaw.

S. B. No. 36 was transmitted to the House.

CONSIDERATION OF BILLS ON THIRD READING

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

S. J. R. No. 2 failed on the following roll call:

Ayes, 11; Nos, 8; Absent, 4.

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

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

Absent and not voting: Senators Gibson, Openshaw, Thorn and Woolley.

On motion of Senator Mabey, a call of the Senate was made.

On motion of Senator Clegg, after the report from the Sergeant-at-arms, the call of the Senate was lifted.

S. J. R. No. 3 was read the third time and placed on its final passage.

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

Ayes, 15; Nos, 6; Absent, 2.

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

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

Absent and not voting: Senators Fowles and Openshaw.

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

CONSIDERATION OF BILLS ON SECOND READING

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

On motion of Senator Mabey, *S. B. No. 23* was made a special order of business for 10:30 A.M.

On motion of Senator Gibson, the rules were suspended and the Senate voted to now consider *S. B. No. 27*.

S. B. No. 27 was read the second time.

On motion of Senator Woolley, the rules were suspended and the Senate voted to now consider *S. B. No. 29*.

S. B. No. 29 was read the second time.

On motion of Senator Mabey, *S. B. No. 29* was tabled.

On motion of Senator Gibson, the Senate recessed.

The Senate re-assembled.

On motion of Senator Day, the Senate voted to re-consider its action on *S. J. R. No. 2*, and under suspension of the rules to now consider *S. J. R. No. 2*.

S. J. R. No. 2, on re-consideration, then passed on the following roll call:

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

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

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

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

SPECIAL ORDER

S. B. No. 22, being a special order of business, was before the Senate.

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

Mr. Lewis H. Lloyd, Director of the Legislative Council, appeared before the Committee of the Whole.

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

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

AFTERNOON SESSION

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

INTRODUCTION OF BILLS

S. B. No. 37 By Messrs. Mabey, Thorn, Selvin and Muir

AN ACT PROVIDING PUBLIC ASSISTANCE TO NEEDY RETIRED EMPLOYEES OF THE EDUCATIONAL SYSTEMS OF THE STATE AND PROVIDING FOR AN APPROPRIATION, was read the first time and referred to the Committee on Revision and Enrolling.

COMMUNICATIONS FROM THE HOUSE

December 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 7th day of December, 1953, approve and transmit to the Secretary of

State, *H. B. No. 3*, by Messrs. W. G. Larson, Hopkins, Sheffield, Dalebout, Durham, Rowberry, Poulson, Sanders, G. D. Taylor, W. E. Anderson, H. V. Davis, Thomas, L. B. Johnson, R. C. Anderson, C. W. Larsen, J. H. Johnson, Monson and Dunn, entitled:

AN ACT AMENDING SECTION 53-19-1, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ESTABLISHMENT OF KINDERGARTENS, THEIR FINANCING AND THE QUALIFICATIONS OF THE TEACHERS THEREOF, AND REPEALING SECTION 53-19-2, UTAH CODE ANNOTATED 1953.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

December 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, *S. C. R. No. 2*, by Messrs. Mabey and Day, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO PASS LEGISLATION RECOGNIZING AND CONFIRMING STATE TITLE TO CERTAIN ASSIGNED SCHOOL LAND AND ASSIGNING LEASING FUNDS DERIVED FROM SUCH LANDS IN ESCROW, AND PROVIDING FOR FUNDS FOR A MODIFIED SURVEY AND RECOMMENDATION FOR A MODIFIED SURVEY, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

On motion of Senator Thorn, the Senate voted to concur with the House amendments to *S. C. R. No. 2* on the following roll call:

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

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

Absent and not voting: Senators Adams, Hafen, Kerr, Openshaw and Tippetts.

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

December 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, *S. B. No. 10*, by Messrs. Stringham and Gibson, entitled:

AN ACT PROVIDING FOR THE ALLOCATION AND COLLECTION OF ELECTION COSTS AND EXPENSES INCURRED BY COUNTIES IN THE CONDUCT OF ELECTIONS FOR LOCAL SCHOOL BOARD OF EDUCATION MEMBERS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

On motion of Senator Gibson, the Senate refused to concur in the House amendments to *S. B. No. 10* and asked the House to recede from its amendments.

December 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. C. R. No. 1*, by Messrs. Woolley and Tietjen, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO REDUCE FEDERAL TAXES AND LESSEN THE DRAIN OF MONEY FROM THIS AND OTHER STATES INTO THE FEDERAL TREASURY, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

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

December 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 4*, by Messrs. W. G. Larson, Hopkins, Sheffield, Dalebout, Durham, Rowberry, Poulson, Sanders, G. D. Taylor, W. E. Anderson, H. V. Davis, Thomas, E. C. Larsen, L. B. Johnson, R. C. Anderson, C. W. Larsen, J. H. Johnson, and Monson, entitled:

AN ACT AMENDING SECTION 53-6-12, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ENUMERATION OF THE SCHOOL POPULATION OF ALL CHILDREN UNDER EIGHTEEN, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 4 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 17*, by Messrs. Selvin and Mabey, entitled:

AN ACT ADDING A NEW SECTION TO CHAPTER 7, TITLE 23, UTAH CODE ANNOTATED 1953, ENACTED AS A PART OF CHAPTER 39, LAWS OF UTAH 1953, WHICH SECTION SHALL BE KNOWN AS SECTION 23-7-30, UTAH CODE ANNOTATED 1953, PROVIDING THAT PERSONS SERVING IN THE UNITED STATES ARMED FORCES ASSIGNED TO DUTY IN UTAH AND MEMBERS OF THE FAMILY OF SUCH PERSONS WHO LIVE IN UTAH MAY PURCHASE LICENSES TO FISH AND TO HUNT GAME ANIMALS AND GAME BIRDS FOR THE SAME FEES AS RESIDENTS OF UTAH, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 17 was transmitted to the Governor.

December 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 11*, by Messrs. Dalebout, Hopkins, Sheffield, W. G. Larson, Rowberry, Poulson, Sanders, Young, Bunderson, W. E. Anderson, Davis, Thomas, E. C. Larsen, C. W. Larsen and Monson, entitled:

AN ACT PROVIDING FOR A STUDY BY THE LEGISLATIVE COUNCIL OF THE EXTENT TO WHICH RECOMMENDATIONS OF THE SCHOOL SURVEY COMMISSION OF 1951 RELATING TO PERSONNEL APPRAISAL ARE IMPLEMENTED AND CARRIED OUT, FOR THE APPOINTMENT OF A COMMITTEE TO DETERMINE THE PRACTICABILITY OF FORMULATING AND IF PRACTICABLE FORMU-

LATE A PLAN OR PLANS OF MERIT RATING AND INCENTIVE PAY SCHEDULES FOR SCHOOL PERSONNEL, AUTHORIZING THE COMMITTEE TO ENTER INTO COOPERATIVE AGREEMENTS WITH LOCAL BOARDS OF EDUCATION AND WITH INSTITUTIONS OF HIGHER LEARNING FOR THE PURPOSE OF CONDUCTING EXPERIMENTS AND EVALUATIONS THAT ARE DEEMED NECESSARY AND DESIRABLE, FOR THE SUBMISSION OF AN INTERIM REPORT BY THE COMMITTEE OF ITS ACTIVITIES AND CONCLUSIONS TO THE LEGISLATIVE COUNCIL NOT LATER THAN SEPTEMBER 1, 1954, FOR THE SUBMISSION OF A FINAL REPORT TO THE LEGISLATIVE COUNCIL UPON COMPLETION OF THE STUDY, AND FOR THE MAKING OF AN APPROPRIATION OF \$15,000 TO EMPLOY OR RETAIN COMPETENT HELP AND TO PAY THE ACTUAL TRAVEL EXPENSES OF MEMBERS OF THE COMMITTEE.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

REPORTS OF STANDING COMMITTEES

December 9, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 18*, by Messrs. Burton and Cannon, entitled:

AN ACT PROVIDING THAT THE FINANCIAL RESPONSIBILITY DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY SHALL FURNISH COPIES OF TRAFFIC ACCIDENTS REPORTS TO APPLICANTS AND PROVIDING FOR A FEE TO BE COLLECTED THEREFOR, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

S. B. No. 18 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

December 9, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 19*, by Messrs. Day, Hammond and Fowles, entitled:

AN ACT AMENDING 39-4-1, UTAH CODE ANNOTATED 1953, RELATING TO THE UTAH STATE GUARD, AND PROVIDING THAT THE GOVERNOR MAY ORGANIZE AND MAINTAIN, UNDER SUCH REGULATIONS AS THE SECRETARY OF WAR OF THE UNITED STATES MAY PRESCRIBE FOR DISCIPLINE IN TRAINING, SUCH FORCES AS HE DEEMS NECESSARY TO DEFEND THIS STATE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

S. B. No. 19 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

REPORTS OF SPECIAL COMMITTEES

December 9, 1953

Mr. President:

Mr. Speaker:

We, your Conference Committee, after careful consideration of *S. B. No. 5*, recommends that the House recede from its amendments, thus reinstating the word "five" on line 4 of the body of the bill, and the word "five" on line 4 of the title of the bill.

Respectfully,

GRANT S. THORN,
Chairman Senate

C. E. PETERSEN,
Chairman House

Committee report read and adopted.

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

SPECIAL ORDER

S. B. No. 22, being a special order of business, was before the Senate.

Senator Woolley moved to amend *S. B. No. 22* as follows:

Page 18, line 19, delete the word "four" and insert in lieu thereof "three and one-half".

Page 19, line 7, delete the words "and one half".

Page 24, line 32, delete the word "seventy" and insert in lieu thereof "one hundred."

On motion of Senator Gibson, the Senate voted for a roll call vote on the amendments as proposed by Senator Woolley.

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

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

Those voting in the negative were: Senators Adams, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Selvin, Thorn, Tippetts and Watson.

On motion of Senator Mabey, the rules were suspended and *S. B. No. 22* was read the third time and placed on its final passage.

S. B. No. 22 then passed on the following roll call:

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

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

Voting in the negative was Mr. President.

S. B. No. 22 was transmitted to the House.

S. B. No. 23, being a special order of business, was before the Senate.

On motion of Senator Mabey, the rules were suspended and *S. B. No. 23* was read the third time and placed on its final passage.

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

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

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

Absent and not voting: Senator Adams.

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

COMMUNICATIONS FROM THE HOUSE

December 9, 1953

Mr. President:

I am directed by the House to request your Honorable Body to return to the House *S. B. No. 20*, by Messrs. Day, Hammond and Fowles, entitled:

AN ACT AUTHORIZING THE GOVERNOR TO EXECUTE A CIVIL DEFENSE COMPACT WITH WESTERN REGIONAL STATES AND THE TERRITORIES OF ALASKA AND HAWAII, PROVIDING FOR MUTUAL AID AND UTILIZATION OF THE RESOURCES OF THE RESPECTIVE STATES AND TERRITORIES IN MEETING ANY EMERGENCY OR DISASTER FROM ENEMY ATTACK OR OTHER CAUSE, AND PROVIDING THAT DIRECTORS OF CIVIL DEFENSE OF PARTY STATES SHALL CONSTITUTE A COMMITTEE FOR IMPLEMENTATION OF THE COMPACT, for further consideration by the House.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate voted to accede to the House request.

S. B. No. 20 was transmitted to the House.

On motion of Senator Kerr, the Senate recessed.

The Senate re-assembled.

CONSIDERATION OF BILLS ON SECOND READING

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

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider *S. B. No. 32*.

S. B. No. 32 was read the second time.

On motion of Senator Hopkin, the rules were suspended and *S. B. No. 32* was read the third time and placed on its final passage.

S. B. No. 32 then failed on the following roll call:

Ayes, 6; Nos, 17; Absent, 0.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Day, Gibson and Woolley.

Those voting in the negative were: Senators Clegg, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Mr. President.

S. B. No. 32 was filed.

On motion of Senator Gibson, the enacting clause of S. B. No. 30 was struck.

COMMUNICATIONS FROM THE GOVERNOR

December 9, 1953

Honorable Mark Paxton, President
Members of the Utah State Senate

Dear Mr. President and Members of the Senate:

I have had two meetings with the joint committee of the Legislature which was appointed at my suggestion to consider addition of other proposals to the agenda of this special session. As a result of these meetings, I am adding to the agenda the following proposals, which were approved by the joint committee:

1. COLLEGE OF SOUTHERN UTAH. I recommend that an emergency appropriation of \$70,000 be made to the College of Southern Utah to purchase and install new boilers in the heating plant of this institution. The recommended appropriation would cover the cost of an oil-burning boiler system. I have been advised by officials at the college as well as by the State Building Board that the present boilers not only are in poor condition but are inadequate to provide the additional heat that will be necessary to accommodate new buildings now under construction.

2. STATE OFFICES. I recommend that an appropriation of \$10,000 be made to remodel the second floor of the Salt Lake Vocational school for use as State offices. This building is owned by the State and the space in question is now vacant. There is an overcrowded office condition here in the Capitol, as I am sure you must be aware, and other offices are in rented rooms downtown. The proposed remodeling will not interfere with any of the Vocational School program, but it will provide additional office space for the State which is sorely needed.

3. VALIDATING BOND ISSUES. I recommend legislation to validate municipal and improvement district bond issues voted in the past, the legal sufficiency of which has been questioned because of ambiguities in the statutes under which issuing authorities proceeded. Both municipal corporations and improvement districts have, in several instances, been confronted with this problem. I recommend a validating act be passed to ratify proceedings taken and to validate bonds issued or about to be issued, by each type of issuing authority.

I recommend the enactment of a measure to remove some doubt cast by legal advisers in the bond markets upon voted general obligation bonds of Utah municipalities. This doubt has arisen from the interpretation of a recent Supreme Court decision. I do not recommend any change in existing maximum permissive debt or levies. However, in order to preserve the high credit rating and low interest cost heretofore accorded Utah municipal securities in the Eastern bond markets, I do recommend legislation to remove any doubt as to the power of a municipality to tax for debt service. This would only reaffirm the law as it has existed in Utah since statehood and while, in the opinion of the Attorney General, not changing or increasing any powers of municipalities heretofore granted them, nevertheless removing any doubt as to the validity and security of municipal bonds.

4. **ARTIFICIAL SWEETENERS.** I recommend that our present statutes be amended so as to permit the use of saccharine and other artificial sweeteners in dietary foods. Our law now states that foods containing saccharine and other artificial sweeteners shall be considered adulterated, and a penalty against adulteration is provided. The proposed law would require that dietary foods containing artificial sweeteners be properly labeled and it would permit their sale under regulation of the State Department of Agriculture. An article in the December, 1953, **READER'S DIGEST** entitled, "The New Non-Fattening Sweet," points out the value of artificial sweeteners.

5. **WATER INVESTIGATIONS.** I recommend the additional appropriation of \$25,000 to the Utah Water and Power Board and \$20,000 to the Attorney General to provide for the necessary engineering and legal preparation needed to handle litigation involving Utah's water rights in the Colorado and Virgin rivers.

6. **COLORADO RIVER PROJECT.** I recommend the adoption of a resolution re-affirming the action taken by the Legislature with regard to the Upper Colorado River Basin Project.

Sincerely yours,

J. BRACKEN LEE,

Governor of Utah

Communication filed.

December 9, 1953

Honorable Mark Paxton, President
Members of the Utah Senate

Dear Mr. President and Members of the Senate:

I wish to refer the attention of the Senate to that portion of my message on retirement and finance in which I recommended that the State discontinue its operation and support of three junior colleges—Carbon, Snow, and Dixie. My reasons for making this recommendation were outlined in my message, copies of which were made available to each member of the Legislature. As yet no action has been taken on this recommendation, although bills to implement it have been introduced, and there has been some consideration given to the discontinuance, in like manner, of Weber College.

In this connection it should be recalled that Snow, Dixie, and Weber colleges were conveyed to the State by the Church of Jesus Christ of Latter-day Saints in the early 1930's, on condition that should the State at any time discontinue these colleges, they would revert to the Church. Although the LDS Church has neither directly nor indirectly asked for the return to it of these three colleges, I now understand that should this Legislature discontinue the operation of Dixie, Snow and Weber that the Church will again operate them as a part of its enlarged educational system. I understand further that the Church would be willing to accept these three colleges on condition that if at any time any of them is not used for college purposes that college will revert to the State. This is the same condition under which the State received these schools in the first instance. It was fair to both parties then, when their positions were reversed, and should be fair now.

In this situation and in view of the financial difficulties which the State will face in the future in the operation of its education program, I now desire to enlarge my original recommendation by placing before you the proposal that all of the junior colleges originally obtained from the Church be now returned to the Church. No one will question the high quality and character of Church education. The educational opportunities offered to youth are just as great in this program as they are in the State's. Here then, is an opportunity not only to help solve some of the State's developing financial problems but to continue the operation of these three schools.

In placing this proposal on the agenda of this special session and commending it to you for your earnest consideration, I wish to assure you that appropriate authorities of the LDS Church are willing to confirm the understanding I have conveyed to you.

This new recommendation does not include Carbon College, inasmuch as this institution was never a church school. However, I would not alter my original recommendation with reference to Carbon. State support from this school should still be withdrawn and the property turned over to Carbon county school district.

Sincerely yours,

J. BRACKEN LEE,

Governor of Utah

Communication filed.

INTRODUCTION OF BILLS

S. B. No. 38

By Mr. Hafen

AN ACT APPROPRIATING \$70,000.00 TO THE STATE BUILDING BOARD FOR RENOVATION AND REPAIR OF HEATING FACILITIES AT THE COLLEGE OF SOUTHERN UTAH, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Burton, S. B. Nos. 31 and 33 were tabled.

On motion of Senator Thorn, S. B. No. 34 was tabled.

On motion of Senator Clegg, the Senate adjourned until Thursday, December 10, 1953 at 10:00 A.M.

TENTH DAY

MORNING SESSION

December 10, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

December 10, 1953

Mr. President:

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

Respectfully,

H. ROLAND TIETJEN,

Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

December 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and the House, S. B. No. 8, by Messrs. Woolley, Muir and Mabey, entitled:

AN ACT PROVIDING FOR THE ELECTION OF MEMBERS OF LOCAL BOARDS OF EDUCATION ON THE FIRST TUESDAY AFTER

THE FIRST MONDAY IN NOVEMBER; FIXING TERMS OF OFFICE; PROVIDING JURISDICTION BY COUNTY COMMISSIONERS, AND REPEALING SECTIONS 53-5-1, 53-5-2, 53-5-3, 53-5-5 AND 53-5-6, UTAH CODE ANNOTATED 1953, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

On motion of Senator Woolley, the Senate voted to concur with the House amendments to *S. B. No. 8* on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabe, Muir, Thorn, Tietjen, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Openshaw, Selvin and Stringham.

S. B. No. 8 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

December 9, 1953

Mr. President:

I am directed to inform your Honorable Body that, upon recommendation of the Joint Conference Committee, the House has this day suspended Joint Rule No. 32 in regard to *S. B. No. 2*, by Messrs. Kerr, Thorn, Hafen, Tietjen, Woolley, and Selvin, entitled:

AN ACT AMENDING SECTIONS 53-14-1 AND 53-14-2, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT OF LAY MEMBERS AND THE APPOINTMENT OF LOCAL SCHOOL DISTRICT SUPERINTENDENTS, TO THE COURSE OF STUDY COMMITTEE, THEIR TERMS OF OFFICE, TIMES OF MEETING, RESPONSIBILITIES AND COMPENSATION, for the purpose of submitting new amendments to said bill, and respectfully requests your Honorable Body likewise to suspend Joint Rule No. 32.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate voted to accede to the House request and suspend Joint Rule No. 32 in regard to *S. B. No. 2*.

REPORTS OF SPECIAL COMMITTEES

December 9, 1953

Mr. President:
and
Mr. Speaker:

Your Conference Committee to which was referred *S. B. No. 2*, by Messrs. Kerr, Thorn, Hafen, Tietjen, Woolley and Selvin, begs leave to substitute the attached bill in lieu of the printed bill.

Respectfully,

H. ROLAND TIETJEN,
Chairman

W. E. ANDERSON,
Chairman

Committee report read and adopted.

On motion of Senator Tietjen, the Senate voted to have *S. B. No. 2*, as amended, reprinted.

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

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

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

Absent and not voting: Senators Fowles, Hopkin, Jenkins and Openshaw.

S. B. No. 2 (reprinted) was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

December 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, *H. B. No. 27*, by Messrs. Lee W. Dalebout and Clair R. Hopkins, entitled:

AN ACT AMENDING SECTIONS 53-7-2, 53-7-5, UTAH CODE ANNOTATED 1953; ENACTING NEW SECTIONS 53-7-5A AND 53-7-5B, UTAH CODE ANNOTATED 1953, AND AMENDING SECTION 53-7-7, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR DETERMINING COSTS OF THE STATE-SUPPORTED MINIMUM SCHOOL PROGRAM

AND FOR DISTRIBUTING THE STATE CONTRIBUTION TOWARD SUCH PROGRAM, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 27 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. B. No. 28*, by Messrs. Dalebout and Hopkins, entitled:

AN ACT AMENDING SECTIONS 59-9-2 AND 59-9-3, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE SCHOOL DISTRICT TAX LEVIES FOR A STATE-SUPPORTED MINIMUM SCHOOL PROGRAM, BASIC AND SUPPLEMENTAL, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 28 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. B. No. 29*, by Messrs. Lee W. Dalebout and Clair R. Hopkins, entitled:

AN ACT AMENDING SECTION 53-7-8, UTAH CODE ANNOTATED 1953, RELATING TO SCHOOL PROGRAMS IN EXCESS OF THE STATE-SUPPORTED MINIMUM PROGRAM, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 29 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 9, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed upon reconsideration, under suspension of the rules, as amended by the Senate and House, *S. B. No. 20*, by Messrs. Day, Hammond and Fowles, entitled:

AN ACT AUTHORIZING THE GOVERNOR TO EXECUTE A CIVIL DEFENSE COMPACT WITH WESTERN REGIONAL STATES AND THE TERRITORIES OF ALASKA AND HAWAII, PROVIDING FOR MUTUAL AID AND UTILIZATION OF THE RESOURCES OF THE RESPECTIVE STATES AND TERRITORIES IN MEETING ANY EMERGENCY OR DISASTER FROM ENEMY ATTACK OR OTHER CAUSE, AND PROVIDING THAT DIRECTORS OF CIVIL DEFENSE OF PARTY STATES SHALL CONSTITUTE A COMMITTEE FOR IMPLEMENTATION OF THE COMPACT, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate voted to concur with the House amendments to *S. B. No. 20* on the following roll call:

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

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

Absent and not voting: Senators Hopkin, Jenkins, Openshaw and Tietjen.

S. B. No. 20 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

December 9, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 21*, by Mr. Day, entitled:

AN ACT TRANSFERRING TO THE DEPARTMENT OF PUBLIC SAFETY ALL THE POWERS, DUTIES AND FUNCTIONS OF THE BOARD OF MANAGERS AND DIRECTOR OF THE STATE BUREAU OF CRIMINAL IDENTIFICATION CONFERRED UPON OR REQUIRED OF SUCH BOARD AND DIRECTOR BY EXISTING LAW RELATING TO SUCH MATTERS AND TRANSFERRING TO THE DEPARTMENT OF PUBLIC SAFETY CERTAIN APPROPRIATIONS MADE TO THE

BUREAU OF CRIMINAL IDENTIFICATION BY SECTION 14, ITEM 77 OF CHAPTER 136, LAWS OF UTAH 1953; AMENDING SECTION 41-13-4, UTAH CODE ANNOTATED 1953, RELATING TO THE POWERS AND DUTIES OF THE COMMISSIONER OF PUBLIC SAFETY AND AMENDING SECTIONS 77-59-3, 77-59-6, 77-59-7, 77-59-8, 77-59-10, 77-59-12, 77-59-14, 77-59-20, 77-59-21, 77-59-22, 77-59-23, 77-59-25, 77-59-26, AND 77-59-27, UTAH CODE ANNOTATED 1953, RELATING TO POWERS AND DUTIES OF THE BOARD OF MANAGERS OF THE STATE BUREAU OF CRIMINAL IDENTIFICATION AND REPEALING SECTIONS 77-59-1 AND 77-59-2, UTAH CODE ANNOTATED 1953, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

Report filed.

A. I. TIPPETTS,
Chairman

S. B. No. 21 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

December 10, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred S. C. R. No. 2, by Messrs. Mabey and Day, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO PASS LEGISLATION RECOGNIZING AND CONFIRMING STATE TITLE TO CERTAIN ASSIGNED SCHOOL LAND AND ASSIGNING LEASING FUNDS DERIVED FROM SUCH LANDS IN ESCROW, AND PROVIDING FOR FUNDS FOR A MODIFIED SURVEY AND RECOMMENDATION FOR A MODIFIED SURVEY, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

Report filed.

A. I. TIPPETTS,
Chairman

S. C. R. No. 2 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

December 9, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 37 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 9, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 38 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

PRESENTATION OF RESOLUTIONS

S. C. R. No. 3

By Mr. Stringham

A CONCURRENT RESOLUTION OF THE FIRST SPECIAL SESSION OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN, REAFFIRMING S. J. R. NO. 10 OF THE THIRTIETH LEGISLATURE MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA TO PROCEED WITH THE DEVELOPMENT OF THE COLORADO RIVER IN THE UPPER BASIN STATES BY AUTHORIZING THE COLORADO RIVER STORAGE PROJECT AND PARTICIPATING PROJECTS, was read the first time and referred to the Committee on Revision and Enrolling.

INTRODUCTION OF BILLS

S. B. No. 39

By Mr. Hafen
(by request)

AN ACT DISCONTINUING THE OPERATION OF DIXIE COLLEGE, SNOW COLLEGE AND WEBER COLLEGE AS STATE MAINTAINED INSTITUTIONS; PROVIDING FOR THE TRANSFER OF ALL

REAL AND PERSONAL PROPERTY COMPRISING SAID COLLEGES ON CONDITION THAT THEY BE MAINTAINED AS COLLEGES; AND REPEALING SECTIONS 53-33-1 TO 53-33-7 BOTH INCLUSIVE AND SECTIONS 53-33-11 TO 53-33-12 BOTH INCLUSIVE, UTAH CODE ANNOTATED 1953, AND CHAPTER 85, LAWS OF UTAH 1953, RELATING TO THE ESTABLISHMENT AND OPERATION OF DIXIE, SNOW, AND WEBER COLLEGES, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 40

By Messrs. Burton and Cannon

AN ACT APPROPRIATING \$10,000.00 FROM THE GENERAL FUND TO THE UTAH STATE BUILDING BOARD FOR THE PURPOSE OF ALTERING AND IMPROVING THE AREA VOCATIONAL SCHOOL BUILDING LOCATED AT 431 SOUTH 6TH EAST, SALT LAKE CITY, UTAH, FOR THE PURPOSE OF ADAPTING IT TO THE USE OF STATE OFFICES, was read the first time and referred to the Committee on Revision and Enrolling.

CONSIDERATION OF BILLS ON SECOND READING

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

On motion of Senator Kerr, *H. B. No. 17* was amended as follows:

Page 2, line 18, strike the words "upon approval"; then after the word "effect" insert the words "July 1, 1954."

H. B. No. 17 was placed on the Third Reading Calendar on the following roll call:

Ayes, 19; Nos, 3; Absent, 1.

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

Those voting in the negative were: Senators Adams, Jenkins, and Watson.

Absent and not voting: Senator Thorn.

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

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE GOVERNOR

December 9, 1953

Honorable Mark Paxton, President
Members of the Senate

Dear Mr. President and Members of the Senate:

On December 9 I approved and transmitted to the Secretary of State *Senate Bill No. 9*, by Messrs. Mabey and Clegg, entitled:

AN ACT AMENDING SECTION 53-5-4, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE FILLING OF VACANCIES ON BOARDS OF EDUCATION OF LOCAL SCHOOL DISTRICTS.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

December 9, 1953

Honorable Mark Paxton, President
Members of the Senate

Dear Mr. President and Members of the Senate:

On December 9 I approved and transmitted to the Secretary of State *Senate Bill No. 13*, by Messrs. Clegg, Hammond and Gibson, entitled:

AN ACT AMENDING SECTION 53-24-1, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR COMPULSORY SCHOOL ATTENDANCE OF MINORS BETWEEN SIX AND EIGHTEEN YEARS OF AGE EXCEPT IN SPECIFIED INSTANCES.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

December 9, 1953

Honorable Mark Paxton, President
Members of the Senate

Dear Mr. President and Members of the Senate:

On December 9 I approved and transmitted to the Secretary of State *Senate Bill No. 14*, by Messrs. Mabey, Hammond, Tippetts, Clegg and Selvin, entitled:

AN ACT TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL CAUSE ALL MOTOR VEHICLES OPERATED BY SCHOOL DISTRICTS TO BE INSPECTED AT LEAST TWICE A YEAR

AND TO BAR FROM THE PUBLIC HIGHWAYS SUCH VEHICLES FOUND TO HAVE MECHANICAL DEFECTS ENDANGERING SAFETY OF PASSENGERS AND THE PUBLIC UNTIL SUCH DEFECTS HAVE BEEN REMEDIED.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

December 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *H. B. No. 11*, by Messrs. Dalebout, Hopkins, Sheffield, W. G. Larson, Rowberry, Poulson, Sanders, Young, Bunderson, W. E. Anderson, Davis, Thomas, E. C. Larsen, C. W. Larsen and Monson, entitled:

AN ACT PROVIDING FOR A STUDY BY THE LEGISLATIVE COUNCIL OF THE EXTENT TO WHICH RECOMMENDATIONS OF THE SCHOOL SURVEY COMMISSION OF 1951 RELATING TO PERSONNEL APPRAISAL ARE IMPLEMENTED AND CARRIED OUT, FOR THE APPOINTMENT OF A COMMITTEE TO DETERMINE THE PRACTICABILITY OF FORMULATING AND IF PRACTICABLE TO FORMULATE A PLAN OR PLANS OF MERIT RATING AND INCENTIVE PAY SCHEDULES FOR SCHOOL PERSONNEL, AUTHORIZING THE COMMITTEE TO ENTER INTO COOPERATIVE AGREEMENTS WITH LOCAL BOARDS OF EDUCATION AND WITH INSTITUTIONS OF HIGHER LEARNING FOR THE PURPOSE OF CONDUCTING EXPERIMENTS AND EVALUATIONS THAT ARE DEEMED NECESSARY AND DESIRABLE, FOR THE SUBMISSION OF AN INTERIM REPORT BY THE COMMITTEE OF ITS ACTIVITIES AND CONCLUSIONS TO THE LEGISLATIVE COUNCIL NOT LATER THAN SEPTEMBER 1, 1954, FOR THE SUBMISSION OF A FINAL REPORT TO THE LEGISLATIVE COUNCIL UPON COMPLETION OF THE STUDY, AND FOR THE MAKING OF AN APPROPRIATION OF \$15,000 TO EMPLOY OR RETAIN COMPETENT HELP AND TO PAY THE ACTUAL TRAVEL EXPENSES OF MEMBERS OF THE COMMITTEE, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 11 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day receded from its amendments to *S. B. No. 10*, by Messrs. Stringham and Gibson, entitled:

AN ACT PROVIDING FOR THE ALLOCATION AND COLLECTION OF ELECTION COSTS AND EXPENSE INCURRED BY COUNTIES IN THE CONDUCT OF ELECTIONS FOR LOCAL SCHOOL BOARD OF EDUCATION MEMBERS. and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 10 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

December 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *S. B. No. 18*, by Messrs. Burton and Cannon, entitled:

AN ACT PROVIDING THAT THE FINANCIAL RESPONSIBILITY DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY SHALL FURNISH COPIES OF TRAFFIC ACCIDENTS REPORTS TO APPLICANTS AND PROVIDING FOR A FEE TO BE COLLECTED THEREFOR, and the same is transmitted herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

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

December 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed, in open session, in the presence of the House, *S. B. No. 19*, by Messrs. Day, Hammond and Fowles, entitled:

AN ACT AMENDING 39-4-1, UTAH CODE ANNOTATED 1953, RELATING TO THE UTAH STATE GUARD, AND PROVIDING THAT THE GOVERNOR MAY ORGANIZE AND MAINTAIN, UNDER SUCH REGULATIONS AS THE SECRETARY OF WAR OF THE UNITED STATES MAY PRESCRIBE FOR DISCIPLINE IN TRAINING, SUCH

FORCES AS HE DEEMS NECESSARY TO DEFEND THIS STATE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 19 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

December 10, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back S. C. R. No. 3, by Messrs. Stringham and Mabey, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

A. I. TIPPETTS,

Report filed.

Chairman

S. C. R. No. 3 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 10, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,

Report filed.

Chairman

S. B. No. 39 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 10, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,

Report filed.

Chairman

S. B. No. 40 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 9, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 20*, by Messrs. Day, Hammond and Fowles, entitled:

AN ACT AUTHORIZING THE GOVERNOR TO EXECUTE A CIVIL DEFENSE COMPACT WITH WESTERN REGIONAL STATES AND THE TERRITORIES OF ALASKA AND HAWAII, PROVIDING FOR MUTUAL AID AND UTILIZATION OF THE RESOURCES OF THE RESPECTIVE STATES AND TERRITORIES IN MEETING ANY EMERGENCY OR DISASTER FROM ENEMY ATTACK OR OTHER CAUSE, AND PROVIDING THAT DIRECTORS OF CIVIL DEFENSE OF PARTY STATES SHALL CONSTITUTE A COMMITTEE FOR IMPLEMENTATION OF THE COMPACT, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 20 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

CONSIDERATION OF BILLS ON SECOND READING

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

On motion of Senator Hafen, *H. B. No. 19* was amended as follows:
Page 2, delete all of lines 9-10.

On motion of Senator Day, *H. B. No. 19* was amended as follows:
Page 2, line 4, delete "\$25.00" and insert in lieu thereof "\$50.00".

On motion of Senator Burton, *H. B. No. 19* was amended as follows:
Page 1, line 13, strike "90" and insert in lieu thereof "60".

On motion of Senator Burton, *H. B. No. 19* was tabled.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider *H. B. No. 24*.

H. B. No. 24 was read the second time.

On motion of Senator Day, 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:

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

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

Absent and not voting: Senators Gibson, Kerr and Woolley.

H. B. No. 24 was returned to the House.

On motion of Senator Watson, *S. B. No. 35* was tabled.

On motion of Senator Day, the rules were suspended and *H. B. No. 28* was read the second time.

On motion of Senator Hafen, *H. B. No. 28* was made a special order of business for Friday, December 11, 1953 at 10:30 A.M.

On motion of Senator Hafen, *H. B. Nos. 27* and *29* were made a special order of business for Friday, December 11, 1953 at 10:31 A.M.

COMMUNICATIONS FROM THE HOUSE

December 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 22*, by Messrs. Mabey, Hopkin, Day and Clegg, entitled:

AN ACT REPEALING CHAPTER 29 OF TITLE 53, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW CHAPTER 29 OF TITLE 53 RELATING TO THE UTAH STATE TEACHERS' RETIREMENT SYSTEM, PROVIDING FOR THE EXTENSION OF FEDERAL SOCIAL SECURITY COVERAGE TO PERSONNEL OF THE STATE AND LOCAL EDUCATIONAL SYSTEMS, PROVIDING FOR A NEW RETIREMENT ACT FOR EMPLOYEES OF THE EDUCATIONAL SYSTEMS OF THE

STATE AND PROVIDING FOR APPROPRIATIONS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 22 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

December 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, S. B. No. 23, by Messrs. Mabey, Hopkin, Day and Clegg, entitled:

AN ACT REPEALING CHAPTER 28 OF TITLE 53, UTAH CODE ANNOTATED 1953, RELATING TO LOCAL PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS, PROVIDING FOR THE TERMINATION OF EXISTING LOCAL RETIREMENT ASSOCIATIONS, PROVIDING FOR THE EXTENSION OF FEDERAL SOCIAL SECURITY COVERAGE TO MEMBERS OF SAID LOCAL SYSTEMS, PROVIDING FOR THE CONTINUED PAYMENT OF BENEFITS TO PERSONS RETIRED THEREUNDER, AND PROVIDING FOR A TEMPORARY TAX LEVY, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 23 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider S. B. No. 37.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 37 was read the second time.

On motion of Senator Gibson, S. B. No. 37 was amended as follows:

Page 3, strike all of line 33.

Page 4, beginning with line 1, strike all of lines 1-2-3 and 4.

Page 4, preceding line 5, insert "Section 11."

On motion of Senator Day, the rules were suspended and *S. B. No. 37* was read the third time and placed on its final passage.

S. B. No. 37 then passed on the following roll call:

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

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

S. B. No. 37 was transmitted to the House.

COMMUNICATIONS FROM THE GOVERNOR

December 10, 1953

Honorable Mark Paxton, President
Members of the Senate
Building

Dear Mr. President and Members of the Senate:

On December 10 I approved and transmitted to the Secretary of State, *S. C. R. No. 1*, by Messrs. Woolley and Tietjen, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO REDUCE FEDERAL TAXES AND LESSEN THE DRAIN OF MONEY FROM THIS AND OTHER STATES INTO THE FEDERAL TREASURY.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

December 10, 1953

Honorable Mark Paxton, President
Members of the Senate
Building

Dear Mr. President and Members of the Senate:

On December 10 I approved and transmitted to the Secretary of State, *Senate Bill No. 17*, by Messrs. Selvin and Mabey, entitled:

AN ACT ADDING A NEW SECTION TO CHAPTER 7, TITLE 23, UTAH CODE ANNOTATED 1953, ENACTED AS A PART OF CHAPTER 39, LAWS OF UTAH 1953, WHICH SECTION SHALL BE KNOWN AS SECTION 23-7-30, UTAH CODE ANNOTATED 1953, PROVIDING THAT PERSONS SERVING IN THE UNITED STATES ARMED FORCES AS-

SIGNED TO DUTY IN UTAH AND MEMBERS OF THE FAMILY OF SUCH PERSONS WHO LIVE IN UTAH MAY PURCHASE LICENSES TO FISH AND TO HUNT GAME ANIMALS AND GAME BIRDS FOR THE SAME FEES AS RESIDENTS OF UTAH.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

December 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. J. R. No. 3*, by Messrs. Mabey, Hopkin and Cannon, entitled:

A JOINT RESOLUTION OF THE LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES BY PASSING SENATE JOINT RESOLUTION 1 OF THE 83RD CONGRESS, FIRST SESSION AS PROPOSED BY SENATOR BRICKER, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

December 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. C. R. No. 2*, by Mr. C. E. Peterson, entitled:

A CONCURRENT RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO DISREGARD HOUSE CONCURRENT MEMORIAL NO. 1 ADOPTED BY THE UTAH LEGISLATURE IN 1945, THUS RESCINDING, RECALLING AND REVOKING THE AFORESAID MEMORIAL FROM THE STATE OF UTAH FOR THE CONVENING OF AN INTERNATIONAL CONVENTION, AMONG OTHER THINGS, TO

FORMULATE A CONSTITUTION FOR THE FEDERATION OF THE WORLD, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. C. R. No. 2 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 9th day of December, 1953, approve and transmit to the Secretary of State, *H. B. No. 12*, by Messrs. Rowberry, W. G. Larson, Dalebout, Durham, Poulson, W. E. Anderson, H. V. Davis, Thomas, E. C. Larsen, L. B. Johnson, C. W. Larsen, J. H. Johnson, Monson and Dunn, entitled:

AN ACT PROVIDING THAT BOARDS OF EDUCATION OF LOCAL SCHOOL DISTRICTS MAY ENTER INTO WRITTEN CONTRACTS FOR THE EMPLOYMENT OF PERSONNEL FOR TERMS OF NOT MORE THAN FIVE YEARS ON CONDITION THAT SUCH CONTRACTS SHALL NOT RESTRICT THE POWER OF LOCAL BOARDS TO TERMINATE SUCH CONTRACTS FOR CAUSE AT ANY TIME.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

December 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day rejected *S. J. R. No. 2*, by Messrs. Mabey, Kerr and Hopkin, entitled:

A JOINT RESOLUTION OF THE LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROPOSE AN AMENDMENT TO ARTICLE V OF THE UNITED STATES CONSTITUTION, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. J. R. No. 2 was filed.

INTRODUCTION OF BILLS

S. B. No. 41

By Messrs. Hopkin and Thorn

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

S. B. No. 42

By Messrs. Stringham, Mabey and Hopkin

AN ACT TO APPROPRIATE MONIES OUT OF THE GENERAL FUND TO THE UTAH WATER AND POWER BOARD AND THE ATTORNEY GENERAL TO DEFRAY COST OF ACTIVITIES IN ESTABLISHING AND DEFENDING THE WATER RIGHTS OF THE STATE OF UTAH IN INTERSTATE STREAMS, was read the first time and referred to the Committee on Revision and Enrolling.

REPORTS OF STANDING COMMITTEES

December 10, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 10*, by Messrs. Stringham and Gibson, entitled:

AN ACT PROVIDING FOR THE ALLOCATION AND COLLECTION OF ELECTION COSTS AND EXPENSES INCURRED BY COUNTIES IN THE CONDUCT OF ELECTIONS FOR LOCAL SCHOOL BOARD OF EDUCATION MEMBERS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

S. B. No. 10 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

December 10, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 41 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 10, 1953

Mr. President:

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

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 42 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

On motion of Senator Mabey, *S. B. No. 39* was made a special order of business for Friday, December 11, 1953 at 10:30 A.M.

On motion of Senator Thorn, the Secretary of the Senate was directed to send a letter to the House to request the return of *S. B. No. 5*, together with the Conference Committee Report.

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

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

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

MEMBER, HIGHWAY PATROL CIVIL SERVICE COMMISSION:

C. H. Vance, to fill unexpired term ending January 1, 1957.

MEMBER, UTAH LIQUOR CONTROL COMMISSION:

Charles H. Foote, for six-year term ending July 1, 1959.

MEMBERS, UTAH TOURIST AND PUBLICITY COUNCIL:

	<i>Qualifications and terms as follows:</i>	<i>Term expires:</i>
Dist. 1	Republican: Conley Watts, Logan.....	July 1, 1957
Dist. 2	Democrat: Darrell Greenwell, Ogden	July 1, 1955
Dist. 3	Republican: Gus P. Backman, Salt Lake.....	July 1, 1955
Dist. 4	Republican: Kenneth Sowards, Vernal.....	July 1, 1955
Dist. 5	Democrat: Andrew Pace, St. George.....	July 1, 1957
Dist. 6	Republican: Homer Bandley, Richfield	July 1, 1955
Dist. 7	Democrat: J. W. Corbin, Moab.....	July 1, 1955

MEMBERS, STATE WATER POLLUTION CONTROL BOARD:

	<i>Qualifications and terms:</i>	<i>Term expires:</i>
Health Comr.....	Dr. George A. Spendlove.....	Ex-officio
Mineral Industries.....	Miles P. Romney, Salt Lake.....	Mar. 1, 1955
Food Processing.....	R. A. Moss, Bountiful.....	Mar. 1, 1961
Other mfging.....	Frank R. Clark, Salt Lake.....	Mar. 1, 1960
Municipalities.....	Doren B. Boyce, South Ogden.....	Mar. 1, 1959
Agr. and livestock.....	Arion Erekson, Murray.....	Mar. 1, 1958
Fish, wildlife.....	Tony Madsen, Provo.....	Mar. 1, 1957
Member at large.....	Grant K. Borg, Salt Lake.....	Mar. 1, 1956
Member at large.....	E. J. Fjeldsted, Ogden.....	Mar. 1, 1954

On motion of Senator Hafen, the rules were suspended and the Senate voted to now consider *S. B. No. 38*.

CONSIDERATION OF BILLS ON SECOND READING

S. B. No. 38 was read the second time.

On motion of Senator Hafen, *S. B. No. 38* was amended as follows:

Page 1, line 3, strike “(\$70,000.00)” and insert in lieu thereof “(\$118,000.00)”.

On motion of Senator Hafen, the title of *S. B. No. 38* was amended as follows:

Page 1, line 1 of the title, strike "\$70,000.00" insert in lieu thereof "\$118,000.00".

On motion of Senator Clegg, the rules were suspended and *S. B. No. 38* was read the third time and placed on its final passage.

S. B. No. 38 then passed on the following roll call:

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

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

Those voting in the negative were: Senators Cannon, Gibson, Muir and Watson.

S. B. No. 38 was transmitted to the House.

On motion of Senator Tippetts, the Senate adjourned until Friday, December 11, 1953 at 9:30 A.M.

ELEVENTH DAY

MORNING SESSION

December 11, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

December 11, 1953

Mr. President:

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

Respectfully,

H. ROLAND TIETJEN,

Report adopted and filed.

Chairman

COMMUNICATIONS FROM THE HOUSE

December 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 21*, by Mr. Day, entitled:

AN ACT TRANSFERRING TO THE DEPARTMENT OF PUBLIC SAFETY ALL THE POWERS, DUTIES AND FUNCTIONS OF THE BOARD OF MANAGERS AND DIRECTOR OF THE STATE BUREAU OF CRIMINAL IDENTIFICATION CONFERRED UPON OR REQUIRED OF SUCH BOARD AND DIRECTOR BY EXISTING LAW RELATING TO SUCH MATTERS AND TRANSFERRING TO THE DEPARTMENT OF PUBLIC SAFETY CERTAIN APPROPRIATIONS MADE TO THE BUREAU OF CRIMINAL IDENTIFICATION BY SECTION 14, ITEM 77 OF CHAPTER 136, LAWS OF UTAH 1953; AMENDING SECTION 41-13-4, UTAH CODE ANNOTATED 1953, RELATING TO THE POWERS AND DUTIES OF THE COMMISSIONER OF PUBLIC SAFETY AND AMENDING SECTIONS 77-59-3, 77-59-6, 77-59-7, 77-59-8, 77-59-10, 77-59-12, 77-59-14, 77-59-20, 77-59-21, 77-59-22, 77-59-23, 77-59-25, 77-59-26, AND 77-59-27, UTAH CODE ANNOTATED 1953, RELATING TO POWERS AND DUTIES OF THE BOARD OF MANAGERS OF THE STATE BUREAU OF CRIMINAL IDENTIFICATION AND REPEALING SECTIONS 77-59-1 AND 77-59-2, UTAH CODE ANNOTATED 1953, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 21 was transmitted to the Governor.

December 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. C. R. No. 2*, by Messrs. Mabey and Day, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO PASS LEGISLATION RECOGNIZING AND CONFIRMING STATE TITLE TO CERTAIN ASSIGNED SCHOOL LAND AND ASSIGNING LEASING FUNDS DERIVED FROM SUCH LANDS IN ESCROW, AND PROVIDING FOR FUNDS FOR A MODIFIED SURVEY AND RECOMMENDA-

TION FOR A MODIFIED SURVEY, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

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

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 17 was read the third time and placed on its final passage.

On motion of Senator Kerr, *H. B. No. 17* was amended as follows:

Page 2, delete all of line 18.

On motion of Senator Mabey, a call of the Senate was made.

On motion of Senator Mabey, after the report from the Sergeant-at-arms, the call of the Senate was lifted.

H. B. No. 17 then passed on the following roll call:

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

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

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

Absent and not voting: Senator Openshaw.

H. B. No. 17 was returned to the House.

On motion of Senator Mabey, *H. B. No. 19* was lifted from the table and the Senate voted to now consider *H. B. No. 19*.

UNFINISHED BUSINESS

H. B. No. 19, being unfinished business, was before the Senate.

On motion of Senator Kerr, the title of *H. B. No. 19* was amended as follows:

Beginning with line 7, after the word "DISBURSEMENTS" strike the comma, insert a period and delete the remainder of line 7 and all of lines 8 and 9.

On motion of Senator Kerr, *H. B. No. 19* was amended as follows:

Page 2, line 4, after the word "of" strike "\$50.00" and insert in lieu thereof "\$25.00".

On motion of Senator Thorn, *H. B. No. 19* was amended as follows:

Page 2, line 3, after the word "person" insert the words ", firm or corporation."

H. B. No. 19 was placed on the Third Reading Calendar on the following roll call:

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

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

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

Absent and not voting: Senators Hafen and Hopkin.

On motion of Senator Kerr, the rules were suspended and *H. B. No. 19* was read the third time and placed on its final passage.

H. B. No. 19 then passed on the following roll call:

Ayes, 14; Nos, 9; Absent, 0.

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

Those voting in the negative were: Senators Adams (explained vote), Cannon, Clegg (explained vote), Fowles, Gibson, Jenkins, Tietjen, Tippetts and Watson.

Senator Hopkin gave notice of his intention to move for reconsideration of the final action on *H. B. No. 19*.

SPECIAL ORDER

H. B. No. 27, being a special order of business, was before the Senate.

H. B. No. 27 was read the second time.

On motion of Senator Mabey, the Senate voted to now consider *H. B. No. 29*.

H. B. No. 29, being a special order of business, was read the second time.

On motion of Senator Mabey, *H. B. No. 29* was made a special order of business to be considered with *H. B. No. 28*.

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

Mr. Lewis H. Lloyd appeared before the Committee of the Whole.

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

On motion of Senator Mabey, the Senate voted to now consider *H. B. No. 27*.

President Paxton asked Senator Kerr to occupy the chair pro tem.

On motion of Senator Clegg, *H. B. No. 27* was amended as follows:

Page 3, line 17, delete the word "sixty" and insert in lieu thereof the words "forty-five".

Page 3, line 18, delete the words "which do not elect" and insert in lieu thereof the words "in which it is not feasible".

Page 3, lines 19 and 20, delete the word "approve" and in lieu thereof insert the words "apply to the State Board of Education for approval of".

Page 3, line 20, between the words "term" and "and" delete the words "of six weeks' duration".

Page 3, line 20, delete the word "such".

Page 3, line 21, delete the words "number of pupils in".

Page 3, line 21, after the word "such" delete the words "short term".

Page 3, line 21, after the word "be" delete the words "multiplied by one and one-half (1½) and then be".

Page 23, line 23, after the word "held" delete the words "not exceeding 6 weeks".

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

AFTERNOON SESSION

The Senate re-assembled.

COMMUNICATIONS FROM THE GOVERNOR

December 11, 1953

Honorable Mark Paxton, President
Members of the Senate
Capitol

Dear Mr. President and Members of the Senate:

I am adding to the agenda of this special session the recommendation that a bill be enacted appropriating \$29,200 to the Legislative Council for the Utah Interstate Commission for Cooperation in Higher Education to defray costs of interstate professional education of Utah residents as directed by the Commission pursuant to the Western Regional States Compact.

The appropriation of this sum is necessary for Utah to carry out its part of the aforementioned compact which the Legislature authorized in 1951. Two members of the Legislature are members of the Utah Commission and could supply detailed information in support of this bill.

Sincerely yours,

J. BRACKEN LEE,

Governor

Communication filed.

December 11, 1953

Honorable Mark Paxton, President
Members of the Senate
Capitol

Dear Mr. President and Members of the Senate:

On December 11 I approved and transmitted to the Secretary of State, S. C. R. No. 2, by Messrs. Mabey and Day, entitled:

A CONCURRENT RESOLUTION MEMORIALIZING THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA TO PASS LEGISLATION RECOGNIZING AND CONFIRMING STATE TITLE TO CERTAIN ASSIGNED SCHOOL LAND AND ASSIGNING LEASING FUNDS DERIVED FROM SUCH LANDS IN ESCROW, AND PROVIDING FOR FUNDS FOR A MODIFIED SURVEY AND RECOMMENDATION FOR A MODIFIED SURVEY.

Sincerely yours,

J. BRACKEN LEE,

Governor

Communication filed.

December 11, 1953

Honorable Mark Paxton, President
Members of the Senate
Building

Dear Mr. President and Members of the Senate:

I approved on December 10 and am transmitting to the Secretary of State today, *Senate Bill No. 18*, by Messrs. Burton and Cannon, entitled:

AN ACT PROVIDING THAT THE FINANCIAL RESPONSIBILITY DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY SHALL FURNISH COPIES OF TRAFFIC ACCIDENTS REPORTS TO APPLICANTS AND PROVIDING FOR A FEE TO BE COLLECTED THEREFOR.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

December 11, 1953

Honorable Mark Paxton, President
Members of the Senate
Capitol

Dear Mr. President and Members of the Senate:

I approved on December 10 and am transmitting to the Secretary of State today, *Senate Bill No. 19*, by Messrs. Day, Hammond and Fowles, entitled:

AN ACT AMENDING 39-4-1, UTAH CODE ANNOTATED 1953, RELATING TO THE UTAH STATE GUARD, AND PROVIDING THAT THE GOVERNOR MAY ORGANIZE AND MAINTAIN, UNDER SUCH REGULATIONS AS THE SECRETARY OF WAR OF THE UNITED STATES MAY PRESCRIBE FOR DISCIPLINE IN TRAINING, SUCH FORCES AS HE DEEMS NECESSARY TO DEFEND THIS STATE.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

December 11, 1953

Honorable Mark Paxton, President
Members of the Senate
Capitol

Dear Mr. President and Members of the Senate:

On December 11 I approved and transmitted to the Secretary of State, *Senate Bill No. 21*, by Mr. Day, entitled:

AN ACT TRANSFERRING TO THE DEPARTMENT OF PUBLIC SAFETY ALL THE POWERS, DUTIES AND FUNCTIONS OF THE BOARD OF MANAGERS AND DIRECTOR OF THE STATE BUREAU OF CRIMINAL IDENTIFICATION CONFERRED UPON OR REQUIRED OF SUCH BOARD AND DIRECTOR BY EXISTING LAW RELATING TO SUCH MATTERS AND TRANSFERRING TO THE DEPARTMENT OF PUBLIC SAFETY CERTAIN APPROPRIATIONS MADE TO THE BUREAU OF CRIMINAL IDENTIFICATION BY SECTION 14, ITEM 77 OF CHAPTER 136, LAWS OF UTAH 1953; AMENDING SECTION 41-13-4, UTAH CODE ANNOTATED 1953, RELATING TO THE POWERS AND DUTIES OF THE COMMISSIONER OF PUBLIC SAFETY AND AMENDING SECTIONS 77-59-3, 77-59-6, 77-59-7, 77-59-8, 77-59-10, 77-59-12, 77-59-14, 77-59-20, 77-59-21, 77-59-22, 77-59-23, 77-59-25, 77-59-26, AND 77-59-27, UTAH CODE ANNOTATED 1953, RELATING TO POWERS AND DUTIES OF THE BOARD OF MANAGERS OF THE STATE BUREAU OF CRIMINAL IDENTIFICATION AND REPEALING SECTIONS 77-59-1 AND 77-59-2, UTAH CODE ANNOTATED 1953.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

December 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House is returning herewith, upon your request, for your further consideration, *S. B. No. 5*, by Messrs. Thorn, Hafen, Clegg and Hammond, entitled:

AN ACT TO REQUIRE THE STATE TAX COMMISSION IN COOPERATION WITH COUNTY ASSESSORS TO MAKE A COMPLETE VALUATION OF ALL TAXABLE PROPERTY IN EACH COUNTY AT LEAST ONCE EVERY FIVE YEARS, and also Conference Committee Report. I am also directed to inform your Honorable Body that the House voted to suspend Joint Rule No. 32 in regard to the above entitled bill.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Hopkin, the rules were suspended and the Senate voted to return *S. B. No. 5*, together with the Conference Committee Report, to Senator Thorn, chairman of the Conference Committee.

December 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 10*, by Messrs. Stringham and Gibson, entitled:

AN ACT PROVIDING FOR THE ALLOCATION AND COLLECTION OF ELECTION COSTS AND EXPENSES INCURRED BY COUNTIES IN THE CONDUCT OF ELECTIONS FOR LOCAL SCHOOL BOARD OF EDUCATION MEMBERS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 10 was transmitted to the Governor.

December 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 20*, by Messrs. Day, Hammond and Fowles, entitled:

AN ACT AUTHORIZING THE GOVERNOR TO EXECUTE A CIVIL DEFENSE COMPACT WITH WESTERN REGIONAL STATES AND THE TERRITORIES OF ALASKA AND HAWAII, PROVIDING FOR MUTUAL AID AND UTILIZATION OF THE RESOURCES OF THE RESPECTIVE STATES AND TERRITORIES IN MEETING ANY EMERGENCY OR DISASTER FROM ENEMY ATTACK OR OTHER CAUSE, AND PROVIDING THAT DIRECTORS OF CIVIL DEFENSE OF PARTY STATES SHALL CONSTITUTE A COMMITTEE FOR IMPLEMENTATION OF THE COMPACT, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 20 was transmitted to the Governor.

December 10, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, upon reconsideration, *H. B. No. 31*, by Messrs. Hopkins and Kerr, entitled:

AN ACT APPROPRIATING THE SUM OF ONE MILLION DOLLARS TO THE UNIFORM SCHOOL FUND FROM THE UNENCUM-

BERED BALANCE IN THE MINE OCCUPATION TAX RESERVE FUND; PROVIDING FOR THE APPORTIONMENT AND DISTRIBUTION OF SUCH MONEY TO LOCAL BOARDS OF EDUCATION WITHIN THE STATE FOR SALARIES AND OTHER SCHOOL COSTS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 31 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. J. R. No. 2*, by Mrs. Vance, Mrs. Jack and Mrs. Lowe, entitled:

A JOINT RESOLUTION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE STATE OF UTAH, OF CONDOLENCE TO REPRESENTATIVE EDNA J. CAZIER AND TO THE FAMILY OF CHRISTINE T. JENSEN KUHRE, IN MEMORIAM, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

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

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

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

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

Absent and not voting: Senator Mabey.

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

December 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House, under suspension of the rules, upon reconsideration, has this day rejected, as amended by the House, *S. J. R. No. 1*, by Messrs. Mabey, Kerr, Tietjen, Woolley and Selvin, entitled:

A JOINT RESOLUTION PROPOSING TO REPEAL ARTICLE X, SECTION 6, OF THE CONSTITUTION OF THE STATE OF UTAH, RELATING TO PUBLIC SCHOOL SYSTEMS IN CITIES OF FIRST AND SECOND CLASS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

S. J. R. No. 1 was filed.

UNFINISHED BUSINESS

H. B. No. 27, being unfinished business, was before the Senate.

H. B. No. 27 was placed on the Third Reading Calendar on the following roll call:

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

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

Absent and not voting: Senators Hopkin and Kerr.

SPECIAL ORDER

H. B. No. 28, being a special order of business, was before the Senate.

H. B. No. 28 was placed on the Third Reading Calendar on the following roll call:

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

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

Those voting in the negative were: Senators Kerr (explained vote) and Tietjen (explained vote).

Absent and not voting: Senators Hopkin and Muir.

UNFINISHED BUSINESS

On motion of Senator Hafen, *H. B. No. 29* was amended as follows:

Page 2, line 13, following the word "Legislature" insert the following: "said further vote may be initiated by a petition signed by taxpayers of the district equal to 10% of the number of taxpayers who voted at the preceding election on said question or upon request of any two members of the board".

H. B. No. 29 was placed on the Third Reading Calendar on the following roll call:

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

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

Voting in the negative was Mr. President.

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

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Woolley, the rules were suspended and *H. B. No. 27* was read the third time and placed on its final passage.

H. B. No. 27 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts (explained vote), and Watson.

Those voting in the negative were: Senators Woolley (explained vote) and Mr. President.

H. B. No. 27 was returned to the House.

On motion of Senator Woolley, the rules were suspended and *H. B. No. 28* was read the third time and placed on its final passage.

H. B. No. 28 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg (explained vote), Day, Fowles, Gibson, Hafen, Hammond, Hopkin (explained vote), Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tippetts and Watson.

Those voting in the negative were: Senators Tietjen (explained vote), Woolley and Mr. President.

H. B. No. 28 was returned to the House.

On motion of Senator Woolley, 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:

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

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

Those voting in the negative were: Senators Tietjen, Woolley and Mr. President.

H. B. No. 29 was returned to the House.

On motion of Senator Day, the Senate recessed.

The Senate re-assembled.

COMMUNICATIONS FROM THE HOUSE

December 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 17*, by Mr. Wm. E. Anderson, entitled:

AN ACT AMENDING SECTIONS 17-19-16 AND 17-19-17, UTAH CODE ANNOTATED 1953, RELATING TO THE APPORTIONMENT BY THE COUNTY AUDITOR OF THE COST OF COLLECTING TAXES AMONG THE VARIOUS TAXING FUNDS OR DISTRICTS, PROVIDING FOR REIMBURSEMENT TO THE COUNTY OF THOSE COSTS; PROVIDING THAT THE COST OF COLLECTING SUCH TAXES SHALL BE APPORTIONED TO AND BORNE BY THE SEVERAL TAXING FUNDS OR DISTRICTS, INCLUDING SCHOOL DISTRICTS, AND THAT THE SEVERAL TAXING UNITS SHALL REIMBURSE THE COUNTY

FOR THE PROPORTIONATE COSTS THEREOF; AND REPEALING SECTION 17-19-18, UTAH CODE ANNOTATED 1953.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

December 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 24*, by G. Douglas Taylor, entitled:

AN ACT TO REPEAL SEC. 76-47-1, UTAH CODE ANNOTATED 1953, MAKING PRIZE-FIGHTING A FELONY, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 24 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. B. No. 40*, by Messrs. Peterson, Durham, Jones, Sheffield, W. E. Anderson, Jacobsen and Thomas, entitled:

AN ACT VALIDATING PROCEEDINGS HAD CREATING CERTAIN IMPROVEMENT DISTRICTS AND PROCEEDINGS AUTHORIZING SUCH DISTRICTS TO OPERATE AND ISSUE BONDS UNDER CHAPTER 6 OF TITLE 17, UTAH CODE ANNOTATED 1953, DECLARING SUCH DISTRICTS TO HAVE BEEN VALIDLY CREATED, VALIDATING BOND PROCEEDINGS AND ELECTIONS HELD IN ANY SUCH DISTRICTS, AUTHORIZING AND VALIDATING THE ISSUANCE OF BONDS PURSUANT TO ELECTIONS HELD OR TO BE HELD, AND VALIDATING SUCH BONDS WHEN SO ISSUED, AND AUTHORIZING SUCH DISTRICTS TO IMPOSE THE TAXES AUTHORIZED BY CHAPTER 6 AFORESAID, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 40 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. B. No. 41*, by Messrs. Peterson, Jones, Sheffield, W. E. Anderson, Jacobsen, and Thomas, entitled:

AN ACT TO AMEND SECTION 10-7-9, UTAH CODE ANNOTATED 1953, RELATING TO MUNICIPAL BONDS, AMOUNT, RATES, MATURITY AND FORM OF BONDS; PROVIDING THAT AN ANNUAL TAX SHALL BE LEVIED SUFFICIENT TO RETIRE MATURING BONDS AND PAY ACCRUING INTEREST WITHOUT REGARD TO STATUTORY LIMITATIONS ON LEVIES, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 41 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. B. No. 42*, by Messrs. Peterson, Sheffield, Jones, W. E. Anderson, Jacobsen, and Thomas, entitled:

AN ACT VALIDATING CERTAIN BOND PROCEEDINGS AND ELECTIONS HELD IN CITIES IN UTAH IN 1953, INCLUDING ELECTIONS OF INITIATIVE ORDINANCES, AUTHORIZING THE ISSUANCE OF BONDS SO VOTED, AND VALIDATING SUCH BONDS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 42 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

REPORTS OF STANDING COMMITTEES

December 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 3*, by Messrs. Mabey, Hopkin and Cannon, entitled:

A JOINT RESOLUTION OF THE LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES BY PASSING SENATE JOINT RESOLUTION 1 OF THE 83RD CONGRESS, FIRST SESSION AS PROPOSED BY SENATOR BRICKER, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. J. R. No. 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.

December 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred S. B. No. 8, by Messrs. Woolley, Muir and Mabey, entitled:

AN ACT PROVIDING FOR THE ELECTION OF MEMBERS OF LOCAL BOARDS OF EDUCATION ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER; FIXING TERMS OF OFFICE; PROVIDING JURISDICTION BY COUNTY COMMISSIONERS, AND REPEALING SECTIONS 53-5-1, 53-5-2, 53-5-3, 53-5-5 AND 53-5-6, UTAH CODE ANNOTATED 1953, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 8 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

December 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred S. B. No. 22, by Messrs. Mabey, Hopkin, Day and Clegg, entitled:

AN ACT REPEALING CHAPTER 29 OF TITLE 53, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW CHAPTER 29 OF TITLE 53 RELATING TO THE UTAH STATE TEACHERS' RETIREMENT SYSTEM, PROVIDING FOR THE EXTENSION OF FEDERAL SOCIAL

SECURITY COVERAGE TO PERSONNEL OF THE STATE AND LOCAL EDUCATIONAL SYSTEMS, PROVIDING FOR A NEW RETIREMENT ACT FOR EMPLOYEES OF THE EDUCATIONAL SYSTEMS OF THE STATE AND PROVIDING FOR APPROPRIATIONS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 22 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

December 11, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred S. B. No. 23, by Messrs. Mabey, Hopkin, Day and Clegg, entitled:

AN ACT REPEALING CHAPTER 28 OF TITLE 53, UTAH CODE ANNOTATED 1953, RELATING TO LOCAL PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS, PROVIDING FOR THE TERMINATION OF EXISTING LOCAL RETIREMENT ASSOCIATIONS, PROVIDING FOR THE EXTENSION OF FEDERAL SOCIAL SECURITY COVERAGE TO MEMBERS OF SAID LOCAL SYSTEMS, PROVIDING FOR THE CONTINUED PAYMENT OF BENEFITS TO PERSONS RETIRED THEREUNDER, AND PROVIDING FOR A TEMPORARY TAX LEVY, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 23 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

REPORTS OF SPECIAL COMMITTEES

MAJORITY REPORT

December 11, 1953

Mr. President and Mr. Speaker:

Your Joint Committee appointed to investigate the Kennecott Tax matter has now completed its hearings and submits the following report:

The following persons accepted the invitation to be heard: His Excellency the Governor of the State of Utah, J. Bracken Lee, Attorney General, E. R. Callister, Patrick Healy, Jr., Chairman of the State Tax Commission and W. E. Adamson of the Public Relations Staff of Kennecott Copper Company.

All persons heard cooperated with the Committee, and it feels its assignment has been completed with the following findings and recommendations:

1. It was the unanimous decision of your Committee that from testimony presented there was no evidence of any illegal or unlawful acts on the part of any person or persons connected with this case.

2. We recognize the responsibility of the Chief Executive for the conduct in office of his appointees in state departments. However, the exercise of this right should be limited to matters of a non-judicial nature. The matter being considered by the Tax Commission was within its quasi-judicial powers, and as such should have been under its exclusive jurisdiction.

Your Committee is of the opinion that the Governor is interesting himself in this case, during the time the case was under hearing acted imprudently, notwithstanding there is no evidence that he acted other than in good faith.

3. The hearing disclosed that the Tax Commission has broad discretionary powers in applying the statutory formula for the assessment of mining properties. Your Committee feels that the absence of a more explicit formula for assessing mining properties is a partial cause of many such disputes resulting in litigation extending back many years. In this connection your Committee recommends that the State Tax Commission make a thorough study of this problem and make recommendations to the next session of the Legislature looking toward the solution of this condition.

4. Your Committee finds there is not a clear definition of legal powers as between the Attorney General's office and other legal counsel serving under the direction of other state departments. We therefore recommend that the Legislative Council study this problem and make recommendations for legislation clarifying this matter.

5. Your Committee commends the State Tax Commission for its forthright stand in the discharge of its duties.

Respectfully submitted,

CLIFTON G. M. KERR,
Senate Chairman

RALPH SHEFFIELD,
House Chairman

ORVAL HAFEN
C. TAYLOR BURTON
DONALD T. ADAMS

WAYNE C. DURHAM
ORVILLE GUNTHER
WENDELL GROVER
RICHARD C. HOWE

Committee report read and adopted.

On motion of Senator Kerr, the Senate voted to spread the majority report upon the Senate Journal.

MINORITY REPORT

December 11, 1953

Mr. President:

I hereby submit the following Minority Report:

I have carefully considered all of the evidence presented in this case and as the record now stands, the real question remains unanswered. Governor Lee saw fit to inject himself into this important tax case that came entirely within the jurisdiction of the Tax Commission, which is a constitutional body.

The record is replete with evidence that the Governor, his former secretary and campaign manager and his personal counsel, were active in an effort to get the case settled out of court at the insistence of the officials of the Kennecott Copper Company. The real motive on the part of the Governor for this interference with the prerogatives of the Tax Commission has not been revealed to this committee and I therefore feel constrained to disagree with the majority of this committee, as I feel that there was an unjustified interference with the due processes of law by the Governor and officials of the Kennecott Copper Company, a matter which should be investigated further.

Respectfully submitted,

EDWARD H. WATSON

On motion of Senator Watson, the Senate voted to spread the minority report upon the Senate Journal.

On motion of Senator Tietjen, the Senate voted that when the Senate adjourns today, it stand adjourned until Monday, December 14, 1953 at 10:00 A.M.

SPECIAL ORDER

S. B. No. 39, being a special order of business, was before the Senate.

S. B. No. 39 was read the second time.

On motion of Senator Hafen, *S. B. No. 39* was amended as follows:

Page 1, line 5, after the word "Colleges" strike "(including)".

Page 1, delete all of line 6 and line 7 down to include the parenthesis after the word "colleges".

On motion of Senator Mabey, the Senate adjourned.

FOURTEENTH DAY**MORNING SESSION**

December 14, 1953

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

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

Prayer by the Chaplain.

December 14, 1953

Mr. President:

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

Respectfully,

H. ROLAND TIETJEN,

Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

December 11, 1953

Honorable Mark Paxton, President
Members of the Senate
Capitol

Dear Mr. President and Members of the Senate:

On December 11 I approved and transmitted to the Secretary of State, *S. B. No. 10*, by Messrs. Stringham and Gibson, entitled:

AN ACT PROVIDING FOR THE ALLOCATION AND COLLECTION OF ELECTION COSTS AND EXPENSES INCURRED BY COUNTIES IN THE CONDUCT OF ELECTIONS FOR LOCAL SCHOOL BOARD OF EDUCATION MEMBERS.

Sincerely yours,

J. BRACKEN LEE,

Governor

Communication filed.

December 11, 1953

Honorable Mark Paxton, President
Members of the Senate
Capitol

Dear Mr. President and Members of the Senate:

On December 11 I approved and transmitted to the Secretary of State, *S. B. No. 20*, by Messrs. Day, Hammond and Fowles, entitled:

AN ACT AUTHORIZING THE GOVERNOR TO EXECUTE A CIVIL DEFENSE COMPACT WITH WESTERN REGIONAL STATES AND THE TERRITORIES OF ALASKA AND HAWAII, PROVIDING FOR MUTUAL AID AND UTILIZATION OF THE RESOURCES OF THE RESPECTIVE STATES AND TERRITORIES IN MEETING ANY EMERGENCY OR DISASTER FROM ENEMY ATTACK OR OTHER CAUSE, AND PROVIDING THAT DIRECTORS OF CIVIL DEFENSE OF PARTY STATES SHALL CONSTITUTE A COMMITTEE FOR IMPLEMENTATION OF THE COMPACT.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

December 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, *H. B. No. 34*, by Mr. Durham, entitled:

AN ACT AMENDING SECTION 59-18-4 UTAH CODE ANNOTATED 1953, PROVIDING FOR A TAX TO BE COLLECTED AND PAID TO THE STATE TAX COMMISSION UPON THE SALE OF CERTAIN ARTICLES IN THE STATE OF UTAH BY THE MANUFACTURER, JOBBER, DISTRIBUTOR OR RETAILER AND DESIGNATING THE RATE OF TAXATION AND ALLOCATING ALL TAXES COLLECTED ON CIGARETTES TO THE UNIFORM SCHOOL FUND, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 34 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, *H. B. No. 35*, by Mr. Rowberry, entitled:

AN ACT PROVIDING FOR WITHHOLDING OF INDIVIDUAL INCOME TAX FROM WAGES PAID BY EMPLOYERS TO EMPLOYEES, DEFINING THE DUTIES OF EMPLOYERS IN CONNECTION THEREWITH, PROVIDING FOR A REFUND TO EMPLOYEES OF ALL AMOUNTS WITHHELD FROM THEIR WAGES IN EXCESS OF THE AMOUNTS DUE ON THE TAX, AND PROVIDING PENALTIES FOR VIOLATIONS OF THE ACT, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 35 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and House, *S. B. No. 37*, by Messrs. Mabey, Thorn, Selvin and Muir, entitled:

AN ACT PROVIDING PUBLIC ASSISTANCE TO NEEDY RETIRED EMPLOYEES OF THE EDUCATIONAL SYSTEMS OF THE STATE AND PROVIDING FOR AN APPROPRIATION OF \$90,000.00 ANNUALLY, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Thorn, the Senate voted to concur with the House amendments of *S. B. No. 37* on the following roll call:

Ayes, 15; Nos, 2; Absent, 6.

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Fowles, Hafen, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tippetts and Mr. President.

Those voting in the negative were: Senators Cannon and Woolley.

Absent and not voting: Senators Gibson, Hammond, Hopkin, Openshaw, Tietjen and Watson.

S. B. No. 37 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

December 14, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 8, by Messrs. Woolley, Muir, and Mabey, entitled:

AN ACT PROVIDING FOR THE ELECTION OF MEMBERS OF LOCAL BOARDS OF EDUCATION ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER; FIXING TERMS OF OFFICE; PROVIDING JURISDICTION BY COUNTY COMMISSIONERS, AND REPEALING SECTIONS 53-5-1, 53-5-2, 53-5-3, 53-5-5 AND 53-5-6, UTAH CODE ANNOTATED 1953, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

S. B. No. 8 was transmitted to the Governor.

December 14, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 22, by Messrs. Mabey, Hopkin, Day and Clegg, entitled:

AN ACT REPEALING CHAPTER 29 OF TITLE 53, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW CHAPTER 29 OF TITLE 53 RELATING TO THE UTAH STATE TEACHERS' RETIREMENT SYSTEM, PROVIDING FOR THE EXTENSION OF FEDERAL SOCIAL SECURITY COVERAGE TO PERSONNEL OF THE STATE AND LOCAL EDUCATIONAL SYSTEMS, PROVIDING FOR A NEW RETIREMENT ACT FOR EMPLOYEES OF THE EDUCATIONAL SYSTEMS OF THE STATE AND PROVIDING FOR APPROPRIATIONS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

S. B. No. 22 was transmitted to the Governor.

December 14, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 23*, by Messrs. Mabey, Hopkin, Day and Clegg, entitled:

AN ACT REPEALING CHAPTER 28 OF TITLE 53, UTAH CODE ANNOTATED 1953, RELATING TO LOCAL PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS, PROVIDING FOR THE TERMINATION OF EXISTING LOCAL RETIREMENT ASSOCIATIONS, PROVIDING FOR THE EXTENSION OF FEDERAL SOCIAL SECURITY COVERAGE TO MEMBERS OF SAID LOCAL SYSTEMS, PROVIDING FOR THE CONTINUED PAYMENT OF BENEFITS TO PERSONS RETIRED THEREUNDER, AND PROVIDING FOR A TEMPORARY TAX LEVY, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

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

December 14, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. J. R. No. 3*, by Messrs. Mabey, Hopkin and Cannon, entitled:

A JOINT RESOLUTION OF THE LEGISLATURE OF THE STATE OF UTAH MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES BY PASSING SENATE JOINT RESOLUTION 1 OF THE 83RD CONGRESS, FIRST SESSION AS PROPOSED BY SENATOR BRICKER, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

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

December 11, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 17*, by Wm. E. Anderson, entitled:

AN ACT AMENDING SECTIONS 17-19-16 AND 17-19-17, UTAH CODE ANNOTATED 1953, RELATING TO THE APPORTIONMENT BY THE COUNTY AUDITOR OF THE COST OF COLLECTING TAXES AMONG THE VARIOUS TAXING FUNDS OR DISTRICTS, PROVIDING FOR REIMBURSEMENT TO THE COUNTY OF THOSE COSTS; PROVIDING THAT THE COST OF COLLECTING SUCH TAXES SHALL BE APPORTIONED TO AND BORNE BY THE SEVERAL TAXING FUNDS OR DISTRICTS, INCLUDING SCHOOL DISTRICTS, AND THAT THE SEVERAL TAXING UNITS SHALL REIMBURSE THE COUNTY FOR THE PROPORTIONATE COSTS THEREOF; AND REPEALING SECTION 17-19-18, UTAH CODE ANNOTATED 1953, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 17 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 14, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate Amendments to *H. B. No. 29*, by Messrs. Lee W. Dalebout and Clair R. Hopkins, entitled:

AN ACT AMENDING SECTION 53-7-8, UTAH CODE ANNOTATED 1953, RELATING TO SCHOOL PROGRAMS IN EXCESS OF THE STATE-SUPPORTED MINIMUM PROGRAM, and requests the Senate to recede from its amendments.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Woolley, the Senate refused to recede from its amendments to *H. B. No. 29*, and President Paxton appointed a Conference Committee, consisting of Senators Hafen, Gibson and Woolley, to act with a like committee from the House to confer on *H. B. No. 29*.

December 14, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 10th day of December, 1953, approve and transmit to the Secretary of State, *H. B. No. 4*, by Messrs. W. G. Larson, Hopkins, Sheffield, Dalebout,

Durham, Rowberry, Poulson, Sanders, G. D. Taylor, W. E. Anderson, H. V. Davis, Thomas, E. C. Larsen, L. B. Johnson, R. C. Anderson, C. W. Larsen, J. H. Johnson and Monson, entitled:

AN ACT AMENDING SECTION 53-6-12, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ENUMERATION OF THE SCHOOL POPULATION OF ALL CHILDREN UNDER EIGHTEEN.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

UNFINISHED BUSINESS

S. B. No. 39 was before the Senate.

On motion of Senator Mabey, *S. B. No. 39* was made a special order of business for Tuesday, December 15, 1953 at 10:30 A.M.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Woolley, the rules were suspended and the Senate voted to now consider *S. B. No. 40*.

S. B. No. 40 was read the second time.

On motion of Senator Burton, the rules were suspended and *S. B. No. 40* was read the third time and placed on its final passage.

S. B. No. 40 then passed on the following roll call:

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

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

Absent and not voting: Senators Fowles, Hopkin, Kerr, Tietjen and Watson.

S. B. No. 40 was transmitted to the House.

S. C. R. No. 3 was read the second time.

On motion of Senator Stringham, *S. C. R. No. 3* was amended as follows:
Page 2, line 14, after "Wallace" insert the initial "F."

On motion of Senator Day, the rules were suspended and *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:

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

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

Absent and not voting: Senators Hopkin, Kerr and Tietjen.

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

H. C. R. No. 2 was read the second time.

On motion of Senator Adams, *H. C. R. No. 2* was tabled.

S. B. No. 41 was read the second time.

On motion of Senator Thorn, the rules were suspended and the Senate voted to now consider *S. B. No. 42*.

S. B. No. 42 was read the second time.

On motion of Senator Thorn, the rules were suspended and *S. B. No. 42* was read the third time and placed on its final passage.

S. B. No. 42 then passed on the following roll call:

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

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

Absent and not voting: Senators Hopkin, Mabey, Selvin and Tietjen.

S. B. No. 42 was transmitted to the House.

On motion of Senator Jenkins, the rules were suspended and the Senate voted to now consider *H. B. No. 40*.

H. B. No. 40 was read the second time.

On motion of Senator Mabey, *H. B. No. 40* was made a special order of business for 2:30 P.M.

H. B. No. 41 was read the second time.

On motion of Senator Day, *H. B. No. 41* was made a special order of business for 3:00 P.M.

H. B. No. 42 was read the second time.

On motion of Senator Hafen, the rules were suspended and *H. B. No. 42* was read the third time and placed on its final passage.

H. B. No. 42 then passed on the following roll call:

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

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

Absent and not voting: Senators Adams, Hopkin, Muir, Tietjen and Woolley.

H. B. No. 42 was returned to the House.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider *H. B. No. 35*.

H. B. No. 35 was read the second time.

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

AFTERNOON SESSION

The Senate re-assembled.

COMMUNICATIONS FROM THE GOVERNOR

December 14, 1953

Honorable Mark Paxton, President
Members of the Senate

Dear Mr. President and Members of the Senate:

I am returning herewith and without my approval *Senate Bill No. 6*, entitled:

AN ACT AMENDING SECTIONS 53-2-3, 53-2-4, 53-2-5 AND 53-2-7, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR THE HOLDING

OF REGIONAL CONVENTIONS AND FOR THE FILING OF PETITIONS FOR THE PURPOSE OF NOMINATING CANDIDATES FOR MEMBERSHIP IN THE STATE BOARD OF EDUCATION, FOR THE PROCEDURE TO BE FOLLOWED IN ELECTING SAID MEMBERS, LISTING THE DUTIES OF THE SECRETARY OF STATE AND OF COUNTY CLERKS WITH RESPECT TO SAID NOMINATIONS AND ELECTIONS, PROVIDING FOR THE CANVASSING OF THE RETURNS OF SAID ELECTIONS BY THE BOARD OF COUNTY COMMISSIONERS, AND THE SECRETARY OF STATE AND SETTING FORTH THE PROCEDURE TO BE FOLLOWED IN FILLING VACANCIES OF SCHOOL BOARD MEMBERS BY CONVENTIONS CALLED FOR THAT PURPOSE BY THE CHAIRMAN OF THE STATE BOARD OF EDUCATION.

I am vetoing this bill with the recommendation that a new bill be enacted to provide four-year terms for board members with the added provision that terms of five of the nine-man board expire at one time and the remaining four at another. You will recall that I originally recommended that terms of local and state board members be made to expire at one time. The Legislature is considering a compromise version of this request as it concerns local boards (Senate Bill No. 8) by providing that terms of three of the five-man board expire at one time and the remaining two at another. I am recommending in this veto message that the same principle of compromise be enacted as it pertains to state board of education members. I would approve such a compromise.

Sincerely yours,

J. BRACKEN LEE,

Governor

Communication filed.

The Senate voted and sustained the Governor's veto of *S. B. No. 6* by the following roll call:

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

Those voting in the negative were: Senators Adams, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Jenkins, Kerr, Mabey, Muir, Selvin, Stringham, Thorn, Tippetts, Watson, Woolley and Mr. President.

Absent and not voting: Senators Burton, Hopkin, Openshaw and Tietjen.

S. B. No. 6 was filed.

COMMUNICATIONS FROM THE HOUSE

December 14, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate Amendments to *H. B. No. 27*, by Messrs. Lee W. Dalebout and Clair R. Hopkins, entitled:

AN ACT AMENDING SECTIONS 53-7-2, 53-7-5, UTAH CODE ANNOTATED 1953; ENACTING NEW SECTIONS 53-7-5A AND 53-7-5B, UTAH CODE ANNOTATED 1953, AND AMENDING SECTION 53-7-7, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR DETERMINING COSTS OF THE STATE-SUPPORTED MINIMUM SCHOOL PROGRAM AND FOR DISTRIBUTING THE STATE CONTRIBUTION TOWARD SUCH PROGRAM, and requests the Senate to recede from its amendments.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Kerr, the Senate refused to recede from its amendments.

President Paxton appointed a Conference Committee, consisting of Senators Clegg, Burton and Jenkins, to act with a like committee from the House to confer on *H. B. No. 27*.

December 14, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. J. R. No. 3*, by Mrs. Elizabeth Vance, Mrs. William I. Lowe, Messrs. S. A. Elswood, and Fred J. Froerer, Jr., entitled:

A JOINT RESOLUTION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE STATE OF UTAH, OF CONDOLENCE TO THE FAMILY OF WILMER J. MAW, IN MEMORIAM, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

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

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

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

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

Absent and not voting: Senators Gibson, Hopkin, Openshaw, Tietjen and Tippetts.

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

PRESENTATION OF RESOLUTIONS

S. C. R. No. 4 By Messrs. Day, Muir, Clegg, Thorn, Kerr, Selvin, Burton, Cannon, Mabey, Fowles, Stringham, Hammond, Jenkins, Gibson and Paxton

A CONCURRENT RESOLUTION OF CONDOLENCE TO THE FAMILY OF MATTHEW COWLEY, was read the first time.

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

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

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

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

Absent and not voting: Senators Burton, Cannon, Muir, Openshaw and Tietjen.

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

S. J. R. No. 4 By Messrs. Day, Muir, Hopkin and Adams

A JOINT RESOLUTION OF CONDOLENCE OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FIRST SPECIAL SESSION OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH TO THE FAMILY OF ROSAMOND HARDING KERR, was read the first time.

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

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

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

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

Absent and not voting: Senators Burton, Cannon, Openshaw and Tietjen.

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

S. R. No. 3

By Messrs. Day, Openshaw, Watson,
Fowles, Cannon, Burton,
Hammond and Gibson

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF MRS. JOSEPHINE JORGENSEN, was read the first time.

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

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

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

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

Absent and not voting: Senators Burton, Hopkin, Openshaw and Tietjen.

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

S. R. No. 4

By Messrs. Day, Kerr, Mabey,
Tippetts and Fowles

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF MRS. ARTHUR HONE, was read the first time.

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

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

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

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

Absent and not voting: Senators Burton, Hopkin, Openshaw and Tietjen.

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

S. R. No. 5

By Messrs. Tippetts, Watson,
Burton and Hammond

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF OLIVE MATILDA DAY, was read the first time.

On motion of Senator Clegg, the rules were suspended and S. R. No. 5 was read the second and third times and placed on its final passage.

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

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

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

Absent and not voting: Senators Burton, Hopkin, Openshaw and Tietjen.

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

SPECIAL ORDER

H. B. No. 40, being a special order of business, was before the Senate.

H. B. No. 40 was placed on the Third Reading Calendar on the following roll call:

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

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

Voting in the negative was Senator Mabey.

Absent and not voting: Senators Paxton and Tietjen.

H. B. No. 41, being a special order of business, was before the Senate.

H. B. No. 41 was placed on the Third Reading Calendar on the following roll call:

Ayes, 17; Nos, 1; Absent, 5.

Those voting in the affirmative were: Senators Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Tippetts, Watson and Woolley.

Voting in the negative was Senator Gibson.

Absent and not voting: Senators Adams, Burton, Paxton, Thorn and Tietjen.

UNFINISHED BUSINESS

H. B. No. 35, being unfinished business, was before the Senate.

H. B. No. 35 was placed on the Third Reading Calendar on the following roll call:

Ayes, 17; Nos, 1; Absent, 5.

Those voting in the affirmative were: Senators Adams, Cannon, Clegg, Day, Fowles, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Watson and Mr. President.

Voting in the negative was Senator Woolley.

Absent and not voting: Senators Burton, Gibson, Stringham, Tietjen and Tippetts.

COMMUNICATIONS FROM THE HOUSE

December 14, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives W. E. Anderson, L. B. Johnson and Mrs. Elizabeth Vance, to act with a like Committee from the Senate to consider *H. B. No. 29*, by Messrs. Dalebout and Hopkins, entitled:

AN ACT AMENDING SECTION 53-7-8, UTAH CODE ANNOTATED 1953, RELATING TO SCHOOL PROGRAMS IN EXCESS OF STATE-SUPPORTED MINIMUM PROGRAM.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

December 14, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. C. R. No. 3*, by Messrs. Stringham and Mabey, entitled:

A CONCURRENT RESOLUTION OF THE FIRST SPECIAL SESSION OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN, REAFFIRMING S. J. R. NO. 10 OF THE THIRTIETH LEGISLATURE MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA TO PROCEED WITH THE DEVELOPMENT OF THE COLORADO RIVER IN THE UPPER

BASIN STATES BY AUTHORIZING THE COLORADO RIVER STORAGE PROJECT AND PARTICIPATING PROJECTS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

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

December 14, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, S. B. No. 42, by Messrs. Stringham, Mabey and Hopkin, entitled:

AN ACT TO APPROPRIATE \$45,000.00 OUT OF THE GENERAL FUND TO THE UTAH WATER AND POWER BOARD AND THE ATTORNEY GENERAL TO DEFRAY COST OF ACTIVITIES IN ESTABLISHING AND DEFENDING THE WATER RIGHTS OF THE STATE OF UTAH IN INTERSTATE STREAMS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

On motion of Senator Day, the Senate voted to concur with the House amendments to S. B. No. 42 on the following roll call:

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

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

Absent and not voting: Senators Burton, Hafen, Stringham, Tietjen and Tippetts.

S. B. No. 42 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

December 14, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred S. B. No. 37, by Messrs. Mabey, Thorn, Selvin and Muir, entitled:

AN ACT PROVIDING PUBLIC ASSISTANCE TO NEEDY RETIRED EMPLOYEES OF THE EDUCATIONAL SYSTEMS OF THE STATE AND PROVIDING FOR AN APPROPRIATION OF \$90,000.00 ANNUALLY, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 37 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

December 14, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred S. R. No. 3, by Messrs. Day, Openshaw, Watson, Fowles, Cannon, Burton, Hammond and Gibson, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF MRS. JOSEPHINE JORGENSEN, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 14, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred S. R. No. 4, by Messrs. Day, Kerr, Mabey, Tippetts, and Fowles, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF MRS. ARTHUR HONE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. R. No. 4 was signed by the President in open session in the presence of the Senate and was transmitted to the Secretary of State.

December 14, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. R. No. 5*, by Messrs. Tippetts, Watson, Burton and Hammond, entitled:

A RESOLUTION OF CONDOLENCE TO THE FAMILY OF OLIVE MATILDA DAY, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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.

Senator Hopkin moved for reconsideration of the Senate's final action on *H. B. No. 19*.

The Senate voted not to reconsider its final action on *H. B. No. 19*.

H. B. No. 19 was returned to the House.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider *H. B. No. 34*.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 34 was read the second time.

On motion of Senator Gibson, *H. B. No. 34* was amended as follows:

Page 2, strike all of Section 2.

On motion of Senator Gibson, the title of *H. B. No. 34* was amended to conform with the body of the bill as follows:

Line 7, after the word "TION", insert a period and strike the remainder of line 7.

H. B. No. 34 was placed on the Third Reading Calendar on the following roll call:

Ayes, 19; Nos, 1; Absent, 3.

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

Voting in the negative was Senator Muir.

Absent and not voting: Senators Burton, Fowles and Tietjen.

On motion of Senator Gibson, the Senate adjourned until Tuesday, December 15, 1953 at 10:00 A.M.

FIFTEENTH DAY

MORNING SESSION

December 15, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

December 15, 1953

Mr. President:

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

Respectfully,

H. ROLAND TIETJEN,
 Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

December 14, 1953

Honorable Mark Paxton, President
 Members of the Utah State Senate

Dear Mr. President and Members of the Senate:

I am returning herewith and without my approval *Senate Bill No. 7* entitled:

AN ACT PROVIDING FOR THE REGISTRATION OF PRIVATE SCHOOLS.

This is an act that I originally recommended, but since its introduction and passage in the Legislature, I have received objections from private schools which I believe are valid. The information requested in this act has been and can be furnished to the State on a voluntary basis.

I have been opposed to extending the control of government over the people. Each extension means that personal liberty and freedom are further restricted. The present act will compel the delivery of information to the State and to that extent is an infringement upon the freedom of these schools to operate.

On the other hand, the information the State is seeking is necessary in view of the compulsory attendance law. However, just so long as this information can be obtained voluntarily, the State should not force the issue.

It is for these reasons that I am vetoing this bill.

Sincerely yours,

J. BRACKEN LEE,

Communication filed.

Governor

On motion of Senator Mabey, the Senate voted to reconsider *S. B. No. 7*, and sustained the Governor's veto of *S. B. No. 7* by the following roll call:

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

Those voting in the affirmative were: Senators Adams, Fowles, Hopkin, Jenkins, Selvin (explained vote) and Tippetts.

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

Absent and not voting: Senator Watson.

S. B. No. 7 was filed.

REPORTS OF SPECIAL COMMITTEES

December 14, 1953

Mr. President and Mr. Speaker:

Your Conference Committee, to which was referred *H. B. No. 29*, by Messrs. Lee W. Dalebout and Clair R. Hopkins, begs leave to report as follows: that the word "electors" be substituted for the word "taxpayers" on lines 2 and 3 of the Senate amendment.

Respectfully submitted,

ORVAL HAFEN,

Senate Chairman

WM. E. ANDERSON,

House Chairman

Conference Committee report adopted and filed.

H. B. No. 29, as amended by the adoption of the Conference Committee report, then passed on the following roll call:

Ayes, 19; Nos, 1; Absent, 3.

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

Voting in the negative was Senator Woolley.

Absent and not voting: Senators Hopkin, Kerr and Watson.

H. B. No. 29 was returned to the House.

PRESENTATION OF RESOLUTIONS

S. J. R. No. 5

By Messrs. Fowles, Burton and Muir

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

On motion of Senator Fowles, the rules were suspended and *S. J. R. No. 5* was read the second and third times and placed on its final passage.

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

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

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

Absent and not voting: Senators Hopkin, Kerr and Watson.

S. J. R. No. 5 was transmitted to the House.

On motion of Senator Fowles, *S. B. Nos. 29* and *34* were lifted from the table and made a special order of business to be considered following *S. B. No. 39*.

UNFINISHED BUSINESS

S. B. No. 39, being unfinished business, was before the Senate.

Senator Hafen moved to amend *S. B. No. 39* as follows:

Page 2, insert the following new section immediately following line 6:

"Section 3. In the event the disposal and transfer of any or all of the property enumerated in section 2 hereof as provided therein shall be determined by the Attorney General and attorneys for the transferee or transferees to be of doubtful constitutionality or held by the courts to be unconstitutional, the Board of Examiners shall sell under an absolute fee simple conveyance such property as cannot constitutionally be disposed of as provided in section 2 to the same intended transferee or transferees on such terms and conditions, considering the saving to the State in being relieved of the three colleges aforesaid, as the board of Examiners deems proper.

Page 2, line 7, strike "3" and insert in lieu thereof "4".

On motion of Senator Gibson, the Senate voted for a roll call vote on the amendment, moved by Senator Hafen.

The amendment passed on the following roll call:

Ayes, 13; Nos, 10; Absent, 0.

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

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

Senator Mabey moved to amend *S. B. No. 39* as follows:

Page 1, line 1, strike "1953" and insert in lieu thereof "1954-55".

Page 1, line 2, strike "1954" and insert in lieu thereof "1955".

On motion of Senator Jenkins, the Senate voted for a roll call vote on the amendment, moved by Senator Mabey. The amendment failed on the following roll call:

Ayes, 9; Nos, 14; Absent, 0.

Those voting in the affirmative were: Senators Adams, Fowles, Gibson, Jenkins, Mabey, Openshaw, Selvin, Tippetts and Watson.

Those voting in the negative were: Senators Burton, Cannon, Clegg, Day, Hafen, Hammond, Hopkin, Kerr, Muir, Stringham, Thorn, Tietjen, Woolley and Mr. President.

On motion of Senator Hafen, *S. B. No. 39* was amended as follows:

Page 1, line 1, strike the words "school year 1953-54 ending on or about July 1, 1954" and insert in lieu thereof the words "transfers are effectuated as hereinafter provided".

Page 1, line 8, after the word "Examiners" insert "on or before July 1, 1954".

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

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE HOUSE

December 15, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate and House, *S. B. No. 38*, by Mr. Hafen, entitled:

AN ACT APPROPRIATING \$118,000.00 TO THE STATE BUILDING BOARD FOR RENOVATION AND REPAIR OF HEATING FACILITIES AT THE COLLEGE OF SOUTHERN UTAH, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

On motion of Senator Gibson, *S. B. No. 38* was tabled.

December 15, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 40*, by Messrs. Burton and Cannon, entitled:

AN ACT APPROPRIATING \$10,000.00 FROM THE GENERAL FUND TO THE UTAH STATE BUILDING BOARD FOR THE PURPOSE OF ALTERING AND IMPROVING THE AREA VOCATIONAL SCHOOL BUILDING LOCATED AT 431 SOUTH 6TH EAST, SALT LAKE CITY, UTAH, FOR THE PURPOSE OF ADAPTING IT TO THE USE OF STATE OFFICES, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 40 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

December 15, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 37*, by Messrs. Mabey, Thorn, Selvin and Muir, entitled:

AN ACT PROVIDING PUBLIC ASSISTANCE TO NEEDY RETIRED EMPLOYEES OF THE EDUCATIONAL SYSTEMS OF THE STATE AND PROVIDING FOR AN APPROPRIATION OF \$90,000.00 ANNUALLY, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

S. B. No. 37 was transmitted to the Governor.

December 15, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 19*, by Messrs. Harrison Conover and C. E. Peterson, entitled:

AN ACT AMENDING SECTION 53-6-15, UTAH CODE ANNOTATED 1953, RELATING TO THE DUTIES OF THE CLERK OF BOARDS OF EDUCATION, REQUIRING THE PUBLICATION OF A STATEMENT OF RECEIPTS AND DISBURSEMENTS OF THE BOARDS; PROVIDING THAT STATEMENT OF ALL BOARDS SHALL SHOW RECIPIENTS OF DISBURSEMENTS.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

December 15, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives Hopkins, L. B. Johnson, and Mrs. Cazier, to act with a like committee from the Senate to consider *H. B. No. 27*, by Messrs. Lee W. Dalebout and Clair R. Hopkins, entitled:

AN ACT AMENDING SECTIONS 53-7-2, 53-7-5, UTAH CODE ANNOTATED 1953; ENACTING NEW SECTIONS 53-7-5A AND 53-7-5B, UTAH CODE ANNOTATED 1953; AND AMENDING SECTION 53-7-7, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR DETERMINING

**COSTS OF THE STATE-SUPPORTED MINIMUM SCHOOL PROGRAM
AND FOR DISTRIBUTING THE STATE CONTRIBUTION TOWARD
SUCH PROGRAM.**

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

December 15, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of December 15, 1953, and passed as amended by the Senate, *H. B. No. 29*, by Messrs. Lee W. Dalebout and Clair R. Hopkins, entitled:

AN ACT AMENDING SECTION 53-7-8, UTAH CODE ANNOTATED 1953, RELATING TO SCHOOL PROGRAMS IN EXCESS OF THE STATE-SUPPORTED MINIMUM PROGRAM.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

December 15, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee report as of December 9, 1953, and passed *S. B. No. 2*, by Messrs. Kerr, Thorn, Hafen, Tietjen, Woolley and Selvin, entitled:

AN ACT AMENDING SECTIONS 53-14-1 AND 53-14-2, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT OF LAY MEMBERS AND THE APPOINTMENT OF LOCAL SCHOOL DISTRICT SUPERINTENDENTS, AND THE DEANS OF THE SCHOOLS OF EDUCATION OF THE UNIVERSITY OF UTAH AND UTAH STATE AGRICULTURAL COLLEGE, TO THE COURSE OF STUDY COMMITTEE, THEIR TERMS OF OFFICE, TIMES OF MEETING, RESPONSIBILITIES AND COMPENSATION, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

December 15, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. J. R. No. 4*, by Messrs. Day, Muir, Hopkin and Adams, entitled:

A JOINT RESOLUTION OF CONDOLENCE OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FIRST SPECIAL SESSION OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH TO THE FAMILY OF ROSAMOND HARDING KERR, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

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

December 15, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. C. R. No. 4*, by Messrs. Day, Muir, Clegg, Thorn, Kerr, Selvin, Burton, Cannon, Mabey, Fowles, Stringham, Hammond, Jenkins, Gibson, and Hopkin, entitled:

A CONCURRENT RESOLUTION OF CONDOLENCE TO THE FAMILY OF MATTHEW COWLEY and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

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

December 15, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 14th day of December, 1953, approve and transmit to the Secretary of State, *H. B. No. 24*, by Mr. G. Douglas Taylor, entitled:

AN ACT TO REPEAL SEC. 76-47-1, UTAH CODE ANNOTATED 1953, MAKING PRIZE-FIGHTING A FELONY.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

December 15, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 28*, by Messrs. Lee W. Dalebout and Clair R. Hopkins, entitled:

AN ACT AMENDING SECTIONS 59-9-2 AND 59-9-3, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE SCHOOL DISTRICT TAX LEVIES FOR A STATE-SUPPORTED MINIMUM SCHOOL PROGRAM, BASIC AND SUPPLEMENTAL, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 28 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 15, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. J. R. No. 2*, by Mrs. E. Vance, Mrs. C. L. Jack and Mrs. W. L. Lowe, entitled:

A JOINT RESOLUTION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE STATE OF UTAH, OF CONDOLENCE TO REPRESENTATIVE EDNA J. CAZIER AND TO THE FAMILY OF CHRISTINE T. JENSEN KUHRE, IN MEMORIAM, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. J. R. No. 2 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

REPORTS OF STANDING COMMITTEES

December 15, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. C. R. No. 3*, by Messrs. Stringham and Mabey, entitled:

A CONCURRENT RESOLUTION OF THE FIRST SPECIAL SESSION OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, THE

GOVERNOR CONCURRING THEREIN, REAFFIRMING S. J. R. NO. 10 OF THE THIRTIETH LEGISLATURE MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA TO PROCEED WITH THE DEVELOPMENT OF THE COLORADO RIVER IN THE UPPER BASIN STATES BY AUTHORIZING THE COLORADO RIVER STORAGE PROJECT AND PARTICIPATING PROJECTS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 15, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred S. B. No. 42, by Messrs. Stringham, Mabey and Hopkin, entitled:

AN ACT TO APPROPRIATE \$45,000.00 OUT OF THE GENERAL FUND TO THE UTAH WATER AND POWER BOARD AND THE ATTORNEY GENERAL TO DEFRAY COST OF ACTIVITIES IN ESTABLISHING AND DEFENDING THE WATER RIGHTS OF THE STATE OF UTAH IN INTERSTATE STREAMS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 42 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS

The Honorable Mark Paxton,
President, Utah State Senate.

Dear Mr. President:

I, Bernard R. Diamond, Manager-Secretary of the Ogden Chamber of Commerce, Ogden, Weber County, Utah, writing on behalf of that organization and those citizens of Weber County who have expressed public concern regarding action now being considered by your august body through debate on Senate Bill No. 39, do hereby request that a public hearing on this measure

be granted and that said hearing be held on or after, Monday, December 21, 1953, in order to provide fair and sufficient time for the preparation of an adequate presentation by our organization and those citizens and organizations which desire to be heard.

BERNARD R. DIAMOND,
Manager-Secretary,
Ogden, Utah Chamber of Commerce

December 15, 1953
Request filed.

On motion of Senator Kerr, the Senate voted to grant the request for a public hearing on Wednesday, December 16, 1953 and to meet as a Committee of the Whole from 9:00 to 11:00 A.M. in the Senate Chambers.

UNFINISHED BUSINESS

S. B. No. 39, being unfinished business, was before the Senate.

On motion of Senator Hopkin, *S. B. No. 39* was made a special order of business for Wednesday, December 16, 1953 at 11:00 A.M.

On motion of Senator Mabey, *S. B. Nos. 29* and *34* were made a special order of business for December 16, 1953 at 11:00 A.M. to be considered following *S. B. No. 39*.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 40 was read the third time and placed on its final passage.

On motion of Senator Day, *H. B. No. 40* was amended as follows:

Page 1, line 1, delete the underlining of "Section 1".

Page 1, line 7, after "Title 17" insert "as amended by Chapter 29, Laws of Utah, 1953".

Page 1, line 9, after the word "under" insert the word "said".

Page 2, line 31, after the period, strike the balance of the line, lines 32 and 33 and page 3, strike all of lines 1, 2, 3, 4, and 5 and insert in lieu thereof "Each such district is hereby granted and authorized to exercise all of the general powers and is authorized to levy and collect the taxes for which provision is made in Chapter 6 aforesaid, including specifically sections 17-6-3.4, 17-6-3.5, 17-6-3.6 and 17-6-3.8.

Page 3, line 6, delete the underlining of "Section 2".

On motion of Senator Day, the title of *H. B. No. 40* was amended to conform with the body of the bill as follows:

Line 5, after "1953" insert "AS AMENDED BY CHAPTER 29, LAWS OF UTAH, 1953".

H. B. No. 40 then passed on the following roll call:

Ayes, 19; Nos, 1; Absent, 3.

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

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

Absent and not voting: Senators Cannon, Jenkins and Kerr.

H. B. No. 40 was returned to the House.

H. B. No. 41 was read the third time and placed on its final passage.

On motion of Senator Day, a call of the Senate was made.

On motion of Senator Day, after the report from the Sergeant-at-arms, the call of the Senate was lifted.

H. B. No. 41 then passed on the following roll call:

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

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

Absent and not voting: Senators Cannon, Gibson and Tippetts.

H. B. No. 41 was returned to the House.

H. B. No. 35 was read the third time and placed on its final passage.

On motion of Senator Mabey, *H. B. No. 35* was amended as follows:

Page 6, following line 12, insert the following:

"Section 17. For the purposes of administering this Act there is appropriated to the State Tax Commission from the Uniform School Fund the sum of \$20,000.00 for the fiscal year ending June 30, 1954, and \$40,000.00 for the fiscal year ending June 30, 1955."

Change "Section 17" (amendment by the House) to read "Section 18".

On motion of Senator Mabey, the title of *H. B. No. 35* was amended to conform with the body of the bill as follows:

Following the word "ACT" insert the following: "AND APPROPRIATING FROM THE UNIFORM SCHOOL FUND TO THE STATE TAX COMMISSION FOR EXPENSES THE SUMS OF \$20,000.00 AND \$40,000.00 FOR THE CURRENT AND NEXT FISCAL PERIODS."

H. B. No. 35 then passed on the following roll call:

Ayes, 16; Nos, 4; Absent, 3.

Those voting in the affirmative were: Senators Adams, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham, Thorn, Tietjen and Watson.

Those voting in the negative were: Senators Burton, Fowles, Woolley and Mr. President.

Absent and not voting: Senators Cannon, Gibson and Tippetts.

H. B. No. 35 was returned to the House.

H. B. No. 34 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 substitute *H. B. No. 34* (reprinted) for the original *H. B. No. 34*.

"SPECIAL SESSION – 1953

H. B. No. 34 (reprinted)

By Wayne C. Durham

AN ACT AMENDING SECTIONS 59-18-4 AND 59-18-10, UTAH CODE ANNOTATED 1953, PROVIDING FOR A TAX TO BE COLLECTED AND PAID TO THE STATE TAX COMMISSION UPON THE SALE OF CERTAIN ARTICLES IN THE STATE OF UTAH BY THE MANUFACTURER, JOBBER, DISTRIBUTOR, OR RETAILER, DESIGNATING THE RATE OF TAXATION; PROVIDING THAT A PORTION OF THE TAXES COLLECTED ON THE SALE OF CIGARETTES BE ALLOCATED TO THE UNIFORM SCHOOL FUND; PROVIDING FOR THE PREPARATION AND SALE OF STAMPS TO PERSONS HOLDING A LICENSE FOR THE SALE OF CIGARETTES OR CIGARETTE PAPERS; FOR DELIVERY BY THE STATE TAX COMMISSION OF STAMPS IN FACE VALUE NOT TO EXCEED 90% OF THE PENAL SUM OF LICENSEES' BOND TO ANY LICENSEE WITHOUT PAYMENT THEREFOR; AND PROVIDING THAT THE STATE TAX COMMISSION ALLOW A DISCOUNT OF FIVE PERCENT TO ANY LICENSEE UPON THE AMOUNT OF EACH PURCHASE OF STAMPS AMOUNTING TO \$25.00 OR OVER.

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

Section 1. Sec. 59-18-4, Utah Code Annotated 1953, is amended to read:

59-18-4. There is hereby imposed and there shall be collected by and paid to the state tax commission upon the sale of the following articles in the state of Utah, a tax at the rate hereinafter set forth, such tax to be paid by the manufacturer, jobber, distributor, or retailer:

1. On cigarettes weighing not more than three pounds per thousand, () two mills on each cigarette;

2. On cigarettes weighing more than three pounds per thousand, () four mills on each such cigarette;

3. On cigarette papers, or wrappers, or any papers made or prepared for the purpose of making cigarettes, made up in packages, books, or sets; on each such package, book, or set one-half cent for each fifty papers or fractional part thereof.

4. On tubes, one cent for each fifty paper tubes or fractional part thereof.

5. Upon oleomargarine, as defined in section 59-18-16, not artificially colored, five cents per pound or fractional part thereof;

6. Upon oleomargarine, as defined in section 59-18-16, artificially colored, ten cents per pound or fraction thereof.

Section 2. All taxes collected on cigarettes weighing not more than three pounds per thousand, in excess of one mill on each cigarette and all taxes collected on cigarettes weighing more than 3 pounds per thousand in excess of two mills on each cigarette shall be allocated to the Uniform School Fund.

Section 3. Sec. 59-18-10, Utah Code Annotated is amended to read:
59-18-10: The state auditor is hereby authorized to have prepared, according to such specifications and designs and in such denominations as may be submitted to him by the state tax commission, stamps for use on packages and containers of any of the products enumerated in section 59-18-1, the sale of which is subject to tax under this chapter, and upon requisition from the state tax commission, the state auditor shall deliver to its order the stamps designated in such requisition and shall keep an accurate record of all stamps coming into and leaving his hands. The cost of said stamps shall be charged to any appropriation made to defray the administration of this chapter.

The state tax commission shall sell the stamps herein provided for only to persons holding licenses issued as provided in this chapter, and the moneys received from the sale of such stamps shall be turned into the general fund of the state. The state tax commission may deliver stamps in face value not to exceed 90% of the penal sum of licensee's bonds to any licensee without

payment therefor; provided that licensee shall make payment for stamps so delivered upon consignment within sixty days of the date stamps were delivered to licensee. Unused stamps may be redeemed, within two years after such stamps shall have been purchased from the state tax commission, by presentation to the state tax commission of a claim therefor, by the person to whom they were originally sold, accompanied by the unused stamps. The state tax commission shall certify said claim with its approval to the state auditor, who shall draw a warrant upon the state treasurer for the payment of such claim.

When any articles, the sale of which is taxable under this chapter, and upon which such taxes have been paid, are sold and shipped to a regular dealer in such articles in another state, the seller in this state, if he be a licensed dealer in such products, shall be entitled to a refund of the actual amount of the taxes which he has paid, upon condition that the seller in this state shall make affidavit that the goods were so sold and shipped, and that he shall furnish from the purchaser a written acknowledgment that he has received such goods and the amount of stamps thereon, together with the name and address of the purchaser. The taxes shall be refunded in the manner provided above for the redemption of unused stamps.

When such articles, upon which no tax has been paid, are sold for export, and in due course so exported, to a regular dealer in such articles in another state, the wholesaler or distributor in this state shall be exempt from the payment of any tax upon the sale of such articles, if and when he shall have furnished such proof of said sale and exportation as the state tax commission may require.

The state tax commission shall allow a discount of () five per cent () 5% to any licensee upon the entire amount of each single purchase of stamps amounting to twenty-five dollars (\$25) or over.

It shall be unlawful for any person to sell or dispose of such stamps to any other person whomsoever, except that whenever a person owns or operates more than one place of sale, stamps may be distributed to the various places of sale by the main office, but each place of sale must have a separate license and cancellation stamp."

On motion of Senator Kerr, *H. B. No. 34* was amended as follows:

Page 2, line 20, after the word "and" insert "one half of".

H. B. No. 34 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Woolley.

Those voting in the negative were: Senators Fowles, Muir and Mr. President (explained vote).

Absent and not voting: Senators Cannon and Gibson.

On motion of Senator Day, the Senate voted to reconsider its final action on *H. B. No. 34*.

On motion of Senator Kerr, *H. B. No. 34* was amended as follows:

Page 2, line 5, following Section 2, insert the following:

"There is enacted a new section to be known as Sec. 59-18-4.1, Utah Code Annotated 1953 to read:

59-18-4.1".

On motion of Senator Kerr, the title of *H. B. No. 34* was amended to conform with the body of the bill as follows:

Page 1, after "59-18-10" insert the following:

"AND ENACTING A NEW SECTION TO BE KNOWN AS SEC. 59-18-4.1".

On motion of Senator Openshaw, *H. B. No. 34* was amended as follows:

Page 2, line 23, after the word "shall" insert the following: "except as provided in Sec. 59-18-4.1".

Page 2, line 20, after the word "and" strike the words "one half of".

H. B. No. 34 then passed on reconsideration on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Clegg, Day, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Thorn, Tietjen, Tippetts, Watson and Woolley.

Voting in the negative was Senator Muir.

Absent and not voting: Senators Cannon, Fowles, Gibson and Mr. President.

On motion of Senator Openshaw, *S. B. No. 38* was lifted from the table and the Senate voted to now consider *S. B. No. 38*.

On motion of Senator Hafen, the Senate refused to concur in the House amendments to *S. B. No. 38* and requests the House to recede.

On motion of Senator Clegg, the Senate adjourned until Wednesday, December 16, 1953 at 8:45 A.M.

SIXTEENTH DAY**MORNING SESSION**

December 16, 1953

The Senate was called to order at 8:45 A.M. President Paxton in the chair.

Roll Call—All Senators present.

Prayer by the Chaplain.

December 16, 1953

Mr. President:

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

Respectfully,

H. ROLAND TIETJEN,

Chairman

Report adopted and filed.

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

Mr. Frank M. Browning appeared before the Committee of the Whole.

Mr. Louis Griffin appeared before the Committee of the Whole.

Mr. W. O. Pell appeared before the Committee of the Whole.

Rev. Henry C. Beatty appeared before the Committee of the Whole.

Mr. George C. Herrod appeared before the Committee of the Whole.

Mrs. John Lewis appeared before the Committee of the Whole.

Mr. Darrell J. Greenwell appeared before the Committee of the Whole.

Dr. A. C. Callister appeared before the Committee of the Whole.

Mr. Percy Hadley appeared before the Committee of the Whole.

Mr. Howard Widdison appeared before the Committee of the Whole.

Mr. T. G. Schmidt appeared before the Committee of the Whole.

Mrs. Olive Maccarthy appeared before the Committee of the Whole.

Mr. Howard W. Green appeared before the Committee of the Whole.

Mr. E. J. Fjeldsted appeared before the Committee of the Whole.

Mr. W. W. Anderson appeared before the Committee of the Whole.

Mr. Arthur Brown appeared before the Committee of the Whole.

Mr. John Hinckley appeared before the Committee of the Whole.

President William P. Miller, Weber College, appeared before the Committee of the Whole.

Mr. Ira A. Huggins appeared before the Committee of the Whole.

Mr. John Elzey appeared before the Committee of the Whole.

Mr. David J. Wilson appeared before the Committee of the Whole.

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

On motion of Senator Clegg, the Senate recessed until 2:30 P.M.

AFTERNOON SESSION

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

SPECIAL ORDER

S. B. No. 39, being a special order of business, was before the Senate.

S. B. No. 39 was placed on the Third Reading Calendar on the following roll call:

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

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

Those voting in the negative were: Senators Adams, Fowles, Gibson, Jenkins, Mabey, Openshaw, Selvin (explained vote) and Watson.

On motion of Senator Hafen, the Senate adjourned until Thursday, December 17, 1953 at 10:00 A.M.

SEVENTEENTH DAY

MORNING SESSION

December 17, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

December 17, 1953

Mr. President:

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

Respectfully,

H. ROLAND TIETJEN,

Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

December 15, 1953

Honorable Mark Paxton, President
Members of the Senate
Capitol

Dear Mr. President and Members of the Senate:

This is to advise you that I have transmitted to the Secretary of State on this day *S. B. No. 1*, by Messrs. Kerr, Thorn, Tietjen, Hafen, Woolley and Selvin, entitled:

AN ACT AMENDING SECTIONS 53-13-2, 53-13-3, 53-13-10 AND REPEALING SECTION 53-13-11, UTAH CODE ANNOTATED 1953, RELATING TO THE STATE TEXTBOOK COMMISSION, DEFINING THE DUTIES OF THE COMMISSIONERS AND OF THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION WITH RESPECT THERETO, OUTLINING THE PROCEDURE TO BE FOLLOWED IN THE ADOPTION OF TEXTBOOKS AND MAKING IT A MISDEMEANOR FOR A MEMBER OF THE BOARD OF EDUCATION TO REFUSE OR NEG-

LECT TO ENFORCE THE USE OF TEXTBOOKS ADOPTED BY THE COMMISSION, which became law without my signature on December 15, 1953.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

December 15, 1953

Honorable Mark Paxton, President
Members of the Senate
Capitol

Dear Mr. President and Members of the Senate:

I approved on December 14 and am transmitting to the Secretary of State today *S. B. No. 8*, by Messrs. Woolley, Muir and Mabey, entitled:

AN ACT PROVIDING FOR THE ELECTION OF MEMBERS OF LOCAL BOARDS OF EDUCATION ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER; FIXING TERMS OF OFFICE; PROVIDING JURISDICTION BY COUNTY COMMISSIONERS, AND REPEALING SECTIONS 53-5-1, 53-5-2, 53-5-3, 53-5-5 AND 53-5-6, UTAH CODE ANNOTATED 1953.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

December 16, 1953

Honorable Mark Paxton, President
Members of the Senate
Capitol

Dear Mr. President and Members of the Senate:

I approved on December 15 and am transmitting to the Secretary of State today *S. B. No. 37*, by Messrs. Mabey, Thorn, Selvin and Muir, entitled:

AN ACT PROVIDING PUBLIC ASSISTANCE TO NEEDY RETIRED EMPLOYEES OF THE EDUCATIONAL SYSTEMS OF THE STATE AND PROVIDING FOR AN APPROPRIATION OF \$90,000.00 ANNUALLY.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

REPORTS OF SPECIAL COMMITTEES

December 15, 1953

Mr. President:

Mr. Speaker:

We, your Conference Committee, after careful consideration of *S. B. No. 5*, recommend that the House recede from its amendments, thus reinstating the word "five" on line 4 of the body of the bill, and the word "five" on line 4 of the title of the bill and we further recommend that Joint Rule No. 32 be suspended and the word "complete" on line 3 of the body of the bill be deleted.

Respectfully,

GRANT S. THORN,
Chairman SenateC. E. PETERSEN,
Chairman House

Report adopted and filed.

On motion of Senator Hopkin, the Senate voted to suspend Joint Rule No. 32 regarding *S. B. No. 5*.

S. B. No. 5, as amended by the adoption of the Conference Committee report, then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hammond, Hopkin, Jenkins, Kerr, Mabey, Muir, Selvin, Thorn, Tippetts, Watson and Mr. President.

Absent and not voting: Senators Fowles, Gibson, Hafen, Openshaw, Stringham, Tietjen and Woolley.

On motion of Senator Openshaw, the Senate voted to reconsider its final action on *S. B. No. 5*.

On motion of Senator Hopkin, the title of *S. B. No. 5* was amended to conform with the body of the bill as follows:

Page 1, line 2, strike the word "COMPLETE".

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

Ayes, 19; Nos, 3; Absent, 1.

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

Those voting in the negative were: Senators Clegg, Fowles (explained vote) and Watson.

Absent and not voting: Senator Hopkin.

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

REPORTS OF STANDING COMMITTEES

December 15, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred S. J. R. No. 4, by Messrs. Day, Muir, Hopkin and Adams, entitled:

A JOINT RESOLUTION OF CONDOLENCE OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FIRST SPECIAL SESSION OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH TO THE FAMILY OF ROSAMOND HARDING KERR, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

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

December 15, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred S. C. R. No. 4, by Messrs. Day, Muir, Clegg, Thorn, Kerr, Selvin, Burton, Cannon, Mabey, Fowles, Stringham, Hammond, Jenkins, Gibson and Paxton, entitled:

A CONCURRENT RESOLUTION OF CONDOLENCE TO THE FAMILY OF MATTHEW COWLEY, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

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

December 15, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 2*, by Messrs. Kerr, Thorn, Hafen, Tietjen, Woolley and Selvin, entitled:

AN ACT AMENDING SECTIONS 53-14-1 AND 53-14-2, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT OF LAY MEMBERS AND THE APPOINTMENT OF LOCAL SCHOOL DISTRICT SUPERINTENDENTS, AND THE DEANS OF THE SCHOOLS OF EDUCATION OF THE UNIVERSITY OF UTAH AND UTAH STATE AGRICULTURAL COLLEGE, TO THE COURSE OF STUDY COMMITTEE, THEIR TERMS OF OFFICE, TIMES OF MEETING, RESPONSIBILITIES AND COMPENSATION, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 2 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

December 15, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 40*, by Messrs. Burton and Cannon, entitled:

AN ACT APPROPRIATING \$10,000.00 FROM THE GENERAL FUND TO THE UTAH STATE BUILDING BOARD FOR THE PURPOSE OF ALTERING AND IMPROVING THE AREA VOCATIONAL SCHOOL BUILDING LOCATED AT 431 SOUTH 6TH EAST, SALT LAKE CITY, UTAH, FOR THE PURPOSE OF ADAPTING IT TO THE USE OF STATE OFFICES, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 40 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

INTRODUCTION OF BILLS

S. B. No. 43

By Messrs. Gibson, Mabey and Kerr

AN ACT AMENDING SECTIONS 53-2-1, 53-2-3, 53-2-4, 53-2-5, 53-2-6 AND 53-2-7, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ELECTION OF MEMBERS OF THE STATE BOARD OF EDUCATION ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER; FIXING TERMS OF OFFICE; PROVIDING THAT IN THE ELECTION OF MEMBERS OF THE STATE BOARD OF EDUCATION THE COUNTY CLERKS SHALL PERFORM THE DUTIES NOW PLACED UPON THE CLERKS OF THE VARIOUS BOARDS OF EDUCATION; CANVASSING OF RETURNS BY THE BOARDS OF COUNTY COMMISSIONERS INSTEAD OF THE DISTRICT BOARDS OF EDUCATION AND BY THE SECRETARY OF STATE INSTEAD OF THE STATE BOARD OF EDUCATION, AND FOR FILLING VACANCIES, was read the first time and referred to the Committee on Revision and Enrolling.

Senator Hafen moved that the rules be suspended and that the Senate do now consider S. B. No. 39 on the Third Reading Calendar.

On motion of Senator Jenkins, the Senate voted for a roll call vote on the motion made by Senator Hafen.

The motion passed on the following roll call:

Ayes, 13; Nos, 10; Absent, 0.

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

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

CONSIDERATION OF BILLS ON THIRD READING

S. B. No. 39 was read the third time and placed on its final passage.

Senator Hopkin moved to amend S. B. No. 39 as follows:

Page 1, line 8, after July 1 strike "1954" and insert in lieu thereof "1955".

Senator Jenkins moved for a roll call vote on the amendment.

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

Ayes, 10; Nos, 13; Absent, 0.

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

Those voting in the negative were: Senators Burton, Cannon, Clegg, Day, Hafen, Hammond, Muir, Openshaw, Stringham, Thorn, Tietjen, Woolley and Mr. President.

S. B. No. 39 then passed on the following roll call:

Ayes, 14; Nos, 9; Absent, 0.

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

Those voting in the negative were: Senators Adams, Fowles, Gibson, Jenkins, Mabey, Openshaw, Selvin, Tippetts (explained vote) and Watson (explained vote).

S. B. No. 39 was transmitted to the House.

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

The Senate re-assembled.

On motion of Senator Clegg, a call of the Senate was made.

On motion of Senator Day, after the report from the Sergeant-at-arms, the call of the Senate was lifted.

COMMUNICATIONS FROM THE GOVERNOR

December 16, 1953

Honorable Mark Paxton, President
Members of Utah State Senate
Capitol

Dear Mr. President and Members of the Senate:

I am returning herewith and without my approval *Senate Bill No. 22*, entitled:

AN ACT REPEALING CHAPTER 29 OF TITLE 53, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW CHAPTER 29 OF TITLE 53 RELATING TO THE UTAH STATE TEACHERS' RETIREMENT SYSTEM, PROVIDING FOR THE EXTENSION OF FEDERAL SOCIAL SECURITY COVERAGE TO PERSONNEL OF THE STATE AND LOCAL EDUCATIONAL SYSTEMS, PROVIDING FOR A NEW RETIREMENT ACT FOR EMPLOYEES OF THE EDUCATIONAL SYSTEMS OF THE STATE AND PROVIDING FOR APPROPRIATIONS.

I am vetoing this bill, better known as the 70-per cent teacher retirement plan, for reasons I shall outline. It is my hope that the Senate will sustain this veto and enact the 100-per cent teacher retirement plan as I originally recommended.

It was my original intention to recommend to the Legislature that we terminate the present Teachers' Retirement System in the same manner we terminated the Public Employees' Retirement System in 1952. This would have abolished the present system, provided retirement benefits to those having certain vested rights, refunded contributions of other members, and placed all members under Social Security. I compromised my position in recommending the 100-per cent plan, but I cannot go so far as to accept the 70-per cent plan.

My Message to the Legislature on retirement and finance pointed out the differences between the 70-per cent and 100-per cent plans. Both will provide combined benefits to members that are substantially greater, in most cases, than those now provided under the existing system. Only in the three districts having local retirement systems—systems to which the State is not bound either legally or morally—are there exceptions of which I am aware. And within these three districts, the exceptions constitute only a fraction of the total membership. These exceptions should not be considered by the Legislature because they arise as a result of local action. The boards of the three districts concerned should determine what disposition they wish to make of their own problems.

It appears that the exceptions, even though they should be ignored in determining the level of the State program, have been a motivating force behind the enactment of the 70-per cent plan. Apparently it has been felt that the higher benefits available under the 70-per cent plan would tend to minimize the exceptions although not offset them. The effect of this apparent effort, should it be allowed to stand, would be to greatly increase benefits in all districts just because of a problem in three. And worst feature of all, the problem in the three districts is a local, not a state responsibility.

As I have stated, both the 70-per cent and 100-per cent plans would provide higher combined benefits to members than are presently available. Both would provide for the termination of the present system, the liquidation of the present debt, integration with Social Security, and the enactment of a new State Foundation system which would recognize prior service. The 70-per cent plan, while more liberal with its benefits, is more costly to members and the State alike. "The differences in cost to the taxpayers would not be enough," one of our newspapers has editorialized, "to warrant hair-splitting." The "hair" in this instance amounts to \$268,000 per year, which is a rather substantial sum to split. It is sufficient, for example, to pay for the administrative costs of operating the offices of the Governor, Secretary of State, Attorney General, Auditor, Treasurer and Supreme Court for one year.

At a time when we are facing future financial problems because of the assured increase in the cost of the school program, we should be prudent in making decisions on expenditures which become constant for the years to come. A review of the history of any of our retirement plans will show that

little regard was ever given to the potential cost of these systems as related to our ability to pay. Only the immediate cost has been considered. As a consequence all retirement plans have run or will run into financial difficulty. These lessons of the past should be ample warning to everyone not to set his sights too high and thus create a new problem in the process of solving an old one.

A recent tax study showed that Utah is higher taxed than any State in the West and sixth highest in the Nation. The search this Legislature is making for new taxes is indication enough that we still may go higher. Under these circumstances, there should be no question as to the need for more prudence in our expenditures, particularly in those which become irrevocable and set patterns for the future.

The purpose of considering teacher retirement at this time was to finance the growing debt in the system and integrate the system with Social Security. This can be done through the 100-per cent plan. The debt can be liquidated in less time and at lower cost under this plan than under the one you have enacted. Its over-all advantages, particularly from the public standpoint, recommend its adoption.

I urge you, therefore, to sustain my veto of *Senate Bill No. 22*, and to enact either a new bill providing for the 100-per cent plan, or one which would terminate the present retirement program in favor of Social Security.

Inasmuch as *Senate Bill No. 23* is a companion measure to this one, I am returning it also but without objection.

Sincerely yours,

J. BRACKEN LEE,

Governor

Communication filed.

On motion of Senator Mabey, the Senate voted that Senators Jenkins and Tippetts were entitled to vote on *S. B. No. 22* and *S. B. No. 23* respectively under Rule No. 58 of the Senate Rules.

The Senate, then re-considering *S. B. No. 22*, voted to over-ride the Governor's veto, and passed *S. B. No. 22* on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Cannon, Clegg, Day, Fowles, Gibson, Hafen, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Thorn, Tietjen, Tippetts and Watson.

Those voting in the negative were: Senators Burton, Muir, Stringham, Woolley and Mr. President.

S. B. No. 22 was transmitted to the House.

December 16, 1953

Honorable Mark Paxton, President
Members of Utah State Senate
Capitol

Dear Mr. President and Members of the Senate:

I am returning herewith and without my approval *Senate Bill No. 23*, entitled:

AN ACT REPEALING CHAPTER 28 OF TITLE 53, UTAH CODE ANNOTATED 1953, RELATING TO LOCAL PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS, PROVIDING FOR THE TERMINATION OF EXISTING LOCAL RETIREMENT ASSOCIATIONS, PROVIDING FOR THE EXTENSION OF FEDERAL SOCIAL SECURITY COVERAGE TO MEMBERS OF SAID LOCAL SYSTEMS, PROVIDING FOR THE CONTINUED PAYMENT OF BENEFITS TO PERSONS RETIRED THEREUNDER, AND PROVIDING FOR A TEMPORARY TAX LEVY.

I am vetoing this only because it is a companion measure to *Senate Bill No. 22*, which I vetoed. The two should be reconsidered together.

Sincerely yours,

J. BRACKEN LEE,

Governor

Communication filed.

The Senate, re-considering *S. B. No. 23*, voted to over-ride the Governor's veto and passed *S. B. No. 23* on the following roll call:

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

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

Those voting in the negative were: Senator Woolley and Mr. President.

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

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

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE HOUSE

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 42*, by Messrs. Stringham, Mabey and Hopkin, entitled:

AN ACT TO APPROPRIATE \$45,000.00 OUT OF THE GENERAL FUND TO THE UTAH WATER AND POWER BOARD AND THE ATTORNEY GENERAL TO DEFRAY COST OF ACTIVITIES IN ESTABLISHING AND DEFENDING THE WATER RIGHTS OF THE STATE OF UTAH IN INTERSTATE STREAMS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 42 was transmitted to the Governor.

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. C. R. No. 3*, by Messrs. Stringham and Mabey, entitled:

A CONCURRENT RESOLUTION OF THE FIRST SPECIAL SESSION OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN, REAFFIRMING S. J. R. NO. 10 OF THE THIRTIETH LEGISLATURE MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA TO PROCEED WITH THE DEVELOPMENT OF THE COLORADO RIVER IN THE UPPER BASIN STATES BY AUTHORIZING THE COLORADO RIVER STORAGE PROJECT AND PARTICIPATING PROJECTS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

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

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. J. R. No. 3*, by Mrs. Elizabeth Vance, Mrs. William I. Lowe, Messrs. S. A. Elswood and Fred J. Froerer, Jr., entitled:

A JOINT RESOLUTION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE STATE OF UTAH, OF CONDOLENCE TO THE FAMILY OF WILMER J. MAW, IN MEMORIAM, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

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

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 29*, by Messrs. Lee W. Dalebout and Clair R. Hopkins, entitled:

AN ACT AMENDING SECTION 53-7-8, UTAH CODE ANNOTATED 1953, RELATING TO SCHOOL PROGRAMS IN EXCESS OF THE STATE-SUPPORTED MINIMUM PROGRAM, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 29 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 42*, by Messrs. C. E. Peterson, Sheffield, Jones, W. E. Anderson, Jacobsen, and Thomas, entitled:

AN ACT VALIDATING CERTAIN BOND PROCEEDINGS AND ELECTIONS HELD IN CITIES IN UTAH IN 1953, INCLUDING ELECTIONS OF INITIATIVE ORDINANCES, AUTHORIZING THE ISSUANCE OF BONDS SO VOTED, AND VALIDATING SUCH BONDS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 42 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 14th day of December, 1953, approve and transmit to the Secretary of State, *H. B. No. 17*, by Mr. Wm. E. Anderson, entitled:

AN ACT AMENDING SECTIONS 17-19-16 AND 17-19-17, UTAH CODE ANNOTATED 1953, RELATING TO THE APPORTIONMENT BY THE COUNTY AUDITOR OF THE COST OF COLLECTING TAXES AMONG THE VARIOUS TAXING FUNDS OR DISTRICTS, PROVIDING FOR REIMBURSEMENT TO THE COUNTY OF THOSE COSTS; PROVIDING THAT THE COST OF COLLECTING SUCH TAXES SHALL BE APPORTIONED TO AND BORNE BY THE SEVERAL TAXING FUNDS OR DISTRICTS, INCLUDING SCHOOL DISTRICTS, AND THAT THE SEVERAL TAXING UNITS SHALL REIMBURSE THE COUNTY FOR THE PROPORTIONATE COSTS THEREOF; AND REPEALING SECTION 17-19-18, UTAH CODE ANNOTATED, 1953.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 15th day of December, 1953, approve and transmit to the Secretary of State, *H. B. No. 11*, by Messrs. Dalebout, Hopkins, Sheffield, W. G. Larson, Rowberry, Poulson, Sanders, Young, Bunderson, W. E. Anderson, Davis, Thomas, E. C. Larsen, C. W. Larsen and Monson, entitled:

AN ACT PROVIDING FOR A STUDY BY THE LEGISLATIVE COUNCIL OF THE EXTENT TO WHICH RECOMMENDATIONS OF THE SCHOOL SURVEY COMMISSION OF 1951 RELATING TO PERSONNEL APPRAISAL ARE IMPLEMENTED AND CARRIED OUT, FOR THE APPOINTMENT OF A COMMITTEE TO DETERMINE THE PRACTICABILITY OF FORMULATING AND IF PRACTICABLE TO FORMULATE A PLAN OR PLANS OF MERIT RATING AND INCENTIVE PAY SCHEDULES FOR SCHOOL PERSONNEL, AUTHORIZING THE COMMITTEE TO ENTER INTO COOPERATIVE AGREEMENTS WITH LOCAL BOARDS OF EDUCATION AND WITH INSTITUTIONS OF HIGHER LEARNING FOR THE PURPOSE OF CONDUCTING EXPERIMENTS AND EVALUATIONS THAT ARE DEEMED NECESSARY AND DESIRABLE, FOR THE SUBMISSION OF AN INTERIM REPORT BY THE COMMITTEE OF ITS ACTIVITIES AND CONCLUSIONS TO THE LEGISLATIVE COUNCIL NOT LATER THAN SEPTEMBER 1, 1954, FOR THE SUBMISSION OF A FINAL REPORT TO THE LEGISLATIVE COUNCIL UPON COMPLETION OF THE STUDY, AND FOR THE

MAKING OF AN APPROPRIATION OF \$15,000 TO EMPLOY OR RETAIN COMPETENT HELP AND TO PAY THE ACTUAL TRAVEL EXPENSES OF MEMBERS OF THE COMMITTEE.

Respectfully,

Communication filed.

W. D. CALLISTER,
Chief Clerk

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House refused to recede from its amendments to S. B. No. 38, by Mr. Hafen, entitled:

AN ACT APPROPRIATING \$118,000.00 TO THE STATE BUILDING BOARD FOR RENOVATION AND REPAIR OF HEATING FACILITIES AT THE COLLEGE OF SOUTHERN UTAH, and has appointed a conference committee consisting of Representatives Sevy, Bunderson and Spence to act with a like committee from the Senate on this bill.

Respectfully,

Communication filed.

W. D. CALLISTER,
Chief Clerk

The President appointed a Conference Committee consisting of Senators Hafen, Tietjen and Selvin to act with a like committee from the House to confer on S. B. No. 38.

REPORTS OF STANDING COMMITTEES

December 17, 1953

Mr. President:

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

Respectfully,

Report filed.

A. I. TIPPETTS,
Chairman

S. B. No. 43 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

SPECIAL ORDER

S. B. No. 29, being a special order of business, was before the Senate.

On motion of Senator Clegg, a call of the Senate was made.

On motion of Senator Clegg, after the report from the Sergeant-at-arms, the call of the Senate was lifted.

On motion of Senator Muir, the rules were suspended and *S. B. No. 29* was read the third time and placed on its final passage.

S. B. No. 29 then failed on the following roll call:

Ayes, 9; Nos, 11; Absent, 3.

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

Those voting in the negative were: Senators Adams, Clegg, Fowles, Gibson, Hafen, Hopkin, Jenkins, Selvin (explained vote), Thorn, Tippetts and Watson.

Absent and not voting: Senators Burton, Hammond and Mabey.

S. B. No. 34, being a special order of business, was before the Senate.

S. B. No. 34 was read the second time.

On motion of Senator Day, the rules were suspended and *S. B. No. 34* was read the third time and placed on its final passage.

S. B. No. 34 then failed on the following roll call:

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

Those voting in the affirmative were: Senators Cannon, Muir, Stringham, Tietjen, Woolley and Mr. President (explained vote).

Those voting in the negative were: Senators Adams, Clegg, Day, Fowles, Gibson (explained vote), Hafen, Hopkin, Jenkins (explained vote), Kerr, Openshaw, Selvin, Thorn, Tippetts and Watson.

Absent and not voting: Senators Burton, Hammond and Mabey.

S. B. No. 34 was filed.

On motion of Senator Kerr, the Senate recessed.

The Senate re-assembled.

COMMUNICATIONS FROM THE GOVERNOR

December 17, 1953

Honorable Mark Paxton, President
Members of the Senate

Dear Mr. President and Members of the Senate:

The joint agenda committee of the Legislature approved the introduction of a bill which would have the effect of appropriating \$1,500,000 from the Emergency Relief fund to the Building Reserve Fund. This act has been deemed advisable to effectuate the purposes of Chapter 118, Laws of Utah, 1953, insofar as it can be done with available funds.

The purpose of the immediate appropriation is to retain for this biennium funds which will be collected during the last quarter but which will not be remitted until after the end of the biennium. The Thirtieth Legislature changed the law relating to the payment to the Tax Commission of sales tax revenue collected by the dealers. The net result of this change is such that the revenues for the month of April in 1955, collected by the dealers, will not reach the coffers of the State until after July 1. As a consequence, this money will not be available for building purposes unless a change in the law is made.

Two bills have been prepared to accomplish this purpose. One would reduce the amount of the statutory reserve in the Emergency Relief fund to \$3,500,000 but would terminate at the end of the biennium. The second would re-enact the \$5,000,000 statutory reserve effective July 1, 1955.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

December 17, 1953

Honorable Mark Paxton, President
Members of the Senate

Dear Mr. President and Members of the Senate:

The Thirtieth Legislature amended Section 36-1-4, Utah Code Annotated, 1953, so as to provide for additional redistricting of counties having more than one Representative in the House of Representatives of the State Legislature.

The new section (Chapter 60, Laws of Utah 1953) provides for a committee of five to accomplish the redistricting, the committee to be composed of two members appointed by the county Democratic party executives committee; two members appointed by the county Republican party executive committee, and one member elected by a majority vote of the other four members.

There is no provision in this law to resolve a deadlock in the naming of a fifth member. Such a deadlock has persisted in Salt Lake county and, because the redistricting must be accomplished and filed with the Secretary of State by January 1, 1954, the purposes of the 1953 amendment are being defeated.

I am adding to the agenda of this special session the recommendation that the foregoing law be amended to provide a means to break a deadlock in the naming of the fifth redistricting member and to extend the time for the redistricting to be accomplished. A bill to implement this recommendation has been approved and is ready for introduction.

Sincerely yours,

J. BRACKEN LEE,

Communication filed.

Governor

COMMUNICATIONS FROM THE HOUSE

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 40*, by Messrs. C. E. Peterson, Durham, Jones, Sheffield, W. E. Anderson, Jacobsen and Thomas, entitled:

AN ACT VALIDATING PROCEEDINGS HAD CREATING CERTAIN IMPROVEMENT DISTRICTS AND PROCEEDINGS AUTHORIZING SUCH DISTRICTS TO OPERATE AND ISSUE BONDS UNDER CHAPTER 6 OF TITLE 17, UTAH CODE ANNOTATED, 1953, AS AMENDED BY CHAPTER 29, LAWS OF UTAH, 1953, DECLARING SUCH DISTRICTS TO HAVE BEEN VALIDLY CREATED, VALIDATING BOND PROCEEDINGS AND ELECTIONS HELD IN ANY SUCH DISTRICTS, AUTHORIZING AND VALIDATING THE ISSUANCE OF BONDS PURSUANT TO ELECTIONS HELD OR TO BE HELD, AND VALIDATING SUCH BONDS WHEN SO ISSUED, AND AUTHORIZING SUCH DISTRICTS TO IMPOSE THE TAXES AUTHORIZED BY CHAPTER 6 AFORESAID.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, *H. B. No. 44*, by Mr. Lee W. Dalebout, entitled:

AN ACT TO APPROPRIATE FROM THE GENERAL FUND THE SUM OF \$18,000.00 TO THE LEGISLATIVE COUNCIL FOR THE UTAH INTERSTATE COMMISSION FOR COOPERATION IN HIGHER EDUCATION TO DEFRAY COSTS OF INTERSTATE PROFESSIONAL EDUCATION OF UTAH RESIDENTS AS DIRECTED BY THE COMMISSION PURSUANT TO THE WESTERN REGIONAL STATES COMPACT; DEFINING CERTAIN POWERS OF THE COMMISSION; PROVIDING A SCHEDULE FOR PAYMENTS AND PROVIDING FOR CONTRACTS OF PLACEMENT STUDENTS, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 44 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate amendments to *H. B. No. 35*, by Mr. Rowberry, entitled:

AN ACT PROVIDING FOR WITHHOLDING OF INDIVIDUAL INCOME TAX FROM WAGES PAID BY EMPLOYERS TO EMPLOYEES, DEFINING THE DUTIES OF EMPLOYERS IN CONNECTION THEREWITH, PROVIDING FOR A REFUND TO EMPLOYEES OF ALL AMOUNTS WITHHELD FROM THEIR WAGES IN EXCESS OF THE AMOUNTS DUE ON THE TAX, AND PROVIDING PENALTIES FOR VIOLATIONS OF THE ACT, AND APPROPRIATING FROM THE UNIFORM SCHOOL FUND TO THE STATE TAX COMMISSION FOR EXPENSES THE SUMS OF \$20,000.00 AND \$40,000.00 FOR THE CURRENT AND NEXT FISCAL PERIODS, and requests the Senate to recede from its amendments.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Gibson, *H. B. No. 35* was made a special order of business for Friday, December 18, 1953 at 10:30 A.M.

December 17, 1953

Mr. President:

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

A JOINT RESOLUTION OF CONDOLENCE OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FIRST SPECIAL SESSION OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH TO THE FAMILY OF ROSAMOND HARDING KERR, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

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

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. C. R. No. 4, by Messrs. Day, Muir, Clegg, Thorn, Kerr, Selvin, Burton, Cannon, Mabey, Fowles, Stringham, Hammond, Jenkins, Gibson and Paxton, entitled:

A CONCURRENT RESOLUTION OF CONDOLENCE TO THE FAMILY OF MATTHEW COWLEY, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. C. R. No. 4 was transmitted to the Governor.

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 2, by Messrs. Kerr, Thorn, Hafen, Tietjen, Woolley and Selvin, entitled:

AN ACT AMENDING SECTIONS 53-14-1 AND 53-14-2, UTAH CODE ANNOTATED 1953, RELATING TO THE APPOINTMENT OF LAY MEMBERS AND THE APPOINTMENT OF LOCAL SCHOOL DISTRICT SUPERINTENDENTS, AND THE DEANS OF THE SCHOOLS OF EDUCATION OF THE UNIVERSITY OF UTAH AND UTAH STATE AGRICULTURAL COLLEGE, TO THE COURSE OF STUDY COMMITTEE, THEIR TERMS OF OFFICE, TIMES OF MEETING, RESPONSIBILITIES AND COMPENSATION, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

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

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. B. No. 40, by Messrs. Burton and Cannon, entitled:

AN ACT APPROPRIATING \$10,000.00 FROM THE GENERAL FUND TO THE UTAH STATE BUILDING BOARD FOR THE PURPOSE OF ALTERING AND IMPROVING THE AREA VOCATIONAL SCHOOL BUILDING LOCATED AT 431 SOUTH 6TH EAST, SALT LAKE CITY, UTAH, FOR THE PURPOSE OF ADAPTING IT TO THE USE OF STATE OFFICES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 40 was transmitted to the Governor.

REPORTS OF SPECIAL COMMITTEES

December 17, 1953

Mr. President and Mr. Speaker:

Your Conference Committee, to which was referred H. B. No. 27, by Messrs. Dalebout and Hopkins, begs leave to report as follows:

That the joint rule no. 32 be suspended and that the bill be amended as follows:

On page 3, line 17, delete the word "forty-five" and insert in lieu thereof "ffty".

On page 3, line 18, delete the words "in which it is not feasible" and insert in lieu thereof the words "which do not elect".

On page 3, line 19, delete the words "apply to the State Board".

On page 3, line 20, delete the words, "of Education for approval" and insert in lieu thereof the word "approve".

On page 3, line 20, after the word "term," insert the words "of six weeks duration" and after the word "of" and before the word "approval" insert the word "such".

On page 3, line 21, after the word "the" and before the word "average" insert the words "number of pupils in" and after the word "such" and before the word "kindergartens" insert the words "short term" and after the word "be" and before the word "counted" insert the words "multiplied by one and one-half and be".

On page 3, line 23, after the word "held" and before the word "bears" insert the words "not exceeding six weeks".

Respectfully,

LUKE CLEGG,
Chairman, Senate Committee

CLAIR R. HOPKINS,
Chairman, House Committee

Conference committee report adopted and filed.

H. B. No. 27, as amended by the adoption of the Conference Committee report, then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Cannon, Clegg, Fowles, Gibson, Hafen, Hopkin, Jenkins, Kerr, Muir, Openshaw, Selvin, Stringham and Watson.

Those voting in the negative were: Senators Tietjen, Woolley and Mr. President.

Absent and not voting: Senators Burton, Day, Hammond, Mabey, Thorn and Tippetts.

H. B. No. 27 was returned to the House.

December 17, 1953

Mr. President:

Your Conference Committee, to which was referred *S. B. No. 38*, by Mr. Hafen, begs leave to report as follows:

That the House amendment of \$118,000.00 in the first line of the title be changed to \$118,500.00, and that the words eighteen thousand inserted by the House amendment on line 3 of the body be changed to eighteen-thousand five-hundred, and that the figures \$118,000.00 inserted by the Senate amendment on line 3 of the body be changed to the figures \$118,500.00.

Respectfully submitted,

ORVAL HAFEN,
Chairman, Senate Committee

HEBER M. SEVY,
Chairman, House Committee

Conference committee report adopted and filed.

S. B. No. 38, as amended by the adoption of the Conference Committee report, then passed on the following roll call:

Ayes, 17; Nos, 0; Absent, 6.

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

Absent and not voting: Senators Burton, Day, Hammond, Mabey, Thorn and Tippetts.

S. B. No. 38 was transmitted to the House.

INTRODUCTION OF BILLS

S. B. No. 44

By Messrs. Kerr and Hopkin

AN ACT AMENDING SECTION 63-10-16 UTAH CODE ANNOTATED 1953 AS AMENDED BY CHAPTER 118, LAWS OF UTAH 1953 RELATING TO APPROPRIATIONS TO THE RESERVE BUILDING FUND FROM THE EMERGENCY RELIEF FUND PROVIDING THAT ALL MONIES IN THE EMERGENCY RELIEF FUND IN EXCESS OF \$3,500,000.00 SHALL QUARTERLY BE APPROPRIATED TO THE BUILDING RESERVE FUND, was read the first time and referred to the Committee on Revision and Enrolling.

S. B. No. 45

By Messrs. Kerr and Hopkin

AN ACT AMENDING SECTION 63-10-16, UTAH CODE ANNOTATED 1953 AS AMENDED BY CHAPTER 118, LAWS OF UTAH 1953 AND S. B. NO. 44 OF THE THIRTIETH LEGISLATURE, FIRST SPECIAL SESSION, RELATING TO APPROPRIATIONS TO THE RESERVE BUILDING FUND FROM THE EMERGENCY RELIEF FUND; PROVIDING THAT ALL MONIES IN THE EMERGENCY RELIEF FUND IN EXCESS OF \$5,000,000.00 SHALL QUARTERLY BE APPROPRIATED TO THE BUILDING RESERVE FUND, was read the first time and referred to the Committee on Revision and Enrolling.

On motion of Senator Adams, the Senate voted to reconsider its final action on *H. B. No. 34*.

On motion of Senator Gibson, *H. B. No. 34* was amended as follows:

Page 3, strike lines 18, 19 and 20 and insert in lieu thereof the following:

"In the case of oleomargarine, the state tax commission shall allow a discount of ten per cent (10%) to any licensee upon the entire amount of each single purchase of stamps amounting to twenty-five dollars (\$25.00) or over, and in the case of cigarettes and cigarette papers, shall allow a discount of five per cent (5%) to any licensee upon the entire amount of each single purchase of stamps amounting to twenty-five dollars (\$25.00) or over."

On motion of Senator Gibson, the title of *H. B. No. 34* was amended to conform with the body of the bill as follows:

Page 1, line 12 of the title, strike the words "OF FIVE PERCENT".

On motion of Senator Hopkin, *H. B. No. 34* was made a special order of business for Friday, December 18, 1953 at 10:30 A.M.

REPORTS OF STANDING COMMITTEES

December 17, 1953

Mr. President:

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

Respectfully,

Report filed. A. I. TIPPETTS,
Chairman

S. B. No. 44 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

December 17, 1953

Mr. President:

Your Committee on Revision and Enrolling reports back *S. B. No. 45*, by Messrs. Kerr and Hopkin, with a few minor changes assented to by the authors, and recommends the bill be printed.

Respectfully,

Report filed. A. I. TIPPETTS,
Chairman

S. B. No. 45 was ordered printed and under suspension of the rules was placed on the Second Reading Calendar.

On motion of Senator Adams, the rules were suspended and the Senate voted to now consider *H. B. No. 31*.

CONSIDERATION OF BILLS ON SECOND READING

H. B. No. 31 was read the second time.

On motion of Senator Gibson, the Senate adjourned until Friday, December 18, 1953 at 10:00 A.M.

EIGHTEENTH DAY

MORNING SESSION

December 18, 1953

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

Roll Call—All Senators present.

Prayer by the Chaplain.

December 18, 1953

Mr. President:

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

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE HOUSE

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee Report as of December 15, 1953, and under suspension of Joint Rule No. 32, on reconsideration, passed S. B. No. 5, by Messrs. Thorn, Hafen, Clegg and Hammond, entitled:

AN ACT TO REQUIRE THE STATE TAX COMMISSION IN CO-OPERATION WITH COUNTY ASSESSORS TO MAKE VALUATION OF ALL TAXABLE PROPERTY IN EACH COUNTY AT LEAST ONCE EVERY FIVE YEARS, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

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

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 40*, by Messrs. C. E. Peterson, Durham, Jones, Sheffield, W. E. Anderson, Jacobsen, and Thomas, entitled:

AN ACT VALIDATING PROCEEDINGS HAD CREATING CERTAIN IMPROVEMENT DISTRICTS AND PROCEEDINGS AUTHORIZING SUCH DISTRICTS TO OPERATE AND ISSUE BONDS UNDER CHAPTER 6 OF TITLE 17, UTAH CODE ANNOTATED, 1953, AS AMENDED BY CHAPTER 29, LAWS OF UTAH, 1953, DECLARING SUCH DISTRICTS TO HAVE BEEN VALIDLY CREATED, VALIDATING BOND PROCEEDINGS AND ELECTIONS HELD IN ANY SUCH DISTRICTS, AUTHORIZING AND VALIDATING THE ISSUANCE OF BONDS PURSUANT TO ELECTIONS HELD OR TO BE HELD, AND VALIDATING SUCH BONDS WHEN SO ISSUED, AND AUTHORIZING SUCH DISTRICTS TO IMPOSE THE TAXES AUTHORIZED BY CHAPTER 6 AFORESAID, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

H. B. No. 40 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 41*, by Messrs. C. E. Peterson, Jones, Sheffield, W. E. Anderson, Jacobsen, and Thomas, entitled:

AN ACT TO AMEND SECTION 10-7-9, UTAH CODE ANNOTATED 1953, RELATING TO MUNICIPAL BONDS, AMOUNT, RATES, MATURITY AND FORM OF BONDS; PROVIDING THAT AN ANNUAL TAX SHALL BE LEVIED SUFFICIENT TO RETIRE MATURING BONDS AND PAY ACCRUING INTEREST WITHOUT REGARD TO STATUTORY LIMITATIONS ON LEVIES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

H. B. No. 41 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House, on reconsideration of *S. B. No. 22*, by a vote of 48 ayes, 9 nays, 3 absent, overrides the Governor's veto of *S. B. No. 22*, by Messrs. Mabey, Hopkin, Day and Clegg, entitled:

AN ACT REPEALING CHAPTER 29 OF TITLE 53, UTAH CODE ANNOTATED 1953, AND ENACTING A NEW CHAPTER 29 OF TITLE 53 RELATING TO THE UTAH STATE TEACHERS' RETIREMENT SYSTEM, PROVIDING FOR THE EXTENSION OF FEDERAL SOCIAL SECURITY COVERAGE TO PERSONNEL OF THE STATE AND LOCAL EDUCATIONAL SYSTEMS, PROVIDING FOR A NEW RETIREMENT ACT FOR EMPLOYEES OF THE EDUCATIONAL SYSTEMS OF THE STATE AND PROVIDING FOR APPROPRIATIONS, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 22 was transmitted to the Secretary of State.

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House, on reconsideration of *S. B. No. 23*, by a vote of 56 ayes, 0 nays, 4 absent, overrides the Governor's veto of *S. B. No. 23*, by Messrs. Mabey, Hopkin, Day and Clegg, entitled:

AN ACT REPEALING CHAPTER 28 OF TITLE 53, UTAH CODE ANNOTATED 1953, RELATING TO LOCAL PUBLIC SCHOOL TEACHERS' RETIREMENT ASSOCIATIONS, PROVIDING FOR THE TERMINATION OF EXISTING LOCAL RETIREMENT ASSOCIATIONS, PROVIDING FOR THE EXTENSION OF FEDERAL SOCIAL SECURITY COVERAGE TO MEMBERS OF SAID LOCAL SYSTEMS, PROVIDING FOR THE CONTINUED PAYMENT OF BENEFITS TO PERSONS RETIRED THEREUNDER, AND PROVIDING FOR A TEMPORARY TAX LEVY, and the same is forwarded herewith for transmission to the Secretary of State.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 23 was transmitted to the Secretary of State.

December 17, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 39*, by Mr. Hafen (by request), entitled:

AN ACT DISCONTINUING THE OPERATION OF DIXIE COLLEGE, SNOW COLLEGE AND WEBER COLLEGE AS STATE MAINTAINED INSTITUTIONS; PROVIDING FOR THE TRANSFER OF ALL REAL AND PERSONAL PROPERTY COMPRISING SAID COLLEGES ON CONDITION THAT THEY BE MAINTAINED AS COLLEGES; AND REPEALING SECTIONS 53-33-1 TO 53-33-7 BOTH INCLUSIVE AND SECTIONS 53-33-11 TO 53-33-12 BOTH INCLUSIVE, UTAH CODE ANNOTATED 1953, AND CHAPTER 85, LAWS OF UTAH 1953, RELATING TO THE ESTABLISHMENT AND OPERATION OF DIXIE, SNOW, AND WEBER COLLEGES, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 39 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

INTRODUCTIONS OF BILLS

S. B. No. 46

By Messrs. Gibson and Wooley

AN ACT MAKING CERTAIN APPROPRIATIONS TO PROVIDE FOR THE SETTLEMENT OF SPECIAL CLAIMS AGAINST THE STATE OF UTAH, was read the first time.

On motion of Senator Gibson, the rules were suspended and *S. B. No. 46* was read the second and third times and placed on its final passage.

S. B. No. 46 then passed on the following roll call:

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

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

Absent and not voting: Senator Woolley.

On motion of Senator Thorn, the Senate voted to re-consider its action on *S. B. No. 29*.

On motion of Senator Kerr, the Senate voted to now re-consider *S. B. No. 29*.

S. B. No. 29 then passed on reconsideration on the following roll call:

Ayes, 14; Nos, 9; Absent, 0.

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

Those voting in the negative were: Senators Adams, Fowles, Gibson, Hafen (explained vote), Hopkin, Jenkins, Selvin, Tippetts and Watson.

S. B. No. 29 was transmitted to the House.

UNFINISHED BUSINESS

H. B. No. 31, being unfinished business, was before the Senate.

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

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

On motion of Senator Kerr, the Senate voted to re-consider its final action on *S. B. No. 46*, and to now re-consider *S. B. No. 46*.

On motion of Senator Woolley *S. B. No. 46* was amended as follows:

After the last line insert the following:

From the Highway Reserve Fund \$ 32.19

Schedule:

King Motor Supply Company \$ 32.19

S. B. No. 46 then passed on reconsideration on the following roll call:

Ayes, 17; Nos, 0; Absent, 6.

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hopkin, Jenkins, Kerr, Mabey, Selvin, Thorn, Tietjen, Tippetts, Woolley and Mr. President.

Absent and not voting: Senators Gibson, Hammond, Muir, Openshaw, Stringham and Watson.

S. B. No. 46 was transmitted to the House.

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

AFTERNOON SESSION

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

UNFINISHED BUSINESS

H. B. No. 31, being unfinished business, was before the Senate.

On motion of Senator Mabey, a call of the Senate was made.

On motion of Senator Mabey, after the report from the Sergeant-at-arms, the call of the Senate was lifted.

On motion of Senator Hopkin, *H. B. No. 31* was amended as follows:

Page one, line 10, after the word "million" insert the words "five hundred and twenty-five thousand"; delete the figure "\$1,000,000.00" and insert the figure "\$1,525,000".

Line 12, after the word "million" insert the words "five hundred and twenty-five thousand"; delete the figure "\$1,000,000.00" and insert the figure "\$1,525,000".

Page two, line 4, after the word "estimated" delete the word "enrollment" and insert the words "average daily attendance".

Line 6, after the word "year's" delete the word "enrollment" and insert the word "attendance".

Line 7, delete the word "enrollment" and insert the words "average daily attendance".

Line 10, after the word "by" delete the words "six percent (6%)" and insert the words "four and one-half percent (4½%)".

Line 11, after the word "of" delete "six percent (6%)" and insert "four and one-half percent (4½%)".

Line 14, delete the figure "12.1" and insert the figure "8".

Line 16, delete the figure "12.1" and insert the figure "8".

After line 19, insert a new subsection (3) as follows: "(3) In addition to the amounts computed in subsection (2) of this section, the State Board of Education shall determine for each district the additional number of classroom units, if any, computed in the manner set forth in subsection (1) of this section and such additional classroom units shall be multiplied by \$2,383."

Line 20, delete "(3)" and insert "(4)".

Line 21, delete the word "section" and insert the word "sections". After the figure "(2)" insert the word "and" and the figure "(3)".

Page 3, line 4, after the word "Personnel", insert the following:

"In the distribution of the funds herein appropriated, local boards of education are encouraged to give consideration to personal qualifications and to such conditions as family status and other factors concerning school personnel in order to retain and encourage teachers who are family heads to remain in service."

On motion of Senator Hopkin, the title of *H. B. No. 31* was amended to conform with the body of the bill as follows:

Line 1, after the word "MILLION" insert the words "FIVE HUNDRED AND TWENTY-FIVE THOUSAND".

H. B. No. 31 was placed on the Third Reading Calendar on the following roll call:

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

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

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

COMMUNICATIONS FROM THE GOVERNOR

December 18, 1953

Honorable Mark Paxton
Members of the Senate

Dear Mr. President and Members of the Senate:

I am adding to the agenda of this special session the following recommendation: That a bill be enacted to amend Chapter 21, Laws of Utah, 1953, so as to permit the levy of four-mills for the construction of water purification and sewage disposal facilities by municipalities, even if said levy exceeds the present statutory maximum levy; provided, that after the first year the levy must be submitted to the people of the municipality concerned for ratification, and provided further, that the levy can be maintained only for a period of ten years.

Sincerely yours,

J. BRACKEN LEE,

Communication filed.

Governor

COMMUNICATIONS FROM THE HOUSE

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, *H. C. R. No. 3*, by Edward C. Larsen, entitled:

A CONCURRENT RESOLUTION CONGRATULATING THE PRESIDENT OF THE UNITED STATES ON HIS ADDRESS TO THE ASSEMBLY OF THE UNITED NATIONS IN WHICH HE SET FORTH THE DANGERS AND THE THREAT TO WORLD PEACE INVOLVING THE USE OF ATOMIC BOMBS AND OUTLINING THE POLICY OF THE UNITED STATES AND RESTRICTING THE USE THEREOF IN ORDER TO INSURE WORLD PEACE, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. C. R. No. 3 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, as amended by the House, under suspension of the rules, *H. B. No. 36*, by Mr. Wayne C. Durham, entitled:

AN ACT AMENDING SECTIONS 59-18-5 AND 59-18-13, UTAH CODE ANNOTATED 1953, RELATING TO THE AFFIXATION AND CANCELLATION OF STAMPS ON CIGARETTES, CIGARETTE PAPERS AND OLEOMARGARINE, PROVIDING A PENALTY FOR FAILURE TO PROPERLY AFFIX AND CANCEL SAID STAMPS AND ADDING A SECTION MAKING INDIVIDUALS, PARTNERSHIPS, CORPORATIONS OR ASSOCIATIONS IMPORTING CIGARETTES, CIGARETTE PAPERS OR OLEOMARGARINE FOR THEIR OWN USE RESPONSIBLE FOR PAYMENT OF THE TAX ON SAID PRODUCTS: PROVIDING A PENALTY FOR FAILURE TO REMIT THE TAX UNDER CERTAIN CONDITIONS AND ALLOCATING THE REVENUE DERIVED FROM THE PENALTY TO THE UNIFORM SCHOOL FUND, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 36 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day, rescinded its action of December 15 and 17, 1953, and refused to concur in Senate amendments to *H. B. No. 19*, by Messrs. Harrison Conover and C. E. Peterson, entitled:

AN ACT AMENDING SECTION 53-6-15, UTAH CODE ANNOTATED 1953, RELATING TO THE DUTIES OF THE CLERK OF BOARDS OF EDUCATION, REQUIRING THE PUBLICATION OF A STATEMENT OF RECEIPTS AND DISBURSEMENTS OF THE BOARDS; PROVIDING THAT STATEMENT OF ALL BOARDS SHALL SHOW RECIPIENTS OF DISBURSEMENTS, and requests the Senate to recede from its amendments.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

On motion of Senator Kerr, the Senate refused to recede from its amendments, and the President appointed a Conference Committee, consisting of Senators Burton, Hafen and Gbson, to act with a like Committee from the House and confer on *H. B. No. 19*.

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted Joint Conference Committee Report as of December 17, 1953, and passed, *S. B. No. 38*, by Mr. Hafen, entitled:

AN ACT APPROPRIATING \$118,500.00 TO THE STATE BUILDING BOARD FOR RENOVATION AND REPAIR OF HEATING FACILITIES AT THE COLLEGE OF SOUTHERN UTAH, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 38 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

REPORTS OF STANDING COMMITTEES

December 18, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 5*, by Messrs. Thorn, Hafen, Clegg and Hammond, entitled:

AN ACT TO REQUIRE THE STATE TAX COMMISSION IN CO-OPERATION WITH COUNTY ASSESSORS TO MAKE VALUATION OF ALL TAXABLE PROPERTY IN EACH COUNTY AT LEAST ONCE EVERY FIVE YEARS, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

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

December 18, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 39*, by Mr. Hafen (by request), entitled:

AN ACT DISCONTINUING THE OPERATION OF DIXIE COLLEGE, SNOW COLLEGE AND WEBER COLLEGE AS STATE MAINTAINED INSTITUTIONS; PROVIDING FOR THE TRANSFER OF ALL REAL AND PERSONAL PROPERTY COMPRISING SAID COLLEGES ON CONDITION THAT THEY BE MAINTAINED AS COLLEGES; AND REPEALING SECTIONS 53-33-1 TO 53-33-7 BOTH INCLUSIVE AND SECTIONS 53-33-11 TO 53-33-12 BOTH INCLUSIVE, UTAH CODE ANNOTATED 1953, AND CHAPTER 85, LAWS OF UTAH 1953, RELATING TO THE ESTABLISHMENT AND OPERATION OF DIXIE, SNOW, AND WEBER COLLEGES, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 39 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS

December 18, 1953

Honorable Mark Paxton
President, Senate
Building

Dear Mr. President:

Our office has been asked to inquire into the possibility and the feasibility of revamping the system of ventilating the House and Senate Chambers. We have consulted engineers, and in conjunction with the State Building Board, believe this problem can be solved and temperature controls placed in these chambers at a cost of approximately \$2,500.00.

Sincerely yours,

WENDELL L. COTTRELL,
Deputy Secretary of State

Communication referred to the Committee on Rules and Contingent Expenses.

On motion of Senator Woolley, the Committee on Rules and Contingent Expenses was empowered to contact the Secretary of State and make the necessary arrangements for remodeling and revamping the ventilating system in the Senate and for replacing the President's chair and tapestry.

COMMUNICATIONS FROM THE HOUSE

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives Conover, Messinger and Hopkins, to act with a like committee from the Senate to consider *H. B. No. 19*, by Messrs. Harrison Conover and C. E. Peterson, entitled:

AN ACT AMENDING SECTION 53-6-15, UTAH CODE ANNOTATED 1953, RELATING TO THE DUTIES OF THE CLERK OF BOARD OF EDUCATION, REQUIRING THE PUBLICATION OF A STATEMENT OF RECEIPTS AND DISBURSEMENTS OF THE BOARDS; PROVIDING THAT STATEMENT OF ALL BOARDS SHALL SHOW RECIPIENTS OF DISBURSEMENTS.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

SPECIAL ORDER

H. B. No. 35, being a special order of business, was before the Senate.

On motion of Senator Mabey, the Senate refused to recede from its amendments to *H. B. No. 35* and the President appointed a Conference Committee, consisting of Senators Woolley, Gibson and Cannon, to act with a like Committee from the House and confer on *H. B. No. 35*.

H. B. No. 34 (reprinted), being a special order of business, was before the Senate.

H. B. No. 34 (reprinted) then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Hafen, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts, Watson and Woolley.

Those voting in the negative were: Senators Fowles, Gibson and Mr. President.

Absent and not voting: Senators Hammond and Stringham.

H. B. No. 34 (reprinted) was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Day, the rules were suspended and the Senate voted to now consider *S. B. No. 24*.

On motion of Senator Day, the enacting clause of *S. B. No. 24* was struck.

On motion of Senator Hopkin, the enacting clause of *S. B. No. 25* was struck.

On motion of Senator Day, the enacting clause of *S. B. No. 26* was struck.

On motion of Senator Hopkin, the enacting clause of *S. B. No. 27* was struck.

On motion of Senator Kerr, the enacting clause of *S. B. No. 28* was struck.

On motion of Senator Hafen, *S. B. No. 31* was lifted from the table and the Senate voted to now consider *S. B. No. 31*.

On motion of Senator Hafen, the enacting clause of *S. B. No. 31* was struck.

On motion of Senator Hafen, *S. B. No. 33* was lifted from the table and the Senate voted to now consider *S. B. No. 33*.

On motion of Senator Hafen, the enacting clause of *S. B. No. 33* was struck.

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

On motion of Senator Thorn, the rules were suspended and *H. B. No. 23* was read the third time and placed on its final passage.

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

Ayes, 12; Nos, 6; Absent, 5.

Those voting in the affirmative were: Senators Burton, Day, Hafen, Kerr, Mabey, Muir, Openshaw, Selvin, Thorn, Tietjen, Tippetts and Mr. President.

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

Absent and not voting: Senators Cannon, Gibson, Hammond, Stringham and Woolley.

H. B. No. 23 was returned to the House.

On motion of Senator Kerr, the enacting clause of *S. B. No. 41* was struck.

S. B. No. 43 was read the second time.

On motion of Senator Kerr, the rules were suspended and *S. B. No. 43* was read the third time and placed on its final passage.

S. B. No. 43 then passed on the following roll call:

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

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

Absent and not voting: Senators Hammond, Hopkin and Stringham.

S. B. No. 43 was transmitted to the House.

H. B. No. 44 was read the second time.

On motion of Senator Kerr, the rules were suspended and *H. B. No. 44* was read the third time and placed on its final passage.

H. B. No. 44 then passed on the following roll call:

Ayes, 17; Nos, 0; Absent, 6.

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

Absent and not voting: Senators Gibson, Hammond, Hopkin, Paxton, Stringham and Woolley.

H. B. No. 44 was returned to the House.

S. B. No. 44 was read the second time.

On motion of Senator Day, the rules were suspended and *S. B. No. 44* was read the third time and placed on its final passage.

S. B. No. 44 then passed on the following roll call:

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

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

Absent and not voting: Senators Hammond, Paxton and Stringham.

S. B. No. 44 was transmitted to the House.

S. B. No. 45 was read the second time.

On motion of Senator Clegg, the rules were suspended and *S. B. No. 45* was read the third time and placed on its final passage.

S. B. No. 45 then passed on the following roll call:

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

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

Absent and not voting: Senators Hammond, Paxton, Stringham and Woolley.

S. B. No. 45 was transmitted to the House.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider *H. C. R. No. 3*.

H. C. R. No. 3 was read the second time.

On motion of Senator Clegg, the rules were suspended and *H. C. R. No. 3* was read the third time and placed on its final passage.

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

Ayes, 17; Nos, 0; Absent, 6.

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

Absent and not voting: Senators Gibson, Hammond, Openshaw, Paxton, Stringham and Woolley.

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

On motion of Senator Day, *S. B. No. 11* was lifted from the table and the Senate voted to now consider *S. B. No. 11*.

On motion of Senator Day, the enacting clause of *S. B. No. 11* was struck.

COMMUNICATIONS FROM THE HOUSE

December 18, 1593

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 Jones, Wangsgaard and West, to act with a like committee from the Senate to consider *H. B. No. 35*, by Mr. Rowberry, entitled:

AN ACT PROVIDING FOR WITHHOLDING OF INDIVIDUAL INCOME TAX FROM WAGES PAID BY EMPLOYERS TO EMPLOYEES, DEFINING THE DUTIES OF EMPLOYERS IN CONNECTION THEREWITH, PROVIDING FOR A REFUND TO EMPLOYEES OF ALL AMOUNTS WITHHELD FROM THEIR WAGES IN EXCESS OF THE AMOUNTS DUE ON THE TAX, AND PROVIDING PENALTIES FOR VIOLATIONS OF THE ACT, AND APPROPRIATING FROM THE UNIFORM SCHOOL FUND TO THE STATE TAX COMMISSION FOR EX-

PENSES THE SUMS OF \$20,000.00 AND \$40,000.00 FOR THE CURRENT AND NEXT FISCAL PERIODS.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

On motion of Senator Kerr, the rules were suspended and the Senate voted to now consider *H. B. No. 31* on Third Reading Calendar.

CONSIDERATION OF BILLS ON THIRD READING

H. B. No. 31 was read the third time and placed on its final passage.

H. B. No. 31 then passed on the following roll call:

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

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

Absent and not voting: Senators Gibson, Hammond and Paxton.

H. B. No. 31 was returned to the House.

On motion of Senator Clegg, the rules were suspended and *H. C. R. No. 2* was lifted from the table and the Senate voted to now consider *H. C. R. No. 2*.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Clegg, the enacting clause of *H. C. R. No. 2* was struck.

REPORTS OF SPECIAL COMMITTEES

December 18, 1953

Mr. President and Mr. Speaker:

Your Conference Committee, to which was referred *H. B. No. 35*, by Mr. Rowberry, begs leave to report as follows: In compliance with Joint Rule 34 your Conference Committee reports that it has failed to agree on *H. B. No. 35* as amended by the Senate.

Respectfully submitted,

DILWORTH S. WOOLLEY,

Chairman, Senate Committee

JAREN JONES,

Chairman, House Committee

Report filed.

On motion of Senator Woolley, the enacting clause of *H. B. No. 35* was struck.

H. B. No. 35 was returned to the House.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider *H. B. No. 36*.

H. B. No. 36 was read the second time.

On motion of Senator Clegg, the rules were suspended and *H. B. No. 36* was read the third time and placed on its final passage.

H. B. No. 36 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Burton, Cannon, Clegg, Day, Fowles, Hafen, Hopkin, Jenkins, Kerr, Mabey, Muir, Openshaw, Selvin, Stringham and Woolley.

Absent and not voting: Senators Gibson, Hammond, Paxton, Thorn, Tietjen, Tippetts and Watson.

H. B. No. 36 was returned to the House.

On motion of Senator Kerr, *S. B. No. 35* was lifted from the table and the Senate voted to now consider *S. B. No. 35*.

On motion of Senator Kerr, the enacting clause of *S. B. No. 35* was struck.

REPORTS OF SPECIAL COMMITTEES

December 18, 1953

Mr. President and Mr. Speaker:

Your Conference Committee, to which was referred *H. B. No. 19*, by Messrs. Harrison Conover and C. E. Peterson, begs leave to report as follows: That the following amendment be inserted on page 2, lines 4 and 5, to read:

"(3) The monies paid out, for what paid and an alphabetical list of the total amount paid to any person, firm or corporation when the total amount is in excess of \$25.00."

Respectfully submitted,

C. TAYLOR BURTON,
Chairman, Senate Committee

HARRISON CONOVER,
Chairman, House Committee

Committee report read and adopted.

H. B. No. 19 then passed on the following roll call:

Ayes, 16; Nos, 3; Absent, 4.

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

Those voting in the negative were: Senators Cannon, Fowles and Watson.

Absent and not voting: Senators Gibson, Hammond, Thorn and Tippetts.

H. B. No. 19 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House by a vote of 49 ayes, 8 nays, 3 absent, overrides the Governor's veto on *H. B. No. 29*, by Messrs. Lee W. Dalebout and Clair R. Hopkins, entitled:

AN ACT AMENDING SECTION 53-7-8, UTAH CODE ANNOTATED 1953, RELATING TO SCHOOL PROGRAMS IN EXCESS OF THE STATE-SUPPORTED MINIMUM PROGRAM, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

On motion of Senator Jenkins, a call of the Senate was made.

On motion of Senator Jenkins, after the report from the Sergeant-at-arms, the call of the Senate was lifted.

On motion of Senator Hopkin, *H. B. No. 29* was made a special order of business for Saturday, December 19, 1953 at 9:15 A.M.

Senator Gibson gave notice of his intention to move for reconsideration of the Senate's final action on *S. B. No. 34*.

On motion of Senator Gibson, the Senate adjourned until Saturday, December 19, 1953 at 9:00 A.M.

NINETEENTH DAY

MORNING SESSION

December 19, 1953

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

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

Prayer by the Chaplain.

December 19, 1953

Mr. President:

Your Committee on Revision of the Journal respectfully reports that we have read the Journal for the 18th day and find it correct with minor corrections noted on the final copy.

Respectfully,

H. ROLAND TIETJEN,

Chairman

Report adopted and filed.

COMMUNICATIONS FROM THE GOVERNOR

December 18, 1953

Honorable Mark Paxton, President
Members of the Senate
Capitol

Dear Mr. President and Members of the Senate:

I approved on December 17 and am transmitting to the Secretary of State today S. C. R. No. 3, by Messrs. Stringham and Mabey, entitled:

A CONCURRENT RESOLUTION OF THE FIRST SPECIAL SESSION OF THE THIRTIETH LEGISLATURE OF THE STATE OF UTAH, THE GOVERNOR CONCURRING THEREIN, REAFFIRMING S. J. R. NO. 10 OF THE THIRTIETH LEGISLATURE MEMORIALIZING THE CONGRESS OF THE UNITED STATES OF AMERICA TO PROCEED WITH THE DEVELOPMENT OF THE COLORADO RIVER IN THE UPPER BASIN STATES BY AUTHORIZING THE COLORADO RIVER STORAGE PROJECT AND PARTICIPATING PROJECTS.

Sincerely yours,

J. BRACKEN LEE,

Governor

Communication filed.

December 18, 1953

Honorable Mark Paxton, President
Members of the Senate
Capitol

Dear Mr. President and Members of the Senate:

On December 18 I approved and transmitted to the Secretary of State S. C. R. No. 4, by Messrs. Day, Muir, Clegg, Thorn, Kerr, Selvin, Burton, Cannon, Mabey, Fowles, Stringham, Hammond, Jenkins, Gibson and Paxton, entitled:

A CONCURRENT RESOLUTION OF CONDOLENCE TO THE FAMILY OF MATTHEW COWLEY.

Sincerely yours,

J. BRACKEN LEE,

Communication filed.

Governor

December 18, 1953

Honorable Mark Paxton, President
Members of the Senate
Capitol

Dear Mr. President and Members of the Senate:

On December 18 I approved and transmitted to the Secretary of State S. B. No. 40, by Messrs. Burton and Cannon, entitled:

AN ACT APPROPRIATING \$10,000.00 FROM THE GENERAL FUND TO THE UTAH STATE BUILDING BOARD FOR THE PURPOSE OF ALTERING AND IMPROVING THE AREA VOCATIONAL SCHOOL BUILDING LOCATED AT 431 SOUTH 6TH EAST, SALT LAKE CITY, UTAH, FOR THE PURPOSE OF ADAPTING IT TO THE USE OF STATE OFFICES.

Sincerely yours,

J. BRACKEN LEE,

Communication filed.

Governor

December 18, 1953

Honorable Mark Paxton, President
Members of the Senate
Capitol

Dear Mr. President and Members of the Senate:

I approved on December 17 and am transmitting to the Secretary of State today S. B. No. 42, by Messrs. Stringham, Mabey and Hopkin, entitled:

AN ACT TO APPROPRIATE \$45,000.00 OUT OF THE GENERAL FUND TO THE UTAH WATER AND POWER BOARD AND THE AT-

TORNEY GENERAL TO DEFRAY COST OF ACTIVITIES IN ESTABLISHING AND DEFENDING THE WATER RIGHTS OF THE STATE OF UTAH IN INTERSTATE STREAMS.

Sincerely yours,

J. BRACKEN LEE,

Governor

Communication filed.

COMMUNICATIONS FROM THE HOUSE

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. B. No. 47*, by Jaren Jones, Gardner, Durham, Sheffield, Wm. E. Anderson, R. Clair Anderson, Howe, Cope, Thomas, H. V. Davis, Kerr, Jacobsen, Dalebout, Jack and Ed. C. Larsen, entitled:

AN ACT AMENDING SECTIONS 1 AND 2, CHAPTER 21, LAWS OF UTAH 1953, RELATING TO THE LEVY OF A TAX OF NOT TO EXCEED FOUR MILLS ON THE DOLLAR ON PROPERTY OF MUNICIPALITIES FOR THE PURPOSE OF TREATING CULINARY WATER AND TREATING, CARING FOR AND DISPOSING OF SEWAGE AND ENACTING A NEW SECTION, TO BE KNOWN AS SECTION 4, TO LIMIT THE PERIOD OF TIME DURING WHICH CITIES OF THE FIRST CLASS MAY MAKE SUCH LEVY TO A PERIOD OF TEN YEARS AND FOR VOTING THEREON, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

H. B. No. 47 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee report as of December 18, 1953, and passed *H. B. No. 19*, by Messrs. Harrison Conover and C. E. Peterson, entitled:

AN ACT AMENDING SECTION 53-6-15, UTAH CODE ANNOTATED 1953, RELATING TO THE DUTIES OF THE CLERK OF BOARDS OF EDUCATION, REQUIRING THE PUBLICATION OF A STATEMENT

OF RECEIPTS AND DISBURSEMENTS OF THE BOARDS; PROVIDING THAT STATEMENT OF ALL BOARDS SHALL SHOW RECIPIENTS OF DISBURSEMENTS.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee report as of December 17, 1953, and passed *H. B. No. 27*, by Messrs. Lee W. Dalebout and Clair Hopkins, entitled:

AN ACT AMENDING SECTIONS 53-7-2, 53-7-5, UTAH CODE ANNOTATED 1953; ENACTING NEW SECTIONS 53-7-5A AND 53-7-5B, UTAH CODE ANNOTATED 1953, AND AMENDING SECTION 53-7-7, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR DETERMINING COSTS OF THE STATE-SUPPORTED MINIMUM SCHOOL PROGRAM AND FOR DISTRIBUTING THE STATE CONTRIBUTION TOWARD SUCH PROGRAM.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 31*, by Messrs. Hopkins and Kerr, entitled:

AN ACT APPROPRIATING THE SUM OF ONE MILLION FIVE HUNDRED AND TWENTY-FIVE THOUSAND DOLLARS TO THE UNIFORM SCHOOL FUND FROM THE UNENCUMBERED BALANCE IN THE MINE OCCUPATION TAX RESERVE FUND; PROVIDING FOR THE APPORTIONMENT AND DISTRIBUTION OF SUCH MONEY TO LOCAL BOARDS OF EDUCATION WITHIN THE STATE FOR SALARIES AND OTHER SCHOOL COSTS.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day concurred in Senate amendments to *H. B. No. 34* (reprinted), by Mr. Wayne C. Durham, entitled:

AN ACT AMENDING SECTIONS 59-18-4 AND 59-18-10 AND ENACTING A NEW SECTION TO BE KNOWN AS SEC. 59-18-4.1, UTAH CODE ANNOTATED 1953, PROVIDING FOR A TAX TO BE COLLECTED AND PAID TO THE STATE TAX COMMISSION UPON THE SALE OF CERTAIN ARTICLES IN THE STATE OF UTAH BY THE MANUFACTURER, JOBBER, DISTRIBUTOR, OR RETAILER, DESIGNATING THE RATE OF TAXATION; PROVIDING THAT A PORTION OF THE TAXES COLLECTED ON THE SALE OF CIGARETTES BE ALLOCATED TO THE UNIFORM SCHOOL FUND; PROVIDING FOR THE PREPARATION AND SALE OF STAMPS TO PERSONS HOLDING A LICENSE FOR THE SALE OF CIGARETTES OR CIGARETTE PAPERS; FOR DELIVERY BY THE STATE TAX COMMISSION OF STAMPS IN FACE VALUE NOT TO EXCEED 90% OF THE PENAL SUM OF LICENSEES' BOND TO ANY LICENSEE WITHOUT PAYMENT THEREFOR; AND PROVIDING THAT THE STATE TAX COMMISSION ALLOW A DISCOUNT OF FIVE PERCENT TO ANY LICENSEE UPON THE AMOUNT OF EACH PURCHASE OF STAMPS AMOUNTING TO \$25.00 OR OVER.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 5*, by Messrs. Thorn, Hafen, Clegg, and Hammond, entitled:

AN ACT TO REQUIRE THE STATE TAX COMMISSION IN COOPERATION WITH COUNTY ASSESSORS TO MAKE VALUATION OF ALL TAXABLE PROPERTY IN EACH COUNTY AT LEAST ONCE EVERY FIVE YEARS, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

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

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 39*, by Mr. Hafen (by request), entitled:

AN ACT DISCONTINUING THE OPERATION OF DIXIE COLLEGE, SNOW COLLEGE AND WEBER COLLEGE AS STATE MAINTAINED INSTITUTIONS; PROVIDING FOR THE TRANSFER OF ALL REAL AND PERSONAL PROPERTY COMPRISING SAID COLLEGES ON CONDITION THAT THEY BE MAINTAINED AS COLLEGES; AND REPEALING SECTIONS 53-33-1 TO 53-33-7 BOTH INCLUSIVE AND SECTIONS 53-33-11 TO 53-33-12 BOTH INCLUSIVE, UTAH CODE ANNOTATED 1953, AND CHAPTER 85, LAWS OF UTAH 1953, RELATING TO THE ESTABLISHMENT AND OPERATION OF DIXIE, SNOW, AND WEBER COLLEGES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 39 was transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

December 18, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 38*, by Mr. Hafen, entitled:

AN ACT APPROPRIATING \$118,500.00 TO THE STATE BUILDING BOARD FOR RENOVATION AND REPAIR OF HEATING FACILITIES AT THE COLLEGE OF SOUTHERN UTAH, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,

Report filed.

Chairman

S. B. No. 38 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

SPECIAL ORDER

H. B. No. 29, being a special order of business, was before the Senate.

On motion of Senator Woolley, the Senate recessed.

The Senate re-assembled.

H. B. No. 29, on re-consideration, failed to pass, as the Senate voted to sustain the Governor's veto of *H. B. No. 29* on the following roll call:

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

Those voting in the affirmative were: Senators Adams, Cannon (explained vote), Clegg, Day, Fowles, Hammond, Hopkin, Jenkins, Mabey, Selvin, Thorn, Tippetts and Watson.

Those voting in the negative were: Senators Burton, Hafen, Kerr, Muir, Openshaw, Stringham (explained vote), Woolley and Mr. President.

Absent and not voting: Senators Gibson and Tietjen.

H. B. No. 29 was returned to the House.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Clegg the enacting clause of *S. B. No. 15* was struck.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider *H. B. No. 47*.

H. B. No. 47 was read the second time.

H. B. No. 47 was placed on the Third Reading Calendar on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Cannon, Clegg, Day, Fowles, Gibson, Hammond, Hopkin, Mabey, Openshaw, Thorn, Tippetts, Watson and Mr. President.

Those voting in the negative were: Senators Adams and Muir.

Absent and not voting: Senators Hafen, Jenkins, Kerr, Selvin, Stringham, Tietjen and Woolley.

COMMUNICATIONS FROM THE HOUSE

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the House, *S. J. R. No. 5*, by Messrs. Fowles, Burton and Muir, entitled:

A RESOLUTION FIXING COMPENSATION OF OFFICERS AND EMPLOYEES OF THE THIRTIETH LEGISLATURE OF UTAH, FIRST SPECIAL SESSION, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Day, the Senate voted to concur in the House amendments to *S. J. R. No. 5* on the following roll call:

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

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

Absent and not voting: Senators Hafen, Kerr, Stringham, Tietjen and Woolley.

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

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. B. No. 46*, by Mr. Haven J. Barlow, entitled:

AN ACT APPROPRIATING UP TO \$75,000 FROM THE GENERAL FUND TO THE THIRTIETH LEGISLATURE, FIRST SPECIAL SESSION, TO DEFRAY EXPENSES OF BOTH HOUSES THEREOF, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 46 was read the first time and under suspension of the rules was placed on the Second Reading Calendar.

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. J. R. No. 4*, by C. E. Peterson and W. G. Larson, entitled:

A JOINT RESOLUTION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE STATE OF UTAH, OF CONDOLENCE TO MERRILL K. DAVIS, SPEAKER OF THE HOUSE, AND TO THE FAMILY OF ATHA EARL DAVIS, IN MEMORIAM, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

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

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

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

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

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

Absent and not voting: Senators Hafen, Kerr, Stringham, Tietjen and Woolley.

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

December 18, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 46*, by Messrs. Gibson and Woolley:

AN ACT MAKING CERTAIN APPROPRIATIONS TO PROVIDE FOR THE SETTLEMENT OF SPECIAL CLAIMS AGAINST THE STATE OF UTAH, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 46 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 43*, by Messrs. Gibson, Mabey and Kerr, entitled:

AN ACT AMENDING SECTIONS 53-2-1, 53-2-3, 53-2-4, 53-2-5, 53-2-6 AND 53-2-7, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ELECTION OF MEMBERS OF THE STATE BOARD OF EDUCATION ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER; FIXING TERMS OF OFFICE; PROVIDING THAT IN THE ELECTION OF MEMBERS OF THE STATE BOARD OF EDUCATION THE COUNTY CLERKS SHALL PERFORM THE DUTIES NOW PLACED UPON THE CLERKS OF THE VARIOUS BOARDS OF EDUCATION; CANVASSING OF RETURNS BY THE BOARDS OF COUNTY COMMISSIONERS INSTEAD OF THE DISTRICT BOARDS OF EDUCATION AND BY THE SECRETARY OF STATE INSTEAD OF THE STATE BOARD OF EDUCATION, AND FOR FILLING VACANCIES, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 43 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 38*, by Mr. Hafen, entitled:

AN ACT APPROPRIATING \$118,500.00 TO THE STATE BUILDING BOARD FOR RENOVATION AND REPAIR OF HEATING FACILITIES AT THE COLLEGE OF SOUTHERN UTAH, and the same is forwarded herewith for transmission to the Governor.

S. B. No. 38 was transmitted to the Governor.

On motion of Senator Mabey, the rules were suspended and the Senate voted to now consider *H. B. No. 47*.

CONSIDERATION OF BILLS ON THIRD READING

On motion of Senator Mabey, the rules were suspended and *H. B. No. 47* was read the third time and placed on its final passage.

H. B. No. 47 then passed on the following roll call:

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

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

Those voting in the negative were: Senators Adams and Muir.

Absent and not voting: Senators Hopkin and Tietjen.

H. B. No. 47 was returned to the House.

On motion of Senator Day, the rules were suspended and the Senate voted to now consider *H. B. No. 46*.

CONSIDERATION OF BILLS ON SECOND READING

On motion of Senator Day, the rules were suspended and *H. B. No. 46* was read the second time.

On motion of Senator Kerr, the Senate voted to proceed to the House Chambers to meet in Joint Convention and re-assemble at 1:00 P.M.

JOINT CONVENTION

The Joint Convention was called to order by the President of the Senate.

On motion of Representative Sheffield, the Senate and the House resolved themselves into a Joint Committee of the Whole, with the President of the Senate as Chairman.

The Honorable Arthur V. Watkins, United States Senator, addressed the Joint Committee of the Whole.

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

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

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE GOVERNOR

December 19, 1953

Honorable Mark Paxton, President
Members of the Senate
Capitol

Dear Mr. President and Members of the Senate:

On December 19 I approved and transmitted to the Secretary of State *S. B. No. 38*, by Mr. Hafen, entitled:

AN ACT APPROPRIATING \$118,500.00 TO THE STATE BUILDING BOARD FOR RENOVATION AND REPAIR OF HEATING FACILITIES AT THE COLLEGE OF SOUTHERN UTAH.

Sincerely yours,

J. BRACKEN LEE,

Communication filed.

Governor

COMMUNICATIONS FROM THE HOUSE

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 34* (reprinted), by Wayne C. Durham, entitled:

AN ACT AMENDING SECTIONS 59-18-4 AND 59-18-10 AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 59-18-4.1, UTAH CODE ANNOTATED 1953, PROVIDING FOR A TAX TO BE COLLECTED AND PAID TO THE STATE TAX COMMISSION UPON THE SALE OF CERTAIN ARTICLES IN THE STATE OF UTAH BY THE MANUFACTURER, JOBBER, DISTRIBUTOR, OR RETAILER, DESIGNATING THE RATE OF TAXATION; PROVIDING THAT A PORTION OF THE TAXES COLLECTED ON THE SALE OF CIGARETTES BE ALLOCATED TO THE UNIFORM SCHOOL FUND; PROVIDING FOR THE PREPARATION AND SALE OF STAMPS TO PERSONS HOLDING A LICENSE FOR THE SALE OF CIGARETTES OR CIGARETTE PAPERS; FOR DELIVERY BY THE STATE TAX COMMISSION OF STAMPS IN FACE VALUE NOT TO EXCEED 90% OF THE PENAL SUM OF LICENSEES' BOND TO ANY LICENSEE WITHOUT PAYMENT THEREFOR; AND PROVIDING THAT THE STATE TAX COMMISSION ALLOW A DISCOUNT TO ANY LICENSEE UPON THE AMOUNT OF EACH PURCHASE OF STAMPS AMOUNTING TO \$25.00 OR OVER, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 34 (reprinted) 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.

INTRODUCTION OF BILLS

S. B. No. 47

By Messrs. Woolley and Kerr

AN ACT AMENDING 53-7-8, UTAH CODE ANNOTATED 1953, RELATING TO SCHOOL PROGRAMS IN EXCESS OF THE STATE-SUPPORTED MINIMUM PROGRAM, was read the first time.

On motion of Senator Hafen, the rules were suspended and *S. B. No. 47* was read the second time.

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

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

On motion of Senator Hafen, *S. B. No. 47* was amended as follows:

Page 1, immediately following line 36, insert the following:

"Said further vote may be initiated by a petition signed by electors of the district equal to 10% of the number of electors who voted at the preceding election on said question or upon request of any two members of the board."

On motion of Senator Mabey, *S. B. No. 47* was amended as follows:

Page 1, line 11, strike "fourteen" and insert in lieu thereof "twenty".

Page 1, line 13, strike "4" and insert in lieu thereof "5".

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

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

On motion of Senator Hafen, the rules were suspended and *S. B. No. 47* was read the third time and placed on its final passage.

S. B. No. 47 then passed on the following roll call:

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

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

Absent and not voting: Senators Adams, Cannon, Gibson and Tietjen.

S. B. No. 47 was transmitted to the House.

COMMUNICATIONS FROM THE HOUSE

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. C. R. No. 3*, by Edward C. Larsen, entitled:

A CONCURRENT RESOLUTION CONGRATULATING THE PRESIDENT OF THE UNITED STATES ON HIS ADDRESS TO THE ASSEMBLY OF THE UNITED NATIONS IN WHICH HE SET FORTH THE DANGERS AND THE THREAT TO WORLD PEACE INVOLVING THE USE OF ATOMIC BOMBS AND OUTLINING THE POLICY OF THE UNITED STATES AND RESTRICTING THE USE THEREOF IN ORDER TO INSURE WORLD PEACE, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

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

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 19*, by Messrs. Harrison Conover and C. E. Peterson, entitled:

AN ACT AMENDING SECTION 53-6-15, UTAH CODE ANNOTATED 1953, RELATING TO THE DUTIES OF THE CLERK OF BOARDS OF EDUCATION, REQUIRING THE PUBLICATION OF A STATEMENT OF RECEIPTS AND DISBURSEMENTS OF THE BOARDS; PROVIDING THAT STATEMENT OF ALL BOARDS SHALL SHOW RECIPIENTS OF DISBURSEMENTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

H. B. No. 19 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

Note: Error in engrossed copy omitting the second word "total" as contained in Conference Committee report, adopted on 18th day (page 253).

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 23*, by Mr. Ralph A. Sheffield, entitled:

AN ACT RELATING TO THE USE OF VOTING MACHINES AT ELECTIONS; PROVIDING FOR THE PROCUREMENT, ADOPTION AND MECHANICAL REQUIREMENTS OF MACHINES; OPERATORS' DUTIES IN TABULATING VOTES AND SUPERVISING OPERATION AND CUSTODY OF MACHINES, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 23 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 27*, by Messrs. Lee W. Dalebout and Clair R. Hopkins, entitled:

AN ACT AMENDING SECTIONS 53-7-2, 53-7-5, UTAH CODE ANNOTATED 1953; ENACTING NEW SECTIONS 53-7-5A AND 53-7-5B, UTAH CODE ANNOTATED 1953, AND AMENDING SECTION 53-7-7, UTAH CODE ANNOTATED 1953, TO PROVIDE FOR DETERMINING COSTS OF THE STATE-SUPPORTED MINIMUM SCHOOL PROGRAM AND FOR DISTRIBUTING THE STATE CONTRIBUTION TOWARD SUCH PROGRAM, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 27 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 36*, by Mr. Wayne C. Durham, entitled:

AN ACT AMENDING SECTIONS 59-18-5 AND 59-18-13, UTAH CODE ANNOTATED 1953, RELATING TO THE AFFIXATION AND CANCELLATION OF STAMPS ON CIGARETTES, CIGARETTE PAPERS AND OLEOMARGARINE, PROVIDING A PENALTY FOR FAILURE TO PROPERLY AFFIX AND CANCEL SAID STAMPS AND ADDING A SECTION MAKING INDIVIDUALS, PARTNERSHIPS, CORPORATIONS OR ASSOCIATIONS IMPORTING CIGARETTES, CIGARETTE PAPERS OR OLEOMARGARINE FOR THEIR OWN USE RESPONSIBLE FOR PAYMENT OF THE TAX ON SAID PRODUCTS; PROVIDING A PENALTY FOR FAILURE TO REMIT THE TAX UNDER CERTAIN CONDITIONS AND ALLOCATING THE REVENUE DERIVED FROM THE PENALTY TO THE UNIFORM SCHOOL FUND, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 36 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 44*, by Mr. Lee W. Dalebout, entitled:

AN ACT TO APPROPRIATE FROM THE GENERAL FUND THE SUM OF \$18,000.00 TO THE LEGISLATIVE COUNCIL FOR THE UTAH INTERSTATE COMMISSION FOR COOPERATION IN HIGHER EDUCATION TO DEFRAY COSTS OF INTERSTATE PROFESSIONAL EDUCATION OF UTAH RESIDENTS AS DIRECTED BY THE COMMISSION PURSUANT TO THE WESTERN REGIONAL STATES COMPACT; DEFINING CERTAIN POWERS OF THE COMMISSION; PROVIDING A SCHEDULE FOR PAYMENTS AND PROVIDING FOR CONTRACTS OF PLACEMENT STUDENTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 44 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 29*, by Mr. Muir, entitled:

AN ACT ABOLISHING CARBON COLLEGE AS A STATE MAINTAINED INSTITUTION; PROVIDING FOR DISPOSITION BY THE BOARD OF EXAMINERS OF REAL AND PERSONAL PROPERTY COMPRISING SAID COLLEGE; AND REPEALING SECTIONS 53-33-14, 53-33-15, 53-33-16, AND 53-33-17, UTAH CODE ANNOTATED 1953, RELATING TO THE ESTABLISHMENT AND OPERATION OF CARBON COLLEGE, and the same is returned herewith for your further action..

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 29 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Governor did on the 19th day of December, 1953, approve and transmit to the Secretary of State, *H. B. No. 42*, by Messrs. C. E. Peterson, Sheffield, Jones, W. E. Anderson, Jacobsen and Thomas, entitled:

AN ACT VALIDATING CERTAIN BOND PROCEEDINGS AND ELECTIONS HELD IN CITIES IN UTAH IN 1953, INCLUDING ELECTIONS OF INITIATIVE ORDINANCES, AUTHORIZING THE ISSUANCE OF BONDS SO VOTED, AND VALIDATING SUCH BONDS.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

UNFINISHED BUSINESS

H. B. No. 46, being unfinished business, was before the Senate.

On motion of Senator Day, *H. B. No. 46* was amended as follows:

Page 1, line 3, strike "Seventy-five Thousand Dollars" and insert in lieu thereof "Fifty Thousand Dollars".

On motion of Senator Day, the title of *H. B. No. 46* was amended to conform with the body of the bill as follows:

Line 1 of the title, strike the figure "\$75,000.00" and insert in lieu thereof "\$50,000.00".

On motion of Senator Day, the rules were suspended and *H. B. No. 46* was read the third time and placed on its final passage.

H. B. No. 46 then passed on the following roll call:

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

Those voting in the affirmative were: Senators Burton, Clegg, Day, Fowles, Gibson, Hammond, Hopkin, Jenkins, Kerr, Mabey, Openshaw, Selvin, Stringham, Tippetts and Watson.

Absent and not voting: Senators Adams, Cannon, Hafen, Muir, Thorn, Tietjen, Woolley and Mr. President.

H. B. No. 46 was returned to the House.

On motion of Senator Thorn the Senate recessed.

The Senate re-assembled.

COMMUNICATIONS FROM THE HOUSE

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *H. B. No. 48*, by Mr. Richard Howe, entitled:

AN ACT PROVIDING FOR A FURTHER APPROPRIATION TO THE ATTORNEY GENERAL FOR THE PAYMENT OF A MISCELLANEOUS CLAIM, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 48 was read the first time.

On motion of Senator Gibson, the rules were suspended and *H. B. No. 48* was read the second and third times and placed on its final passage.

H. B. No. 48 then passed on the following roll call:

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

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

Absent and not voting: Senators Adams, Cannon, Kerr, Tietjen and Tippetts.

H. B. No. 48 was returned to the House.

REPORTS OF STANDING COMMITTEES

December 19, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. J. R. No. 5*, by Messrs. Fowles, Burton and Muir, entitled:

A RESOLUTION FIXING COMPENSATION OF OFFICERS AND EMPLOYEES OF THE THIRTIETH LEGISLATURE OF UTAH, FIRST SPECIAL SESSION, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

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

December 19, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 46*, by Messrs. Gibson and Woolley, entitled:

AN ACT MAKING CERTAIN APPROPRIATIONS TO PROVIDE FOR THE SETTLEMENT OF SPECIAL CLAIMS AGAINST THE STATE OF UTAH, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

S. B. No. 46 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, *S. B. No. 44*, by Messrs. Kerr and Hopkin, as amended by the House, entitled:

AN ACT AMENDING SECTION 63-10-16, UTAH CODE ANNOTATED 1953, LAWS OF UTAH 1953, RELATING TO APPROPRIATIONS

TO THE RESERVE BUILDING FUND FROM THE EMERGENCY RELIEF FUND PROVIDING THAT ALL MONIES IN THE EMERGENCY RELIEF FUND IN EXCESS OF \$3,500,000.00 AS OF JULY 1, 1953, SHALL QUARTERLY BE APPROPRIATED TO THE RESERVE BUILDING FUND, AND ALL MONIES IN THE EMERGENCY RELIEF FUND IN EXCESS OF \$5,000,000.00 AFTER JULY 1, 1955, SHALL QUARTERLY BE APPROPRIATED TO THE RESERVE BUILDING FUND, and the same is transmitted herewith for your further action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

On motion of Senator Kerr, the Senate voted to concur in the House amendments to *S. B. No. 44* on the following roll call:

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

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

Absent and not voting: Senators Adams, Burton, Cannon, Kerr and Tietjen.

S. B. No. 44 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day passed, under suspension of the rules, as amended by the Senate, *S. B. No. 47*, by Messrs. Woolley and Kerr, entitled:

AN ACT AMENDING 53-7-8, UTAH CODE ANNOTATED 1953 RELATING TO SCHOOL PROGRAMS IN EXCESS OF THE STATE-SUPPORTED MINIMUM PROGRAM, and the same is returned herewith for your further action.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 47 was referred to the Committee on Revision and Enrolling to be enrolled and engrossed.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 31*, by Messrs. Hopkins and Kerr, entitled:

AN ACT APPROPRIATING THE SUM OF ONE MILLION FIVE HUNDRED AND TWENTY-FIVE THOUSAND DOLLARS TO THE UNIFORM SCHOOL FUND FROM THE UNENCUMBERED BALANCE IN THE MINE OCCUPATION TAX RESERVE FUND; PROVIDING FOR THE APPORTIONMENT AND DISTRIBUTION OF SUCH MONEY TO LOCAL BOARDS OF EDUCATION WITHIN THE STATE FOR SALARIES AND OTHER SCHOOL COSTS, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 91 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. J. R. No. 4*, by Messrs. C. E. Peterson and W. G. Larson, entitled:

A JOINT RESOLUTION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE STATE OF UTAH, OF CONDOLENCE TO MERRILL K. DAVIS, SPEAKER OF THE HOUSE, AND TO THE FAMILY OF ATHA EARL DAVIS, IN MEMORIAM, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. J. R. No. 4 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Secretary of State.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 47*, by Messrs. Jaren Jones, Archie O. Gardner, Wayne C. Durham, Ralph A. Sheffield, Wm. E. Anderson, R. Clair Anderson, Richard C. Howe, Albert Cope, E. G. Thomas, H. V. Davis, Kleon Kerr, Ted Jacobsen, Lee W. Dalebout, Mrs. C. L. Jack, Ed Larsen, entitled:

AN ACT AMENDING SECTIONS 1 AND 2, CHAPTER 21, LAWS OF UTAH 1953, RELATING TO THE LEVY OF A TAX OF NOT TO EXCEED FOUR MILLS ON THE DOLLAR ON PROPERTY OF MUNIC-

IPALITIES FOR THE PURPOSE OF TREATING CULINARY WATER AND TREATING, CARING FOR AND DISPOSING OF SEWAGE AND ENACTING A NEW SECTION, TO BE KNOWN AS SECTION 4, TO LIMIT THE PERIOD OF TIME DURING WHICH CITIES OF THE FIRST CLASS MAY MAKE SUCH LEVY TO A PERIOD OF TEN YEARS AND FOR VOTING THEREON, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 47 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

REPORTS OF STANDING COMMITTEES

December 19, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 29*, by Mr. Muir, entitled:

AN ACT ABOLISHING CARBON COLLEGE AS A STATE MAINTAINED INSTITUTION; PROVIDING FOR DISPOSITION BY THE BOARD OF EXAMINERS OF REAL AND PERSONAL PROPERTY COMPRISING SAID COLLEGE; AND REPEALING SECTIONS 53-33-14, 53-33-15, 53-33-16, AND 53-33-17, UTAH CODE ANNOTATED 1953, RELATING TO THE ESTABLISHMENT AND OPERATION OF CARBON COLLEGE, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 29 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.

December 19, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 48*, by Messrs. Gibson, Mabey and Kerr, entitled:

AN ACT AMENDING SECTIONS 53-2-1, 53-2-3, 53-2-4, 53-2-5, 53-2-6 AND 53-2-7, UTAH CODE ANNOTATED 1953, PROVIDING FOR

THE ELECTION OF MEMBERS OF THE STATE BOARD OF EDUCATION ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER; FIXING TERMS OF OFFICE; PROVIDING THAT IN THE ELECTION OF MEMBERS OF THE STATE BOARD OF EDUCATION THE COUNTY CLERKS SHALL PERFORM THE DUTIES NOW PLACED UPON THE CLERKS OF THE VARIOUS BOARDS OF EDUCATION; CANVASSING OF RETURNS BY THE BOARDS OF COUNTY COMMISSIONERS INSTEAD OF THE DISTRICT BOARDS OF EDUCATION AND BY THE SECRETARY OF STATE INSTEAD OF THE STATE BOARD OF EDUCATION, AND FOR FILLING VACANCIES, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,
Chairman

Report filed.

S. B. No. 43 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

COMMUNICATIONS FROM THE HOUSE

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the House, on reconsideration by a vote of 46 ayes, 4 nays, 10 absent, overrides the Governor's veto on *H. B. No. 34*, by Mr. Wayne C. Durham, entitled:

AN ACT AMENDING SECTIONS 59-18-4 AND 59-18-10 AND ENACTING A NEW SECTION TO BE KNOWN AS SECTION 59-18-4.1, UTAH CODE ANNOTATED 1953, PROVIDING FOR A TAX TO BE COLLECTED AND PAID TO THE STATE TAX COMMISSION UPON THE SALE OF CERTAIN ARTICLES IN THE STATE OF UTAH BY THE MANUFACTURER, JOBBER, DISTRIBUTOR, OR RETAILER, DESIGNATING THE RATE OF TAXATION; PROVIDING THAT A PORTION OF THE TAXES COLLECTED ON THE SALE OF CIGARETTES BE ALLOCATED TO THE UNIFORM SCHOOL FUND; PROVIDING FOR THE PREPARATION AND SALE OF STAMPS TO PERSONS HOLDING A LICENSE FOR THE SALE OF CIGARETTES OR CIGARETTE PAPERS; FOR DELIVERY BY THE STATE TAX COMMISSION OF STAMPS IN FACE VALUE NOT TO EXCEED 90% OF THE PENAL SUM OF LICENSEES' BOND TO ANY LICENSEE WITHOUT PAYMENT THEREFOR; AND PROVIDING THAT THE STATE TAX COMMISSION

ALLOW A DISCOUNT TO ANY LICENSEE UPON THE AMOUNT OF EACH PURCHASE OF STAMPS AMOUNTING TO \$25.00 OR OVER, and the same is transmitted herewith for your action.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

H. B. No. 34, on re-consideration, then passed, by the Senate over-riding the Governor's veto, on the following roll call:

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

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

Absent and not voting: Senator Adams, Burton, Cannon and Tietjen.

H. B. No. 34 was returned to the House.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day refused to concur in Senate Amendments to *H. B. No. 46*, by Mr. Haven J. Barlow, entitled:

AN ACT APPROPRIATING UP TO \$50,000.00 FROM THE GENERAL FUND TO THE THIRTIETH LEGISLATURE, FIRST SPECIAL SESSION, TO DEFRAY EXPENSES OF BOTH HOUSES THEREOF, and requests the Senate to recede from its amendments.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

On motion of Senator Day, the Senate refused to recede from its amendments to *H. B. No. 46* and the President appointed a Conference Committee consisting of Senators Hafen, Kerr and Tippetts, to act with a like Committee from the House to confer on *H. B. No. 46*.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 46*, by Messrs. Gibson and Woolley, entitled:

AN ACT MAKING CERTAIN APPROPRIATIONS TO PROVIDE FOR THE SETTLEMENT OF SPECIAL CLAIMS AGAINST THE STATE OF UTAH, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 46 was transmitted to the Governor.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, S. J. R. No. 5, by Messrs. Fowles, Burton and Muir, entitled:

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

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. J. R. No. 5 was transmitted to the Secretary of State.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day appointed a Conference Committee consisting of Representatives Barlow, Cope and C. W. Larsen, to act with a like committee from the Senate to consider H. B. No. 46, by Mr. Haven J. Barlow, entitled:

AN ACT APPROPRIATING UP TO \$50,000.00 FROM THE GENERAL FUND TO THE THIRTIETH LEGISLATURE, FIRST SPECIAL SESSION, TO DEFRAY EXPENSES OF BOTH HOUSES THEREOF.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

REPORTS OF STANDING COMMITTEES

December 19, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 44*, by Messrs. Kerr and Hopkin, entitled:

AN ACT AMENDING SECTION 63-10-16, UTAH CODE ANNOTATED 1953, LAWS OF UTAH 1953, RELATING TO APPROPRIATIONS TO THE RESERVE BUILDING FUND FROM THE EMERGENCY RELIEF FUND PROVIDING THAT ALL MONIES IN THE EMERGENCY RELIEF FUND IN EXCESS OF \$3,500,000.00 AS OF JULY 1, 1953, SHALL QUARTERLY BE APPROPRIATED TO THE RESERVE BUILDING FUND, AND ALL MONIES IN THE EMERGENCY RELIEF FUND IN EXCESS OF \$5,000,000.00 AFTER JULY 1, 1955, SHALL QUARTERLY BE APPROPRIATED TO THE RESERVE BUILDING FUND, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

S. B. No. 44 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

December 19, 1953

Mr. President:

Your Committee on Revision and Enrolling, to which has been referred *S. B. No. 47*, by Messrs. Woolley and Kerr, entitled:

AN ACT AMENDING 53-7-8, UTAH CODE ANNOTATED 1953, RELATING TO SCHOOL PROGRAMS IN EXCESS OF THE STATE-SUPPORTED MINIMUM PROGRAM, has examined and carefully compared the bill as passed with the enrolled and engrossed copy and finds it correct, and returns the same for the signature of the President.

Respectfully,

A. I. TIPPETTS,

Chairman

Report filed.

S. B. No. 47 was signed by the President in open session in the presence of the Senate and was transmitted to the House for the signature of the Speaker.

REPORTS OF SPECIAL COMMITTEES

December 19, 1953

Mr. President:

Your Conference Committee, to which was referred *H. B. No. 46*, by Mr. Haven J. Barlow begs leave to report as follows: That the Senate recede from its amendments to *H. B. No. 46*.

Respectfully,

ORVAL HAFEN,
Chairman, Senate Committee

HAVEN J. BARLOW,
Chairman, House Committee

Report adopted and filed.

On motion of Senator Hafen, the Senate voted to recede from its amendments to *H. B. No. 46*, and passed *H. B. No. 46* on the following roll call:

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

Those voting in the affirmative were: Senators Clegg, Day, Fowles, Gibson, Hafen, Jenkins, Kerr, Mabey, Muir, Openshaw, Watson, Woolley and Mr. President.

Voting in the negative was Senator Tippetts.

Absent and not voting: Senators Adams, Burton, Cannon, Hammond, Hopkin, Selvin, Stringham, Thorn and Tietjen.

H. B. No. 46 was returned to the House.

COMMUNICATIONS FROM THE HOUSE

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 29*, by Mr. Muir, entitled:

AN ACT ABOLISHING CARBON COLLEGE AS A STATE MAINTAINED INSTITUTION; PROVIDING FOR DISPOSITION BY THE BOARD OF EXAMINERS OF REAL AND PERSONAL PROPERTY COMPRISING SAID COLLEGE; AND REPEALING SECTIONS 53-33-14, 53-33-15, 53-33-16, AND 53-33-17, UTAH CODE ANNOTATED 1953, RELATING TO THE ESTABLISHMENT AND OPERATION OF CARBON COLLEGE, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 29 was transmitted to the Governor.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 48*, by Messrs. Gibson, Mabey and Kerr, entitled:

AN ACT AMENDING SECTIONS 53-2-1, 53-2-3, 53-2-4, 53-2-5, 53-2-6 AND 53-2-7, UTAH CODE ANNOTATED 1953, PROVIDING FOR THE ELECTION OF MEMBERS OF THE STATE BOARD OF EDUCATION ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER; FIXING TERMS OF OFFICE; PROVIDING THAT IN THE ELECTION OF MEMBERS OF THE STATE BOARD OF EDUCATION THE COUNTY CLERKS SHALL PERFORM THE DUTIES NOW PLACED UPON THE CLERKS OF THE VARIOUS BOARDS OF EDUCATION; CANVASSING OF RETURNS BY THE BOARDS OF COUNTY COMMISSIONERS INSTEAD OF THE DISTRICT BOARDS OF EDUCATION AND BY THE SECRETARY OF STATE INSTEAD OF THE STATE BOARD OF EDUCATION, AND FOR FILLING VACANCIES, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

S. B. No. 48 was transmitted to the Governor.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 48*, by Mr. Richard Howe, entitled:

AN ACT PROVIDING FOR A FURTHER APPROPRIATION TO THE ATTORNEY GENERAL FOR THE PAYMENT OF A MISCELLANEOUS CLAIM, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Chief Clerk

Communication filed.

H. B. No. 48 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day struck the enacting clause on *S. B. No. 36* and *S. B. No. 45*, and the same are returned herewith for your files.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. Nos. 36 and *45* were filed.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 47*, by Messrs. Woolley and Kerr, entitled:

AN ACT AMENDING 53-7-8, UTAH CODE ANNOTATED 1953, RELATING TO SCHOOL PROGRAMS IN EXCESS OF THE STATE-SUPPORTED MINIMUM PROGRAM, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

S. B. No. 47 was transmitted to the Governor.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the House has this day adopted the Joint Conference Committee report as of December 19, 1953, on *H. B. No. 46*, by Mr. Haven J. Barlow, entitled:

AN ACT APPROPRIATING UP TO \$75,000.00 FROM THE GENERAL FUND TO THE THIRTIETH LEGISLATURE, FIRST SPECIAL SESSION, TO DEFRAY EXPENSES OF BOTH HOUSES THEREOF.

Respectfully,

W. D. CALLISTER,
Chief Clerk

Communication filed.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *H. B. No. 46*, by Mr. Barlow, entitled:

AN ACT APPROPRIATING UP TO \$75,000.00 FROM THE GENERAL FUND TO THE THIRTIETH LEGISLATURE, FIRST SPECIAL SESSION, TO DEFRAY EXPENSES OF BOTH HOUSES THEREOF, and the same is transmitted herewith for the signature of the President.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

H. B. No. 46 was signed by the President in open session in the presence of the Senate and was returned to the House for transmission to the Governor.

December 19, 1953

Mr. President:

I am directed to inform your Honorable Body that the Speaker of the House has this day signed in open session, in the presence of the House, *S. B. No. 44*, by Messrs. Kerr and Hopkin, entitled:

AN ACT AMENDING SECTION 63-10-18, UTAH CODE ANNOTATED 1953, LAWS OF UTAH 1953, RELATING TO APPROPRIATIONS TO THE RESERVE BUILDING FUND FROM THE EMERGENCY RELIEF FUND PROVIDING THAT ALL MONIES IN THE EMERGENCY RELIEF FUND IN EXCESS OF \$3,500,000.00 AS OF JULY 1, 1953, SHALL QUARTERLY BE APPROPRIATED TO THE RESERVE BUILDING FUND, AND ALL MONIES IN THE EMERGENCY RELIEF FUND IN EXCESS OF \$5,000,000.00 AFTER JULY 1, 1955, SHALL QUARTERLY BE APPROPRIATED TO THE RESERVE BUILDING FUND, and the same is forwarded herewith for transmission to the Governor.

Respectfully,

W. D. CALLISTER,

Communication filed.

Chief Clerk

S. B. No. 44 was transmitted to the Governor.

On motion of Senator Fowles, the Senate voted to appoint Quayle Cannon, Jr. and Hendrik Romeyn as the Committee to revise the Journal of the Special Session, the compensation to be \$300.00 for each of the appointees.

On motion of Senator Day, the Senate expressed its appreciation to Mr. Lewis H. Lloyd, Director of the Legislative Council, and to his assistants.

On motion of Senator Thorn, the Senate extended a vote of appreciation to the Chaplain for his inspiration.

On motion of Senator Mabey, the Senate expressed its appreciation to the officers and employees of the Senate for their services.

On motion of Senator Clegg, the Senate expressed its appreciation to the newspapers, published in Utah.

On motion of Senator Burton, the President appointed Senators Openshaw, Clegg and Tippetts, as a committee to notify the House that the Senate had concluded its business and is ready to adjourn sine die.

On motion of Senator Stringham, the President appointed Senators Hafen, Day and Jenkins, to act with a like committee from the House and wait upon the Governor to ascertain whether His Excellency had any further business to bring before the Legislature.

REPORTS OF SPECIAL COMMITTEES

A committee from the House, Representatives Durham, Butters and West, notified the Senate that the House had concluded its business and was ready to adjourn sine die.

Senator Openshaw reported that the Senate Committee had notified the House.

Senator Hafen reported that his committee, with a like committee from the House, had notified the Governor, who had requested the committee to convey the following message to the Senate:

COMMUNICATIONS FROM THE GOVERNOR

December 19, 1953

Honorable Mark Paxton, President
Members of the Senate

Dear Mr. President and Members of the Senate:

This is to advise you that I have no further business to present to this First Special Session of the Thirtieth Legislature.

I convened this special session primarily to consider school problems and, during the course of the session, I presented the major recommendations of the Public School Survey Commission, some of which had been altered as a result of further study. The program that I presented was one that I felt was reasonable both to the schools and to the taxpayers. Although the Legislature has not been in accord with some of my recommendations, I have done all that I can to present them and have them enacted.

My opening message to the Legislature called attention to the fact that all of the major recommendations of the Public School Survey Commission, not just those providing more money, should be adopted if the objective of a better school system is to be reached. Some of these recommendations were turned down but, in subsequent sessions of the Legislature, they must be re-considered and enacted.

Inasmuch as the survey recommendations for increased school financing were adopted by the Legislature, there should be no foreseeable need for the schools to return to the Legislature for additional financial help. The school boards of the State now have an obligation to be prudent, if you will pardon the expression, in the budgeting of these funds so that taxpayers may get some respite from new demands in the years to come.

A greater responsibility has been placed on the people in the administration of school affairs. Elections of school boards will be conducted during general elections and boards will be elected in majority and minority groups, not individually as in the past. This should tend to make boards more responsive to the wishes of the people.

The action of the Legislature in providing for the return of three junior colleges to their original owners, the Church of Jesus Christ of Latter-day Saints, and in abolishing a fourth, will compensate in some measure for the increased financial burden placed on the people as a result of the school finance bills. The Church has given its assurance to continue operating its schools, which will provide the same high quality of education in these areas as they have had in the past.

A number of matters not related to the schools also were considered by this Legislature. Not all of these were enacted into law, but those that were should prove to be of benefit to the people.

I wish to thank the Legislature for its efforts. My best wishes go with you for a joyful holiday season and a happy new year.

Sincerely yours,

J. BRACKEN LEE,
Governor

Communication filed.

December 19, 1953

Mr. President:

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

Respectfully,

H. ROLAND TIETJEN,
Chairman

Report adopted and filed.

On motion of Senator Fowles, the First Special Session, 30th Legislature, of the Utah State Senate adjourned sine die.

pg. 287

GENERAL INDEX

Pg 288

SENATORS AND COMMITTEES ON WHICH THEY SERVE

	Agriculture & Irrigation	Appropriations & Claims	Banking and Commerce	Education	Fish and Game	Health and Labor	Highways	Judiciary	Military Affairs	Mining and Smelting	Public Institutions	Revenue and Taxation	Revision & Enrolling	Rules & Contingent Exp.	State & Municipal Affairs	Welfare
ADAMS		X			X	X			X	X		X				
BURTON					X						X	X		X		C
CANNON				X				C				X			X	X
CLEGG	X			C		X					X					X
DAY					X			X			X	C			X	
FOWLES			X		X		X	X			X	X		C		
GIBSON		X	X	X		X		X								
HAFEN			X				X	X		C			X			
HAMMOND			X						C	X			X			X
HOPKIN	X	X										X			X	X
JENKINS	X	X		X					X						X	
KERR	X	X				X	C									X
MABEY		X	X		X			X								C
MUIR		X		X	C				X					X		
OPENSHAW		X			X	C					X	X				
SELVIN						X	X			X						X
STRINGHAM	C		X				X			X					X	
THORN		X					X		X	X	C	X				
TIETJEN	X	X	C			X						X				
TIPPETTS				X							X		C		X	X
WATSON	X							X		X		X				
WOOLLEY		C		X			X									X

C Chairman of Committee

+ Committee Member

REFERENCES

Proclamation	5-6
Officers	8
Senate Rules	8
Standing Committees	8
Rules and Contingent Expenses	247
Adjournment sine die	285

SPECIAL COMMITTEES:

To Notify the Governor.....	8-11-12-66-285
To Notify the House	8-285
On Patronage and Employees.....	8
On Journal Revision	9-27-45-62-91-108-124-138-159 178-196-212-214-237-255-286
On Kennecott Tax Case	26-27-175
On Additional Legislation	30
On Appointments	40-157
On Revision of Journal	284

REFERENCES (Continued)**COMMUNICATIONS:**

Governor's Message 12-27-67

Governor:

<i>re:</i> Senator A. I. Tippetts	9
“ Additional Legislation	29
“ Appointments	39
“ School Retirement and Finance	48
“ Added Legislation	52
“ Added Legislation	89
“ Correction Quotation	90
“ School Retirement and Finance	94
“ Added Legislation	135
“ Junior Colleges	136
“ Added Legislation	164
“ Added Legislation	229
“ Added Legislation	229
“ Added Legislation	243
“ Final Message	285

Secretary of State:

re: Ventilating System 247

House:

<i>re:</i> Organization	11
<i>re:</i> Joint Convention	54

Ogden Chamber of Commerce:

re: Weber College 205

SENATE BILLS

Number	AUTHOR — TITLE (Abbrev.)	SENATE BILLS										References
		Introduced and Read First Time	Revision and Re-rolling Committee	Standards 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
1	Kerr, et al.—Textbook Commission.....	23	30	35	39	46	63	63	102	109	214	Not signed
2	Kerr, et al.—State Course of Study Commission.....	23	30	35	41	46	63	98	218	232	12/21	139
3	Hafen, et al.—Minimum Age, Kindergarten.....	24	31	36								61F
4	Tietjen, et al.—School Census.....	24	31	36								114F
5	Thorn, et al.—Mandatory Assessment.....	24	31	36	41	46	64	96	245	259	12/21	157
6	Gibson, et al.—Bd. of Educ. Election Supervision.....	24	32	36	42	47	64	65	103	110	186	O
7	Tippetts, et al.—Registration of Private Schools.....	24	32	37	60	61	97	97	107	110	196	O
8	Woolley, et al.—School Board Election Date.....	24	32	37	42	47	114	138	174	181	215	42T—52X— 47X—61X—66X—88X—107X—
9	Mabey, et al.—School Board Vacancies.....	25	33	37	43	43	65		104	110	146	
10	Stringham, et al.—School Board Election Costs.....	25	33	37	43	43	129	148	156	167	178	
11	Stringham, et al.—School Merit Study.....	25	33	38	251							123T—251F
12	Tippetts, et al.—School Personnel Contracts.....	25	34	38								61F—
13	Clegg, et al.—Minimum Age Excused from School.....	25	34	38	44	47	47	85	104	111	146	
14	Mabey, et al.—School Bus Inspection.....	26	34	38	44	47	48	91	92	107	111	146
15	Woolley, Nepotism—School Board.....	41	45	50	52							261F
16	Day, et al.—Mechanical Voting Machines.....	55	58	83	85							85F—

1 2 3 4 5 6 7 8 9 10 11 12 13 14

17	Selvin, et al.—Armed Forces: Resident Hunting and Fishing Licenses	55	83	89	113	113	118	.....	124	130	153		
18	Burton, et al.—Fee for copies Accident Reports.....	56	58	84	88	104	105	119	.....	131	148	165	
19	Day, et al.—Utah State Guard.....	56	59	84	115	115	115	119	.....	131	148	165	
20	Day, et al.—Civil Defense Compact	56	59	84	115	115	115	122	142	150	167	179	134—
21	Day—Transfer Bureau Criminal Identification to Public Safety	56	59	84	89	113	113	120	120	142	160	165	
22	Mabey, et al.—Integration State Teacher Retirement System—Social Security	82	98	.....	118	133	133	151	.....	174	181	220	118X—127—222 Override Veto
					132	.....	222	.....	.....	239	.....	.....
23	Mabey, et al.—Termination Teachers Retirement Systems	82	98	.....	126	133	133	152	.....	175	182	223	126X—223 Override Veto
					.....	.....	223	.....	.....	239	.....	.....
24	Day, et al.—Legislative Council School Finance Program	82	99	.....	248	.....	.....	.....	.....	.....	.....	.....	248F
25	Day, et al.—"	83	99	.....	.....	.....	.....	.....	.....	.....	.....	.....	248F
26	Day, et al.—"	83	99	.....	.....	.....	.....	.....	.....	.....	.....	.....	248F
27	Woolley—Transfer School Bldg. Fund—\$1,000,000	87	100	.....	126	.....	.....	.....	.....	.....	.....	.....	248F
28	Woolley—Approp. One Million Dollars Uniform School Fund	87	100	.....	.....	.....	.....	.....	.....	.....	.....	.....	248F
29	Muir—Abolishing Carbon College	87	100	.....	126	228	241	270	.....	276	281	12/19	126T—196X—206X—
					.....	227	240	.....	.....	.....	.....	.....
30	Gibson—Divert Liquor Tax—Uniform Sch. Fund.....	87	100	.....	134	.....	.....	.....	.....	.....	.....	.....	135F
31	Stringham—Abolish Snow College	87	101	.....	248	.....	.....	.....	.....	.....	.....	.....	138T—249F
32	Gibson—Withdraw State Support School Lunch Program	88	101	.....	134	134	.....	.....	.....	.....	.....	.....	134 Failed
33	Muir—Abolish Snow College	88	101	.....	249	.....	.....	.....	.....	.....	.....	.....	138T—249F
34	Woolley—Withdraw State Support Voc Sch.	93	102	.....	228	228	.....	.....	.....	.....	.....	.....	138T—196X—206X
					.....	.....	.....	.....	.....	.....	.....	.....	228 Failed—254
35	Watson—Increasing Corp. Franchise Tax	121	122	.....	253	.....	.....	.....	.....	.....	.....	.....	151T—253F
36	Fowles—Approp. Special Session Expenses	125	.....	.....	125	125	125	.....	.....	.....	.....	.....	283F
37	Mabey, et al.—Public Assist. to Needy School Employees	127	144	.....	152	153	153	180	180	183	201	215	

SENATE BILLS (Continued)

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revision and Re-rolling Committee	Standards 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
38	Hafen—Approp. for College of Southern Utah—Heating Plant	137	144	158	159	200	211	260	264	266	200T—		X—Special Order P—Enacting Clause Struck O—Veto T—Tabled
39	Hafen (by request)—Transfer Weber Jr., Snow & Dixie Colleges to Church	144	149	177	219	220	240	246	260	12/21	157X—184X—206X—		
40	Burton, et al.—Approp. Remodel S.L.C. Voc. Sch.	145	149	164	184	184	200	218	233	256	249F		
41	Hopkin, et al.—Mine Occupation Tax Reserve School Fund	156	157	185	185	185	193	205	224	256			
42	Stringham, et al.—Utah Water & Power Board	219	227	249	249	249	283	276	282	12/24			
43	Gibson, et al.—Bd. of Ed. Election—Gen. Elec.												
44	Kerr, et al.—Transfer Emergency Relief Fund to Building Reserve Fund	235	236	250	250	250	273	274	280	284	12/22		
45	Kerr, et al.—Approp. Building Reserve Fund	235	236	250	250	251							283F
46	Gibson, et al.—Special Claims	240		240	240	241	263	273	278	12/19			
47	Wooley, et al.—Basic Program School Financing	267		267	267	268	274	280	283				*Not signed

SENATE JOINT RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revising and Re-rolling Committees	Standards Committees	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur: Conference Committee	Signed by President	Signed by Speaker	To Secretary of State	References
													X — Special Order P — Enacting Clause Struck O — Veto T — Tabled
1	Mabey, et al.—Consolidation School Districts.....	23	30	35	39	46	113	169					-46X-57—Failed in House
2	Mabey, et al.—Propose Amendment—Article V, U. S. Constitution.....	55	57	85	116	125	127	155					Failed in House
3	Day, et al.—Amend Fed. Con. Restricting Powers.....	55	57	85	116	126	126	154		173	182	182	
4	Day, et al.—Condolence Rosamond Kerr.....	189				189	189	190	203	217	231	231	
5	Fowles, et al.—Employees Compensation.....	198				198	198	198	261	262	273	279	279

SENATE CONCURRENT RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revising and Re-rolling Committees	Standards Committees	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur: Conference Committee	Signed by President	Signed by Speaker	To Secretary of State	References
													X — Special Order P — Enacting Clause Struck O — Veto T — Tabled
1	Woolley, et al.—Reduction Federal Taxes.....	41	45	50	51	66	66	109					
2	Mabey, et al.—Title to Federal Lands.....	91	98			117	117	128	128	143	160	164	
3	Stringham, et al.—Colorado River Basin.....	144	149			184	185	185	192	204	224	255	
4	Day, et al.—Condolence Matthew Cowley.....	189				189	189	189	203	217	232	256	

SENATE RESOLUTIONS

Number	AUTHOR — TITLE (Abbrev.)	Introduced and Read First Time	Revising and Re-rolling Committees	Standards Committees	Read Second Time	Read Third Time	Transmitted to House	Received from House	Concur: Conference Committee	Signed by President	Signed by Speaker	To Secretary of State	References
													X — Special Order P — Enacting Clause Struck O — Veto T — Tabled
1	Hopkin, et al.—Congrat. Mrs Nettie Thorn.....	61				62	62						
2	Watson, et al.—Commendation for Television Sport Broadcast.....	81				81	81						
3	Day, et al.—Condolence Mrs Josephine Jorgensen.....	190				190	190						
4	Day, et al.—Condolence Mrs. Arthur Hone.....	190				190	190						
5	Tippetts, et al.—Condol. Mrs. Olive Matilda Day.....	190				191	191						

HOUSE BILLS

Number	AUTHOR -- TITLE (Abbrev.)	Received from House	Standing Committee	Read Second Time	Read Third Time	Transmitted to House	Signed by President	Signed by Governor	References
3	W. G. Larson, et al.—Estb. of Kindergartens.....	48	50	59	60	60	92	127	
4	W. G. Larson, et al.—School Population under 18 years.....	49	51	60, 114, 114	129	183			60T-118C—
11	Dalebout, et al.—Merit Plan Bd. of Educ Employees.....	86		122, 123	123	147, 226			130C—
12	Rowberry, et al.—School Personnel Contracts.....	49	51	60	60	93	155		171C—
17	W. E. Anderson—Apportioning Cost, Tax Collection.....	112		145	161	161	182, 226		150T-201C-245—
19	Conover, et al.—School Bds. Financial Report Publication.....	112		150, 162, 195	268	12/21			247-253-257—
23	Sheffield—Voting Machines.....	117		161, 254	254				
24	Taylor—Prize Fighting.....	117		249, 249	249	269	12/21		
27	Dalebout, et al.—Determination Costs of School Program.....	140		150, 151, 151	172	203			151X-187-201-233-258— *Not signed 2/18.
28	Dalebout, et al.—Providing Tax Levy: School Program.....	141		162, 170	170	269			151X—
29	Dalebout, et al.—School Programs.....	141		163, 171	171	225, 254	O		151X-163X-183-192-197-198— 202-254X-260-261 Failed; Veto sustained 258—*Not signed 12/31.
31	Hopkins—Approp. for Uniform School Fund.....	167		170	198				
34	Durham—Increase Cigarette Tax.....	179		236, 252, 252	275				236X-259-278—Override Veto
35	Rowberry—Withholding Tax from Wages.....	180		241, 242					231X-248-251-252F

HOUSE BILLS (Continued)

Number	AUTHOR -- TITLE (Abbrev.)	House Bill Process							References	
		Received from House	Standing Committees	Read Second Time	Read Third Time	Transmitted to House	Signed by President	Signed by Governor		
36	Durham--Oleomargarine Tax Stamps	244		253	253	269			O 12/31.	
40	Peterson, et al.--Validating Improvement Distr	172		185	206	207	238	12/21	185X--230 Concur	
41	Peterson, et al--Remove Tax Ceiling Levies	173		191	186	207	207	238	12/21	186X--
42	Peterson, et al.--Validating Bonds	173		186	186	186	225	271		
44	Lee, et al--Approp. Contract of Placement Study	230		250	250	250	270	12/21		
46	Barlow--Approp. Special Session	262		265	271	272	284	12/31	278--279--281--283	
47	Jones--S. L. C. Levy Four Mill Tax	257		261	264	265	275	12/21		
48	Howe--Approp. Miscellaneous Claims	272		272	272	272	282	12/19		

HOUSE JOINT RESOLUTIONS

2	Vance, et al--Condolence--Christine T. Jensen	168		168	168	168	204			
3	Vance, et al--Condolence--Wilmer J. Maw	188		188	188	189	224			
4	C. E. Peterson, et al--Condolence--Atha Earl Davis	262		263	263	263	274			

HOUSE CONCURRENT RESOLUTIONS

2	C. E. Peterson--Resolution--Revoking World Federation	154		185						185T--252F
3	Larsen--Resolution--Congratulating President of the U. S.	244		251	251	251	268	12/22		