

JOURNAL  
OF THE  
SENATE



FIRST SPECIAL SESSION  
FOURTEENTH LEGISLATURE  
OF THE  
STATE OF ARIZONA  
1940

FIRST SPECIAL SESSION CONVENED  
MONDAY, SEPTEMBER 23, 1940  
FIRST SPECIAL SESSION ADJOURNED  
MONDAY, SEPTEMBER 27, 1940

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OFFICERS OF THE SENATE OF THE FOURTEENTH  
LEGISLATURE OF THE STATE OF ARIZONA  
FIRST SPECIAL SESSION

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PAUL C. KEEFE (Dem.) Yavapai County.....President  
W. J. GRAHAM (Dem.) Maricopa County.....Secretary  
T. F. HUGHES (Dem.) Maricopa County.....Chaplain  
FRANK GILLICK (Dem.) Yavapai County.....Sergeant at Arms  
KEAN ST. CHARLES (Dem.) Mohave County.....Doorkeeper



MEMBERS OF THE SENATE OF THE FOURTEENTH  
LEGISLATURE OF THE STATE OF ARIZONA  
FIRST SPECIAL SESSION

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County

Apache.....	John R. Coleman.....	D.....	Springerville
Cochise.....	Dan Angius.....	D.....	Bisbee
Cochise.....	H. A. Wimberly.....	D.....	Douglas
Coconino.....	James E. Babbitt.....	D.....	Flagstaff
Gila.....	Daniel E. Rienhardt.....	D.....	Globe
Gila.....	A. R. Edwards.....	D.....	Miami
Graham.....	Benjamin Blake.....	D.....	Safford
Greenlee.....	A. C. Stanton.....	D.....	Clifton
Maricopa.....	James Minotto.....	D.....	Phoenix
Maricopa.....	Charles M. Menderson.....	D.....	Phoenix
Mohave.....	Robert E. Morrow.....	D.....	Kingman
Navajo.....	Robert L. Moore.....	D.....	Winslow
Pima.....	Henry A. Dalton.....	D.....	Tucson
Pima.....	V. Clare Dodd.....	D.....	Tucson
Pinal.....	William Coxon.....	D.....	Casa Grande
Santa Cruz.....	Ed. F. Bohlinger.....	D.....	Patagonia
Yavapai.....	Paul C. Keefe.....	D.....	Clarkdale
Yavapai.....	Robert Crable.....	D.....	Prescott
Yuma.....	H. H. Baker.....	D.....	Yuma



# SENATE JOURNAL

FOURTEENTH STATE LEGISLATURE  
FIRST SPECIAL SESSION—1940

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## MONDAY, SEPTEMBER 23

Pursuant to executive proclamation issued by Honorable R. T. Jones, Governor of Arizona, under date of September 18, 1940, the State Senate of the Fourteenth Legislature convened in the Senate chamber at 10:20 o'clock, a. m., this day.

The President, Paul C. Keefe, of Yavapai county, called the Senate to order.

Reverend T. F. Hughes offered prayer.

The roll was called and the following Senators answered to their names:

Angius	Coleman	Minotto
Babbitt	Dalton	Moore
Baker	Dodd	Morrow
Blake	Edwards	Stanton
Bohlinger	Menderson	Wimberly
		The President

The President announced that Mr. Coxon, the Senator from Pinal, Mr. Dodd, a Senator from Pima, and Mr. Rienhardt, a Senator from Gila, had been excused.

### RESIGNATION OF MR. PATTERSON

The President announced the resignation of Mr. W. E. Patterson, a Senator from Yavapai.

### MR. ROBERT CRABLE

The President announced that the Yavapai County Board of Supervisors had appointed Mr. Robert Crable to fill the vacancy caused by the resignation of Mr. Patterson, and that Mr. Crable's credentials would be received by the Senate later in the day.

Mr. Minotto moved that Mr. Crable be accepted as a member of the Senate, and his credentials be examined later. The motion was agreed to.

The President administered the oath of office to Mr. Crable.

### PROCLAMATION OF GOVERNOR

The proclamation of the Governor of Arizona, under date of September 18, 1940, calling the Fourteenth Legislature in special session, was read as follows:

## JOURNAL OF THE SENATE

EXECUTIVE DEPARTMENT  
STATE OF ARIZONA  
PHOENIX, ARIZONA

## PROCLAMATION

CALLING THE FOURTEENTH LEGISLATURE  
OF ARIZONA INTO SPECIAL SESSION

WHEREAS, Article IV, part 2, Section 3 of the Constitution of Arizona reads in part as follows:

“The Governor may call a special session, whenever in his judgment it is advisable. In calling such special session, the Governor shall specify the subjects to be considered at such session, and at such session no laws shall be enacted except such as relate to the subjects mentioned in such call.”

and,

WHEREAS, Article V, Section 4, of the Constitution of Arizona reads in part as follows:

“He, (the Governor) may convene the Legislature in extraordinary session.”

NOW, THEREFORE, I, R. T. Jones, Governor of the State of Arizona, in consideration of these premises, and by virtue of the authority vested in me by the Constitution, do convene the Fourteenth Legislature of the State of Arizona into First Special Session, in Phoenix, at the Capitol Building, at 10 o'clock, a. m., on the 23rd day of September, 1940, to enact legislation for the following purposes:

## I.

To provide for the eradication of dourine.

## II.

To provide defense measures made necessary by the absence of the National Guard and other conditions.

## III.

To amend the unemployment compensation law of 1936 to conform to the provisions of the Railroad Unemployment Insurance Act.

## IV.

Teachers' retirement plan.

## V.

To make an emergency appropriation to pay members of the Arizona National Guard for the time spent on maneuvers in Louisiana during the summer of 1940.

VI.

To amend the Old Age Assistance Act of 1937 to conform to terms of the Federal Social Security Act, and to raise the maximum allotment to \$40 per month.

VII.

To provide for the creation of a revolving fund by the Arizona Board of Social Security and Welfare for the purchase of food stamps and cotton stamps.

VIII.

To make an appropriation for the defense of the 70-car train limit law and for the purpose of reimbursing the Brotherhood of Railroad Trainmen for legal fees contracted by it in defending this law.

IX.

To authorize the issuance of tax anticipation bonds for the purpose of securing a lower rate of interest than that paid on registered warrants.

X.

To empower municipalities to issue revenue bonds to purchase, construct, maintain and operate water-works.

XI.

To create a permanent non-salaried Coronado Quarto Centennial Commission.

XII.

To consider the confirmation of recess appointments.

(SEAL) IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Arizona to be affixed.

Done at Phoenix, Arizona, the Capital, this 18th day of September, 1940.

R. T. JONES (Signed)  
Governor

ATTEST:

(Signed) HARRY M. MOORE,  
Secretary of State.

OFFICERS OF THE SENATE

Mr. Minotto moved that the officers of the Fourteenth Regular Session be affirmed as officers of the First Special Session of the Fourteenth State Legislature. The motion was agreed to.

## NOTIFICATION OF THE HOUSE

The President designated Mr. Minotto, Mr. Baker, and Mr. Blake as members of a committee to notify the House of Representatives that the Senate was organized and ready for the transaction of business, and to act with a like committee from the House to notify the Governor that the Legislature was organized and ready to receive any communication he might wish to make.

## RECESS

By unanimous consent (at 10 o'clock and twenty-five minutes, a. m.) the Senate stood at recess, subject to the call of the gavel.

The President called the Senate to order at 11:02 o'clock a. m.

## COMMITTEE FROM THE HOUSE

The Sergeant at Arms (at 11 o'clock and three minutes, a. m.) announced a committee from the House of Representatives consisting of Mr. Wilson, Miss Lockwood, and Mrs. McRae. The committee informed the Senate that the House was duly organized and ready for the transaction of business.

## RECESS

By unanimous consent (at 11 o'clock and four minutes, a. m.) the Senate stood at recess subject to the call of the gavel.

The President called the Senate to order at 11:07 o'clock, a. m.

## NOTIFICATION OF GOVERNOR

Mr. Minotto, Mr. Baker, and Mr. Blake reported to the Senate that the Governor was ready to deliver a message to the Senate and House of Representatives in joint session in the House chamber.

## RECESS

By unanimous consent (at 11 o'clock and nine minutes, a. m.) the Senate stood at recess subject to the call of the gavel following the joint session.

## JOINT SESSION

In accordance with the recess taken by the two Houses, the Senate and the House of Representatives assembled in joint session at 11:10 o'clock, a. m., in the House of Representatives chamber, the President of the Senate in the chair.

His Excellency, the Governor of Arizona, R. T. Jones, appeared in the House chamber, and was introduced by the President.

The Secretary of the Senate called the roll of the Senate, and the following Senators answered to their names:

Angius	Crabbe	Morrow
Babbitt	Dalton	Stanton
Baker	Edwards	Wimberly
Blake	Menderson	The President
Bohlinger	Minotto	
Coleman	Moore	

The Chief Clerk of the House called the roll of the House of Representatives, and the following Representatives answered to their names:

Batchelder	Hill	Righetti
Bell	Jameson	Rosenbaum
Carson	Klein	Robles
Copp	Lewis	Sharpe
Cowan	Lockwood	Shaw
Cummard	Mattice	Smith
Ernst	Murray	Stanford
Flake	McAleb	Stauffer
Flood	McDaniel	Thompson
Forbes	McGowan	Vidrine
Francis	McKinney	Wade
Fritz	McRae	Wiggins
Goff	O'Neill	Wilson
Greenhalgh	Palmer	Wisener
Hamblin	Penny	The Speaker
Hathaway	Perkins	
Heron	Reichard	

The Governor addressed the joint session in an appropriate manner and read the following message:

MESSAGE OF THE GOVERNOR  
TO THE  
FOURTEENTH LEGISLATURE  
FIRST SPECIAL SESSION

Several matters of immediate and pressing importance make this first special session of the Fourteenth Legislature necessary. Obviously, it is impossible in a twenty-day session to cover all the needs of the state, so I have limited legislation to be considered to twelve important points, a brief analysis of which is given here for your information.

Dourine is a contagious disease common to horses. It has been endemic to Arizona for some time. Now it threatens to become epidemic unless immediate steps are taken to eradicate it.

I had offered money from my contingent fund to fight this disease, when it was first reported, but an opinion from the Attorney General specifically states that this fund may not be used for this purpose.

California has already placed a quarantine on Arizona which prevents our horses from being shipped there. Other states will follow suit unless we act at once.

Failure to act on our part may necessitate cancellation of the State fair in November; elimination of the annual horse show; and seriously hamper plans of California motion picture companies to make pictures in Arizona, which would mean a loss in revenue to the State of over a million dollars a year.

The Federal Government will match indemnity payments dollar for dollar and will furnish at least one veterinarian to assist the state.

Acting upon orders from President Roosevelt, the Arizona National Guard has been mustered out of the state, leaving no state militia available to handle local emergencies.

It is necessary to create a home guard to take the place of the National Guard. An appropriation is required to meet the emergency and to provide funds for the use of the Arizona State Council of Defense to continue its constructive efforts to rid the state of "fifth columnists" and other subversive elements who endanger the general welfare of our citizens.

During the regular session of the Fourteenth Legislature, you failed to pass a bill enabling the Arizona Unemployment Compensation Commission to transfer certain funds to the Railroad Retirement Board to conform with the provisions of the Federal Railroad Unemployment Insurance Act.

This oversight would have caused the state to lose its unemployment compensation grants from the federal government had not Congress granted us permission to delay the transfer until a special session of our legislature could be called.

It is now our duty to pass this bill in order to conform with the provisions of the above-mentioned act in order that the working men and women of this state may continue to enjoy the protection afforded by the unemployment compensation act.

At the present time the teachers of Arizona have a pension plan which is neither satisfactory nor equitable.

To replace this act, there will be introduced for your consideration a new teachers' retirement plan, based upon joint state and individual contributions, which has been carefully prepared and meets with the approval of the Arizona Education Association.

It is not only fair and workable, but it will cost little more than the present teachers' pension law. I cannot too strongly urge its adoption.

Members of the Arizona National Guard are regularly paid for time spent on maneuvers by both the state and national government.

This year the Guard was ordered to Louisiana for its maneuvers. Its members were paid by the federal government, but could not be paid by the state because of a recent Supreme Court decision which ruled that guardsmen could not be paid for time spent outside Arizona.

Reason and justice dictate that these men should be compensated for their efforts. The money is available and it should be paid them immediately.

The federal food stamp plan has been in operation in three Arizona counties for several months. As you undoubtedly know, the plan is designed to help families on W.P.A. and drawing various forms of social security.

Before the plan can be placed in effect in every Arizona county, it will be necessary for the legislature to pass a bill empowering the State Social Security and Welfare Board to create a revolving fund out of which to purchase the food stamps and the cotton stamps, which will soon be available.

Until the food stamp plan was introduced in Arizona, the Federal Surplus Commodities Corporation purchased hundreds of thousands of dollars worth of food-stuff and clothing outside Arizona and shipped it in by the carload.

Not only is this legislation of vital importance to people on relief and in need, especially since winter is drawing near, but it will mean millions of dollars of extra revenue to Arizona grocery men, farmers and merchants from whom these supplies will be purchased.

The railroad men of the state are very much concerned over alleged violations of the 70-car train limit law, which was enacted to protect them. They feel that the state has been negligent in its duty to defend this law.

The reason the state has not been more diligent in defending the law is that it lacks the necessary funds with which to do so. The Brotherhood of Railroad Trainmen has even been forced to use its own funds to secure legal counsel to defend the law.

To assure an adequate and proper defense of this law, it is my duty as Governor to ask for an emergency appropriation, not only to defend the law, but to reimburse the Brotherhood of Railroad Trainmen for legal fees previously contracted by it for this purpose.

When the state of Arizona leaves a cash basis, which it often must do, it is required to register warrants for the payment of current obligations at an interest rate of 5%.

This rate is exorbitant, and can and should be reduced by passage of a law permitting the state to

issue tax anticipation bonds at a much lower rate of interest. Many thousands of dollars can be saved each year by the passage of this measure.

Passage of the Revenue Bond Act, which expired last year, is a vital necessity to several Arizona cities which have municipal water projects under consideration.

Flagstaff, for example, has a project to augment its water supply by pumping water from nearby Lake Mary, but the project cannot be completed unless the city is granted the right to issue revenue bonds to defray its share of the cost of the project.

In 1939 I created, by proclamation, an Arizona Coronado Quarto Centennial Commission to work with the federal commission of the same name in commemorating the explorations of the Spanish explorer, Francisco Coronado.

The members of this Commission have spent their own money and donated generously of their time in staging a series of celebrations throughout the state commemorating this anniversary.

It is necessary that this commission be set up on a permanent, non-salaried basis in order that it can cooperate with the U. S. Coronado Quarto Centennial Commission. Plans call for the erection of a Coronado international monument and museum on the Mexican border between Nogales and Naco, an appropriation for which has already been made by the federal government.

Creation of such a commission involves no cost to the taxpayers of Arizona.

The federal government has amended the national old age assistance act to permit maximum monthly payments of \$40 per case. I am asking this Legislature to pass legislation to conform with the provisions of this amended act of Congress, which will give our needy and deserving pioneer men and women the \$40 per month to which they are entitled. My only regret is that this increased sum may be still insufficient to cover the needs of these worthy pioneers.

Members of the Senate will be asked to confirm appointments I have made to state offices while the Legislature was not in session.

The foregoing will be placed before you for such action as you may deem necessary and proper. It is my hope you will see them in the same light as I do. I shall be glad to supply any additional information regarding these measures, and hasten to offer the complete cooperation of my office at all times. I trust this

session will accomplish much good for the people of our beloved state.

Sincerely yours,

R. T. JONES,  
Governor.

Upon conclusion of the reading of the Governor's message, the following communication from Mr. Arthur M. Davis, attorney for the Arizona Unemployment Compensation Commission, was read to the joint assembly:

ARIZONA UNEMPLOYMENT COMPENSATION  
COMMISSION

Ellis Building

P. O. Box 111

Phoenix, Arizona

(In reply refer  
to File No. A-2)

September 21, 1940.

Hon. R. T. Jones, Governor  
Capitol Building  
Phoenix, Arizona

Dear Governor Jones:

Under the Federal Social Security Law as originally enacted by the Congress of the United States, various state agencies operating in conformity therewith collected unemployment contributions on employees of railroads as well as other industries. Subsequently Congress adopted the Railroad Unemployment Insurance Act, under the terms of which provision was made for the payment of unemployment benefits to all railroad employees under a Federal program administered by the Railroad Retirement Board. At the same time it was required that each state authorize and direct the Secretary of the Treasury to transfer from its account in the unemployment trust fund to the railroad unemployment insurance account in the unemployment trust fund a sum representing contributions collected prior to that date from railroads within the state. It was further required that this transfer be made prior to thirty days after the close of the first regular session of the state's legislature which began after June 25, 1938 or July 1, 1939, whichever date was the later, and upon failure of the state to comply with such requirement, directed that all further funds for administration of the Social Security Laws in such state be withheld until there was such compliance.

This law was amended in August, 1939, to extend the time for such transfer until "after the thirtieth day after the close of such state's first regular or special session of its legislature which begins after the date of

enactment of this Act." Under this provision it is essential that authority be granted at the present special session to transfer the foregoing funds to the Railroad Retirement Board or the Social Security Board will be required to withhold future grants for the administration of the unemployment compensation law.

Sincerely yours,

(Signed) ARTHUR M. DAVIS,  
Arthur M. Davis, Attorney.

AMD:a

The Governor requested that a committee be appointed to investigate state institutions.

A rising vote of thanks was accorded the Governor.

The President addressed the joint session expressing the hope that cooperation and good will would characterize the relations of the two houses of the Legislature and between the Legislature and the Governor.

Thereupon (at 11 o'clock and twenty-five minutes, a. m.) the joint session was dissolved.

PAUL C. KEEFE,  
President.

W. J. GRAHAM,  
Secretary.

WILLIAM SPAID,  
Speaker of the House of Representatives.

LALLAH RUTH,  
Chief Clerk of the House of Representatives.

The President called the Senate to order at 11:35 o'clock a. m.

#### RECESS

Mr. Minotto moved that the Senate stand at recess until 2 o'clock, p. m. The motion was agreed to, and (at 11 o'clock and thirty-six minutes, a. m.) the Senate stood at recess.

#### AFTERNOON SESSION

The President called the Senate to order at 3:10 o'clock, p. m.

#### SENATOR CRABLE

The President laid before the Senate a telegram which was read as follows:

PRESCOTT ARIZ 23 10 30 A

1940 SEP 23 AM 10 40

HON PAUL KEEFE  
PRESIDENT ARIZONA STATE SENATE  
THIS WILL CONFIRM APPOINTMENT OF ROBERT

CRABLE AS SENATOR FROM YAVAPAI COUNTY

BOARD OF SUPERVISORS OF YAVAPAI COUNTY  
WILLIAM BYERS CHAIRMAN

RULES

The President announced that the rules of the Regular Session of the Fourteenth Legislature would be adopted as the rules of the First Special Session.

CHAIRMAN OF JUDICIARY COMMITTEE

The President announced the appointment of Senator Rienhardt to replace Senator Patterson, resigned, as chairman of the Judiciary Committee.

STANDING COMMITTEES

The President announced that the personnel of all standing committees would remain the same as those of the Regular Session of the Fourteenth Legislature except that Senator Crable would act on all committees upon which Senator Patterson, resigned, had served, and Senator Rienhardt was assigned the chairmanship of the Judiciary Committee formerly filled by Senator Patterson.

SPECIAL COMMITTEE ON STATE INSTITUTIONS

The President announced that at the request of the Governor, made at the Joint Session of the Senate and House, he would appoint a special committee to examine the state institutions, and designated Mr. Baker, Mr. Babbitt, and Mr. Stanton as such committee.

EXECUTIVE NOMINATIONS

The President laid before the Senate communications from Governor which were read as follows:

September 23, 1940.

The Honorable Paul Keefe  
President of the State Senate  
and  
State Senate of the Fourteenth  
State Legislature  
Capitol  
Phoenix, Arizona

Gentlemen:

For confirmation by your honorable body, I am submitting the name of Mr. L. Carl Holmes, whom I appointed a member of the Industrial Commission for a six-year term beginning January 8, 1940, and ending January 8, 1946.

Respectfully submitted,

R. T. JONES, (Signed)  
Governor

September 23, 1940.

The Honorable Paul Keefe  
President of the State Senate  
and  
State Senate of the Fourteenth  
State Legislature  
Capitol  
Phoenix, Arizona

Gentlemen:

For confirmation by your honorable body, I am submitting the name of Mr. Spencer Shattuck, whom I have appointed a member of the Highway Commission to fill the unexpired term of the late Frank Bledsoe. This term expires January 31, 1942.

Respectfully submitted,

R. T. JONES, (Signed)  
Governor

September 23, 1940.

The Honorable Paul Keefe  
President of the State Senate  
and  
State Senate of the Fourteenth  
State Legislature  
Capitol  
Phoenix, Arizona

Gentlemen:

For confirmation by your honorable body, I am submitting the name of Mr. Joe S. Hunt, whom I have appointed a member of the Livestock Sanitary Board to fill the unexpired term of Mr. John Cull. This term expires on the first Monday in January, 1942.

Respectfully submitted,

R. T. JONES, (Signed)  
Governor

September 23, 1940.

The Honorable Paul Keefe  
President of the State Senate  
and  
State Senate of the Fourteenth  
State Legislature  
Capitol  
Phoenix, Arizona

Gentlemen:

For confirmation by your honorable body, I am submitting the name of Mr. John Duncan, whom I have appointed Superintendent of the Department of

Liquor Licenses and Control to fill the unexpired term of Mr. Joe Metz. This term terminates January 31, 1945.

Respectfully submitted,

R. T. JONES, (Signed)  
Governor

September 23, 1940.

The Honorable Paul Keefe  
President of the State Senate  
and  
State Senate of the Fourteenth  
State Legislature  
Capitol  
Phoenix, Arizona

Gentlemen:

For confirmation by your honorable body, I am submitting the name of Mr. E. H. McEachren, whom I have appointed a member of the Highway Commission for the five year term beginning February 1, 1940, and expiring January 31, 1945.

Respectfully submitted,

R. T. JONES, (Signed)  
Governor

September 23, 1940.

The Honorable Paul Keefe  
President of the State Senate  
and  
State Senate of the Fourteenth  
State Legislature  
Capitol  
Phoenix, Arizona

Gentlemen:

For confirmation by your honorable body, I am submitting the name of Mr. Ross Perner, whom I have appointed a member of the Livestock Sanitary Board. This term expires June 18, 1943.

Respectfully submitted,

R. T. JONES, (Signed)  
Governor

#### OPEN EXECUTIVE SESSION

Mr. Babbitt moved that the Senate resolve itself into open executive session for the consideration of executive business. The motion was agreed to, and (at 3 o'clock and fifteen minutes, p. m.) the Senate convened in open executive session.

Mr. Minotto moved that the Senate advise and consent to the nomination of Mr. L. Carl Holmes as a member of the Industrial Commission. The motion was agreed to.

Mr. Minotto moved that the Senate reconsider the action taken on the nomination of Mr. L. Carl Holmes. The motion was lost.

Mr. Blake moved that the Senate advise and consent to the nomination of Mr. Spencer Shattuck as a member of the Highway Commission to fill the unexpired term of the late Frank Bledsoe. The motion was agreed to.

Mr. Angius moved that the Senate reconsider the action taken on the nomination of Mr. Spencer Shattuck. The motion was lost.

Mr. Angius moved that the Senate advise and consent to the nomination of Mr. Joe S. Hunt as a member of the Live-stock Sanitary Board to fill the unexpired term of Mr. John Cull. The motion was agreed to.

Mr. Angius moved that the Senate reconsider the action taken on the nomination of Mr. Joe S. Hunt. The motion was lost.

Mr. Dalton moved that the Senate advise and consent to the nomination of Mr. John Duncan as Superintendent of the Department of Liquor Licenses and Control to fill the unexpired term of Mr. Joe Metz. The motion was agreed to.

Mr. Dalton moved that the Senate reconsider the action taken on the nomination of Mr. John Duncan. The motion was lost.

Mr. Angius moved that the Senate advise and consent to the nomination of Mr. E. H. McEachren as a member of the Highway Commission. The motion was agreed to.

Mr. Bohlinger moved that the Senate reconsider the action taken on the nomination of Mr. E. H. McEachren. The motion was lost.

Mr. Dalton moved that the Senate advise and consent to the nomination of Mr. Ross Perner as a member of the Live-stock Sanitary Board. The motion was agreed to.

Mr. Dalton moved that the Senate reconsider the action taken on the nomination of Mr. Ross Perner. The motion was lost.

Mr. Minotto moved that the open executive session be dissolved. The motion was agreed to, and (at 3 o'clock and twenty-five minutes, p. m.) the open executive session was dissolved.

#### INTRODUCTION AND FIRST READING OF BILLS

Mr. Babbitt introduced Senate Bill No. 1, entitled: "An act relating to cities and towns, and providing for the issuance of bonds by cities and towns for the financing of waterworks."

By unanimous consent the Bill was read the first time by number and title.

Mr. Babbitt moved that the Bill not be printed, that the rules be suspended and Senate Bill No. 1 be referred to the

proper committee today. The motion was agreed to and the Bill was referred to the Committee on Municipalities.

COMMITTEE ON EMPLOYEES AND SUPPLIES

Mr. Minotto, for the Committee on Employees and Supplies, submitted the following report:

Mr. President:

Your committee on Employees and Supplies hereby makes its recommendations and report to the Senate of the Fourteenth Legislature, First Special Session, of the State of Arizona.

We hereby submit the names of the following persons for the consideration of this honorable body:

Frank Gillick	Phyllis Brizzee
Rev. T. F. Hughes	Louise Brimhall
Kean St. Charles	Gerry Duvall
T. E. Rodman	Marie Espinoza
Louis Giragi	Laura May Kempton
Frances Barkley	Margaret Durham
Louise Burnham	Myra Hall

Your committee recommends that the salary of all attaches shall be \$5.00 per day.

Your committee further recommends that all attaches and employees be placed under the direct supervision of the Secretary of the Senate.

Mr. Minotto moved the adoption of the report. The motion was agreed to.

ADJOURNMENT

Mr. Babbitt moved that the Senate adjourn until tomorrow at 10 o'clock, a. m. The motion was agreed to, and (at 3 o'clock and thirty minutes, p. m.) the Senate adjourned until tomorrow, Tuesday, September 24, 1940, at 10 o'clock, a. m.

PAUL C. KEEFE,  
President.

W. J. GRAHAM,  
Secretary.

**TUESDAY, SEPTEMBER 24**

The Senate met at 10:10 o'clock, a. m.

Reverend T. F. Hughes offered prayer.

The roll was called and the following Senators answered to their names:

Angius	Crabbe	Morrow
Babbitt	Dalton	Rienhardt
Baker	Dodd	Stanton
Blake	Edwards	Wimberly
Bohlinger	Minotto	The President
Coleman	Moore	

The President announced that Mr. Coxon, the Senator from Pinal, and Mr. Menderson, a Senator from Maricopa, had been excused.

**THE JOURNAL**

By unanimous consent the reading of the Journal of Monday, September 23, 1940, was dispensed with, and the Journal was approved.

**INTRODUCTION AND FIRST READING OF BILLS**

Mr. Rienhardt introduced Senate Bill No. 2, entitled: "An act relating to unemployment compensation; and amending Chapter 13, Session Laws of 1936, First Special Session, by adding Section 9a".

The Bill was read the first time in full, and was laid over for one day.

Mr. Rienhardt introduced Senate Bill No. 3, entitled: "An act relating to old age assistance, and amending Sections 2 and 5, Chapter 70, Session Laws of 1937, Regular Session, as amended".

By unanimous consent the Bill was read the first time by number and title.

Mr. Rienhardt moved that the rules be suspended and Senate Bill No. 3 be placed under the order of business second reading of bills for today. The motion was agreed to.

**SEATING OF MR. MENDERSON**

The Sergeant at Arms announced (at 10:15 o'clock, a. m.) that Mr. Menderson, a Senator from Maricopa, had entered the Senate chamber and taken his seat.

**OLD AGE ASSISTANCE**

Senate Bill No. 3, by Mr. Rienhardt, relating to old age assistance, was read the second time in full.

The President put the question "Shall the Bill be engrossed and have a third reading?", which was decided in the affirma-

tive, and the Bill was referred to the Committee on Enrolling and Engrossing.

#### MUNICIPAL REVENUE BOND ACT OF 1940

Mr. Stanton, for the Committee on Municipalities, reported Senate Bill No. 1, by Mr. Babbitt, relating to municipal revenue bond act of 1940, with the recommendation that the Bill be amended as follows:

On page 7, lines 7 and 8, after the word "sold", strike the words "only to the Federal Government";

On page 9, line 6, after the word "any", strike the words "Federal Agency" and insert the word "source";

On page 9, line 10, after the word "received", strike the words "from any Federal agency", and insert the words "under the terms of this act";

On page 9, line 11, after the word "received", strike the words "from any Federal agency", and insert the words "under the terms of this act";

On page 13, lines 5 and 6, after the word "into", strike the words "by and between any municipality and any Federal agency";

and, as so amended, the Bill do pass.

The Bill, accompanied by the report of the Committee on Municipalities, was placed on the Calendar of the Committee of the Whole.

Mr. Babbitt moved that the rules be suspended and Senate Bill No. 1 be withdrawn from the Calendar of the Committee of the Whole, and the amendments proposed by the Committee on Municipalities be adopted. The motion was agreed to, and the amendments were adopted.

Mr. Babbitt moved that the rules be further suspended and Senate Bill No. 1 be placed under the order of business second reading of bills for today. The motion was agreed to.

By unanimous consent Senate Bill No. 1, by Mr. Babbitt, relating to municipal revenue bond act of 1940, was read the second time by number and title.

The President put the question "Shall the Bill be engrossed and have a third reading?", which was decided in the affirmative, and the Bill was referred to the Committee on Enrolling and Engrossing.

#### ADJOURNMENT

Mr. Minotto moved that the Senate adjourn until tomorrow at 10 o'clock, a. m. The motion was agreed to, and (at 10 o'clock

and thirty minutes, a. m.) the Senate adjourned until tomorrow, Wednesday, September 25, 1940 at 10 o'clock, a. m.

PAUL C. KEEFE,  
President.

W. J. GRAHAM,  
Secretary.

## WEDNESDAY, SEPTEMBER 25

The Senate met at 10:10 o'clock, a. m.

Reverend T. F. Hughes offered prayer.

The roll was called and the following Senators answered to their names:

Angius	Crabbe	Morrow
Babbitt	Dodd	Rienhardt
Baker	Edwards	Stanton
Blake	Menderson	Wimberly
Bohlinger	Minotto	The President
Coxon	Moore	

The President announced that Mr. Coleman, the Senator from Apache, and Mr. Dalton, a Senator from Pima, had been excused.

### THE JOURNAL

By unanimous consent the reading of the Journal of Tuesday, September 24, 1940, was dispensed with, and the Journal was approved.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Lallah Ruth, its Chief Clerk, announced that the House had passed House Bill No. 8, entitled: "An act making an appropriation for the Fourteenth Legislature of the state of Arizona, First Special Session".

### SEATING OF MR. COLEMAN

The Sergeant at Arms announced (at 11 o'clock, a. m.) that Mr. Coleman, the Senator from Apache, had entered the Senate chamber and taken his seat.

### INTRODUCTION AND FIRST READING OF BILLS

Mr. Bohlinger and Mr. Coxon introduced Senate Bill No. 4, entitled: "An act relating to Coronado, and creating the Coronado international monument commission of Arizona".

By unanimous consent the Bill was read the first time by number and title.

Mr. Bohlinger moved that the rules be suspended and the

Bill be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on State Institutions.

Mr. Babbitt and Mr. Minotto introduced Senate Resolution No. 1, on the retirement of Henry Fountain Ashurst from the Senate of the United States of America, which was read as follows:

A RESOLUTION

On the retirement of Henry Fountain Ashurst from the Senate of the United States of America.

Whereas, the Honorable Henry Fountain Ashurst, United States Senator from Arizona, will retire from the Senate of the United States of America at the end of the third session of the seventy-sixth Congress; and

Whereas, Senator Ashurst has represented this state in the United States Senate continuously since statehood, a period of twenty-eight years; and

Whereas, during all these years Senator Ashurst distinguished himself as a faithful public servant, steadfastly refusing to place selfish interests above the welfare of his country; and

Whereas, Senator Ashurst will long be remembered by the people of the entire nation for his statesmanship, his devotion to duty, his outstanding ability, his unimpeachable integrity, his silver-tongued oratory, his never-falling wit and good humor, and for his many other virtues; therefore

Be it resolved by the Senate of the State of Arizona:

1. This body expresses its sincere appreciation, and that of the people of Arizona, to the Honorable Henry Fountain Ashurst for his unselfish devotion and his many accomplishments in representing the state of Arizona for the past twenty-eight years in the Senate of the United States of America.

2. The members of this body hereby join with the people of the nation in extending to Senator Ashurst their best wishes for his continued health, happiness, and prosperity.

Mr. Minotto moved the adoption of the Resolution. The motion was agreed to on roll call, which resulted: Ayes 18, not voting 1, as follows:

AYES

Angius	Coxon	Moore
Babbitt	Crable	Morrow
Baker	Dodd	Rienhardt
Blake	Edwards	Stanton
Bohlinger	Menderson	Wimberly
Coleman	Minotto	The President

## NOT VOTING

Dalton

So the Resolution was adopted.

House Bill No. 8, entitled: "An act making an appropriation for the Fourteenth Legislature of the state of Arizona, First Special Session", was, by unanimous consent, read the first time by number and title.

Mr. Babbitt moved that the rules be suspended and the Bill be placed under the order of business second reading of bills for today. The motion was agreed to.

## DISTRIBUTION OF REVISED CODE

The President laid before the Senate a communication from the Secretary of State calling attention to the fact that while Sec. 5, Chapter 89, Laws of 1939, Fourteenth Legislature, Regular Session, provided for the purchase of 1,000 sets of the recompiled 1928 Code and Session Laws through 1939, no provision had been made for the distribution of them, and asked that he be given advice regarding same.

The communication was referred to the Committee on Judiciary.

## MUNICIPAL REVENUE BOND ACT OF 1940

Mr. Moore, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 1, by Mr. Babbitt, relating to municipal revenue bond act of 1940, as properly engrossed with the following corrections:

At end of title, strike the period, insert a comma and the words "and declaring an emergency.";

Page 1, strike lines 9 and 10 in their entirety;

Page 2, strike lines 1, 2, and 3 in their entirety;

Page 9, line 15, after the word "received", strike "from any federal agency" and insert "under the terms of this act".

Mr. Moore moved the adoption of the corrections. The motion was agreed to, and the Bill was placed under the order of business third reading of bills for today.

## SEATING OF MR. DALTON

The Sergeant at Arms announced (at 11:15 o'clock, a. m.) that Mr. Dalton, a Senator from Pima, had entered the Senate chamber and taken his seat.

## OLD AGE ASSISTANCE

Mr. Moore, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 3, by Mr. Rienhardt, relating to old age assistance, as properly engrossed with the following corrections:

At end of title strike the period, insert a semi-colon and the words "and declaring an emergency."

Page 2, line 13, strike the misspelled word "suggical" and insert the word "surgical".

Mr. Moore moved the adoption of the corrections. The motion was agreed to, and the Bill was placed under the order of business third reading of bills for today.

Mr. Menderson moved that the rules be suspended and Senate Bill No. 3 be withdrawn from under the order of business third reading of bills, and that it be referred to the Committee on Appropriations. The motion was agreed to.

ADJOURNMENT

Mr. Edwards moved that a committee be appointed to notify the House of Representatives that the Senate had completed its work and was ready to adjourn sine die. The motion was lost on roll call, which resulted: Ayes 4, Noes 15, as follows:

AYES

Coxon	Edwards
Dalton	Menderson

NOES

Angius	Coleman	Morrow
Babbitt	Crabbe	Rienhardt
Baker	Dodd	Stanton
Blake	Minotto	Wimberly
Bohlinger	Moore	The President

APPROPRIATION FOR EXPENSES OF LEGISLATURE

By unanimous consent House Bill No. 8, making an appropriation for expenses of Legislature, was read the second time by number and title.

Mr. Babbitt moved that the rules be further suspended and the Bill be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 19, as follows:

AYES

Angius	Crable	Morrow
Babbitt	Dalton	Rienhardt
Baker	Dodd	Stanton
Blake	Edwards	Wimberly
Bohlinger	Menderson	The President
Coleman	Minotto	
Coxon	Moore	

MUNICIPAL REVENUE BOND ACT OF 1940

Senate Bill No. 1, by Mr. Babbitt, relating to municipal revenue bond act of 1940, was read the third and final time, and passed on roll call, which resulted: Ayes 16, Noes 3, as follows:

## AYES

Angius	Coxon	Rienhardt
Babbitt	Crabbe	Stanton
Baker	Dalton	Wimberly
Blake	Minotto	The President
Bohlinger	Moore	
Coleman	Morrow	

## NOES

Dodd	Edwards	Menderson
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The President announced the signing in open session of Senate Bill No. 1, by Mr. Babbitt, relating to municipal revenue bond act of 1940.

## APPROPRIATION FOR EXPENSES OF LEGISLATURE

House Bill No. 8, making appropriation for expenses of Legislature, was read the third and final time, and passed on roll call, which resulted: Ayes 19, as follows:

## AYES

Angius	Crabbe	Morrow
Babbitt	Dalton	Rienhardt
Baker	Dodd	Stanton
Blake	Edwards	Wimberly
Bohlinger	Menderson	The President
Coleman	Minotto	
Coxon	Moore	

The President announced the signing in open session of House Bill No. 8, making appropriation for expenses of Legislature.

## INTRODUCTION AND FIRST READING OF BILLS

By unanimous consent the Senate reverted to the order of business introduction and first reading of bills.

Mr. Minotto introduced Senate Memorial No. 1, relating to the payment of old age benefits to persons engaged in or in sympathy with subversive activities, which was read as follows:

## A MEMORIAL

Relating to the payment of old age benefits to persons engaged in or in sympathy with subversive activities.

To the Congress of the United States of America:

Your memorialist respectfully represents:

In the emergency relief appropriation act for the fiscal year 1941, enacted by the third session of the seventy-sixth Congress, aliens, communists, members of Nazi bund organizations, and persons advocating the overthrow of the government of the United States are

prohibited from employment on any work project under the work projects administration.

The people of Arizona, and, it is believed, the overwhelming majority of the people of the entire nation, are wholeheartedly in accord with the spirit of that provision.

No similar provision is included in title I of the social security act, relating to the payment of old age assistance. On the other hand, sections 302 and 304 thereof provide that the social security board shall withhold payments to any state which imposes "any citizenship requirement which excludes any citizen of the United States".

Of late, the insidious work of the so-called "fifth column" has been unpleasantly brought to the attention of the people of America, through the activities of said "fifth column" in other countries and through incidents and exposures in this country. Members of subversive groups are active in many parts of this country, and many of such members are citizens of the United States, receiving various forms of governmental relief, including old age assistance. It is believed that the considerations which led to the elimination of such persons from the W.P.A. rolls apply with equal force to the payment of old age benefits and other forms of relief.

The states, believing that the national defense program will be expedited thereby, desire to eliminate all persons engaging in any form of subversive activities from relief rolls, but are unable to do so in the case of old age assistance because of the danger of losing federal aid under the provisions of the social security act above referred to.

Wherefore, your memorialist, the Senate of the state of Arizona, urgently requests:

That title I of the social security act be immediately amended to prohibit the payment of old age assistance to any communist, alien, member of any Nazi bund organization, or other person advocating the overthrow of the government of the United States, or to permit the states to prohibit payment of such assistance.

Mr. Minotto moved the adoption of the Memorial. The motion was unanimously agreed to.

#### RAILROAD UNEMPLOYMENT INSURANCE

Mr. Rienhardt moved that the rules be suspended and Senate Bill No. 2, by Mr. Rienhardt, relating to railroad unemployment insurance, be placed under the order of business second reading of bills for today. The motion was agreed to.

By unanimous consent the Senate reverted to the order of business second reading of bills.

By unanimous consent Senate Bill No. 2, by Mr. Rienhardt, relating to railroad unemployment insurance, was read the second time by number and title.

The President put the question "Shall the Bill be engrossed and have a third reading?", which was decided in the affirmative, and the Bill was referred to the Committee on Enrolling and Engrossing.

#### ADJOURNMENT

Mr. Minotto moved that the Senate adjourn until tomorrow at 10 o'clock, a. m. The motion was agreed to, and (at 12 o'clock and ten minutes, p. m.) the Senate adjourned until tomorrow, Thursday, September 26, 1940, at 10 o'clock, a. m.

PAUL C. KEEFE,  
President.

W. J. GRAHAM,  
Secretary.

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## THURSDAY, SEPTEMBER 26

The Senate met at 10:15 o'clock, a. m.

Reverend T. F. Hughes offered prayer.

The roll was called and the following Senators answered to their names:

Angius	Crable	Morrow
Babbitt	Dalton	Rienhardt
Baker	Dodd	Stanton
Blake	Edwards	Wimberly
Bohlinger	Menderson	The President
Coleman	Minotto	
Coxon	Moore	

#### THE JOURNAL

By unanimous consent the reading of the Journal of Wednesday, September 25, 1940, was dispensed with, and the Journal was approved.

#### PRIVILEGES OF THE FLOOR

The President introduced Honorable Norman Fain, Democratic nominee for the State Senate from Yavapai county, who was escorted to a seat on the floor of the Senate.

#### MESSAGES FROM THE HOUSE

Messages from the House of Representatives by Lallah Ruth, its Chief Clerk, announced that the House had passed the following:

House Concurrent Resolution No. 1, praising the work of

the committee to investigate un-American activities, and urging its continuance.

Substitute House Bill No. 2, entitled: "An act relating to Francisco Vasquez de Coronado, and creating the Coronado international monument commission of Arizona."

House Bill No. 13, entitled: "An act relating to unemployment compensation; and amending Chapter 13, Session Laws of 1936, First Special Session, by adding Section 9a".

#### INTRODUCTION AND FIRST READING OF BILLS

The Committee on Public Defense introduced Senate Bill No. 5, entitled: "An act relating to Arizona state defense council, and prescribing its organization, powers, and duties".

By unanimous consent the Bill was read the first time by number and title.

Mr. Coxon moved that the rules be suspended and Senate Bill No. 5 be placed under the order of business second reading of bills for today. The motion was agreed to.

House Bill No. 13, entitled: "An act relating to unemployment compensation; and amending Chapter 13, Session Laws of 1936, First Special Session, by adding Section 9a", was, by unanimous consent, read the first time by number and title.

Mr. Minotto moved that the rules be suspended and House Bill No. 13 be placed under the order of business second reading of bills for today. The motion was agreed to.

Substitute House Bill No. 2, entitled: "An act relating to Francisco Vasquez de Coronado, and creating the Coronado international monument commission of Arizona", was, by unanimous consent, read the first time by number and title.

Mr. Minotto moved that the rules be suspended and Substitute House Bill No. 2 be placed under the order of business second reading of bills for today. The motion was agreed to.

House Concurrent Resolution No. 1, praising the work of the committee to investigate un-American activities and urging its continuance, was, by unanimous consent, read the first time by number and title.

Mr. Minotto moved that the rules be suspended and House Concurrent Resolution No. 1 be placed under the order of business second reading of bills for today. The motion was agreed to.

#### RAILROAD UNEMPLOYMENT INSURANCE

Mr. Moore, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 2, by Mr. Rienhardt, relating to railroad unemployment insurance, as properly engrossed with the following correction:

At end of title strike the period, insert a semi-colon and the words "and declaring an emergency."

Mr. Moore moved the adoption of the correction. The mo-

tion was agreed to, and the Bill was placed under the order of business third reading of bills.

#### CORONADO INTERNATIONAL MONUMENT COMMISSION

Mr. Dalton, for the Committee on State Institutions, reported Senate Bill No. 4, by Mr. Bohlinger and Mr. Coxon, relating to Coronado international monument commission, with the recommendation that the Bill do pass.

Mr. Coxon, the Senator from Pinal, was designated manager of the Bill.

The Bill, accompanied by the report of the Committee on State Institutions, was placed on the Calendar of the Committee of the Whole.

#### DISTRIBUTION OF REVISED CODE

Mr. Rienhardt, for the Committee on Judiciary, reported on the communication from the Secretary of State referred to it on Wednesday, September 25, 1940, as follows:

Mr. President:

Your Committee on Judiciary to which was referred the attached communication from the Honorable Harry M. Moore, Secretary of State, relating to the distribution of the Statutes (or new codes) authorized by Chapter 89, Laws of 1939, regular session of the Fourteenth Legislature, respectfully reports that Section 24, Revised Code, Arizona, 1928, covers the subject matter, and under which the Secretary of State should proceed upon receipt of newly compiled statutes.

We therefore advise that the Secretary of the Senate transmit a copy of this report to the Secretary of State over his and your signature.

Mr. Rienhardt moved the adoption of the report. The motion was agreed to.

#### OLD AGE ASSISTANCE

Mr. Babbitt, for the Committee on Appropriations, reported Senate Bill No. 3, by Mr. Rienhardt, relating to old age assistance, with the recommendation that the Bill be amended as follows:

Page 2, section 1, subsection 9, strike the word "and", and insert in lieu thereof the word "not".

Mr. Babbitt, Mr. Menderson, Mr. Morrow, and Mr. Coxon, a majority of the Committee, recommended that the Bill do pass.

Mr. Dalton, Mr. Blake, and Mr. Angius, a minority of the Committee, recommended that the Bill do not pass, for the following reasons:

In view of the fact that on the November ballot there will be at least six initiative measures that will vitally affect the tax structure of this state we do not deem it proper to increase the expenses of the state at

this time for the reason that if any one of said initiative measures passes it will probably be impossible to pay over a maximum of Thirty Dollars (\$30.00) per month, and therefore recommend that the Bill be held in abeyance for the consideration of the next legislature.

Mr. Rienhardt, a Senator from Gila, was designated manager of the Bill.

The Bill, accompanied by the report of the Committee on Appropriations, was placed on the Calendar of the Committee of the Whole.

EXPLANATION BY MR. ANGIUS

Mr. Angius submitted the following explanation of his reasons for voting against the recommendation that Senate Bill No. 3 do pass:

On account of not being able in this session to find ways and means of financing the increase in the old age pension, Senate Bill No. 3, and also there being measures which will appear on the November ballot, such as the tax free homes and lieu tax bill for which no provisions are made to take care of the loss of revenue, which if passed will greatly reduce the revenue of the state, and also impair its finances to such an extent that the warrants will not be worth their full face value. With this confronting the First Special Session of the Fourteenth Legislature, I deem it wise to defer action on Senate Bill No. 3 until the Fifteenth Legislature meets, which will be able to act more wisely on this bill than can the First Special Session of the Fourteenth Legislature. Therefore, I vote no.

UN-AMERICAN ACTIVITIES

By unanimous consent House Concurrent Resolution No. 1, relating to un-American activities, was read the second time by number and title.

Mr. Minotto moved that the rules be further suspended and the Resolution be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 19, as follows:

AYES

Angius	Crable	Morrow
Babbitt	Dalton	Rienhardt
Baker	Dodd	Stanton
Blake	Edwards	Wimb: rly
Bohlinger	Menderson	The President
Coleman	Minotto	
Coxon	Moore	

CORONADO INTERNATIONAL MONUMENT COMMISSION

By unanimous consent Substitute House Bill No. 2, relating to Coronado international monument commission, was read the second time by number and title.

Mr. Dalton moved that the rules be further suspended and the Bill be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 19, as follows:

## AYES

Angius	Crabbe	Morrow
Babbitt	Dalton	Rienhardt
Baker	Dodd	Stanton
Blake	Edwards	Wimberly
Bohlinger	Menderson	The President
Coleman	Minotto	
Coxon	Moore	

## ARIZONA STATE DEFENSE COUNCIL

By unanimous consent Senate Bill No. 5, by the Committee on Public Defense, relating to Arizona state defense council, was read the second time by number and title.

Mr. Rienhardt moved that the rules be further suspended and the Bill be referred to the Committee on Appropriations. The motion was agreed to.

Mr. Coxon moved that the rules be further suspended and the Bill be referred to the Committee on Public Defense as well as to the Committee on Appropriations. The motion was lost.

## RAILROAD UNEMPLOYMENT INSURANCE

By unanimous consent House Bill No. 13, relating to railroad unemployment insurance, was read the second time by number and title.

Mr. Minotto moved that the title to House Bill No. 13 be corrected as follows:

At end of title, strike the period, insert a semi-colon and add the words "and declaring an emergency."

and, as so corrected, the Bill be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 18, Noes 1, as follows:

## AYES

Angius	Crabbe	Moore
Babbitt	Dalton	Morrow
Baker	Dodd	Rienhardt
Blake	Edwards	Stanton
Bohlinger	Menderson	Wimberly
Coleman	Minotto	The President

## NOES

Coxon

The Bill was referred to the Committee on Enrolling and Engrossing.

UN-AMERICAN ACTIVITIES

House Concurrent Resolution No. 1, relating to un-American activities, was read the third and final time, and passed on roll call, which resulted: Ayes 19, as follows:

AYES

Angius	Crable	Morrow
Babbitt	Dalton	Rienhardt
Baker	Dodd	Stanton
Blake	Edwards	Wimberly
Bohlinger	Menderson	The President
Coleman	Minotto	
Coxon	Moore	

The President announced the signing in open session of House Concurrent Resolution No. 1, relating to un-American activities.

CORONADO INTERNATIONAL MONUMENT COMMISSION

Substitute House Bill No. 2, relating to Coronado international monument commission, was read the third and final time, and passed on roll call, which resulted: Ayes 19, as follows:

AYES

Angius	Crable	Morrow
Babbitt	Dalton	Rienhardt
Baker	Dodd	Stanton
Blake	Edwards	Wimberly
Bohlinger	Menderson	The President
Coleman	Minotto	
Coxon	Moore	

The President announced the signing in open session of Substitute House Bill No. 2, relating to Conorado international monument commission.

RAILROAD UNEMPLOYMENT INSURANCE

Mr. Moore, for the committee on Enrolling and Engrossing, reported House Bill No. 13, relating to railroad unemployment insurance, as properly engrossed with the following correction:

At end of title, strike the period, insert a semi-colon and the words "and declaring an emergency."

Mr. Moore moved the adoption of the correction. The motion was agreed to, and the Bill was placed under the order of business third reading of bills.

House Bill No. 13, relating to railroad unemployment insurance, was read the third and final time, and passed on roll call, which resulted: Ayes 19, as follows:

AYES

Angius	Crable	Morrow
Babbitt	Dalton	Rienhardt

Baker	Dodd	Stanton
Blake	Edwards	Wimberly
Bohlinger	Menderson	The President
Coleman	Minotto	
Coxon	Moore	

The President announced the signing in open session of House Bill No. 13, relating to railroad unemployment insurance.

#### RAILROAD UNEMPLOYMENT INSURANCE

Mr. Minotto moved that Senate Bill No. 2, by Mr. Rienhardt, relating to railroad unemployment insurance, be indefinitely postponed as it is a duplicate of House Bill No. 13. The motion was agreed to.

#### CORONADO INTERNATIONAL MONUMENT COMMISSION

Mr. Minotto moved that Senate Bill No. 4, by Mr. Bohlinger and Mr. Coxon, relating to Coronado international monument commission, be withdrawn from the Calendar of the Committee of the Whole, and indefinitely postponed, as it is a duplicate of House Bill No. 2. The motion was agreed to.

#### EXECUTIVE NOMINATION

The President laid before the Senate a communication from the Governor which was read as follows:

September 26, 1940.

The Honorable Paul Keefe  
 President of the State Senate  
 and  
 State Senate of the Fourteenth  
 State Legislature  
 Capitol  
 Phoenix

Gentlemen:

It has been brought to my attention by the Secretary of State that Mr. Ross Perner did not file with that office his bond covering his position, being one day short of the ten-day requirement.

Therefore, I am asking your honorable body to reconfirm Mr. Ross Perner's appointment as a member of the Livestock Sanitary Board, said appointment to expire June 18, 1943.

Respectfully submitted,

R. T. JONES (Signed)  
 Governor

#### OPEN EXECUTIVE SESSION

Mr. Babbitt moved that the Senate resolve itself into open executive session for the consideration of executive business. The motion was agreed to, and (at 11 o'clock, a. m.) the Senate convened in open executive session.

Mr. Babbitt moved that the Senate advise and consent to the nomination of Mr. Ross Perner as a member of the Live-stock Sanitary Board. The motion was agreed to.

Mr. Rienhardt moved that the Senate reconsider the action taken on the nomination of Mr. Ross Perner. The motion was lost.

By unanimous consent (at 11 o'clock and two minutes, a. m.) the open executive session was dissolved.

ADJOURNMENT

Mr. Minotto moved that the Senate adjourn until tomorrow at 10 o'clock, a. m. The motion was agreed to, and (at 11 o'clock and three minutes, a. m.) the Senate adjourned until tomorrow, Friday, September 27, 1940, at 10 o'clock, a. m.

PAUL C. KEEFFE,  
President.

W. J. GRAHAM,  
Secretary.

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FRIDAY, SEPTEMBER 27

The Senate met at 10:05 o'clock, a. m.

Reverend T. F. Hughes offered prayer.

The roll was called and the following Senators answered to their names:

Angius	Crabbe	Moore
Babbitt	Dalton	Morrow
Baker	Dodd	Rienhardt
Blake	Edwards	Stanton
Bohlinger	Menderson	Wimberly
Coxon	Minotto	The President

The President announced that Mr. Coleman, the Senator from Apache, had been excused.

THE JOURNAL

By unanimous consent the reading of the Journal of Thursday, September 26, 1940, was dispensed with, and the Journal was approved.

HENRY F. ASHURST

The President laid before the Senate a telegram from Honorable Henry F. Ashurst, United States Senator from Arizona, which was read as follows:

1940 SEP 27 AM 10 39

SU WASHINGTON DC 27 1123A

HON W J GRAHAM  
SECY OF THE SENATE CAPITOL BLDG PHOENIX ARIZ

COPY OF RESOLUTION NUMBER ONE OF STATE SENATE OF FOURTEENTH LEGISLATURE OF ARIZONA RECEIVED PERIOD I AM VERY HUMBLE AND VERY GRATEFUL ALTHOUGH THE RESOLUTION GIVES ME RIGHT TO BE PARDONABLY PROUD PERIOD PLEASE ADVISE ALL MEMBERS OF MY DEEP APPRECIATION OF THEIR MOST COMPLIMENTARY AND BEAUTIFUL RESOLUTION PERIOD IT IS ONE OF THE PUBLIC DOCUMENTS I SHALL KEEP FOR MY PEOPLE AFTER I AM GONE WITH AFFECTIONATE REGARDS EVER SINCERELY

HENRY F ASHURST

PERSONAL PRIVILEGE

Mr. Minotto arose to a question of personal privilege and referred to a certain communication attacking his integrity and honor, and made the following remarks which he requested be inserted in the Journal:

Mr. President, I arise to a point of personal privilege.

It seems the Bible says that after seven years the plague shall cease, but it seems that in my case the plague never ceases.

I am referring to an act with which you gentlemen of the Senate and the members of the House are familiar, because you received—either yesterday afternoon or this morning—in the mail from Tucson, Arizona, a letter which is a mimeographed copy showing certain parts of a book that, I understand, was published in Scotland in 1929 by a man called George Adams. This book is a fictional book with the title "Treason and Tragedy", and my name is mentioned in that book.

I cannot quite see for what purpose these letters were sent but I would like to go on record as making the following remarks to the members of the Senate:

First of all, the facts in this book are distorted. Everything that is contained in that book, as far as I am concerned, was taken up twenty-three years ago by the United States Government and its Department of Labor, and on March 1, 1918, Louis F. Post, acting Secretary of Labor, dismissed all of the suspicions and charges brought against me at that time and exonerated me completely. Subsequently, on the 15th day of April, 1921, I was naturalized as an American citizen.

On March 1, 1932, the same vicious attempt to besmirch my character was made when the Senate of the Eleventh Legislature was in session. At that time I arose to a point of personal privilege as I have arisen today. I submitted to the Senate of the Eleventh Legislature all of the facts, the decision of the Department of Labor in my case, the original copy of my naturalization, and all other facts that had bearing on this charge.

If you gentlemen will look in the Senate Journal of the Eleventh Legislature, pages 558 to 561, you will find that this matter was discussed then as it is being discussed now, and I am proud to say that the Senate at that time weighed the spurious charges against the actual evidence and gave me a vote of confidence.

Early this year an attempt was made again to receive the same letter that was used in 1933. I did not choose to run for the Senate from Maricopa county, but not because I was afraid to fight. I did not choose to run for the Senate from Maricopa county for the reason that I did not wish to becloud the issues, and so publicly stated. I wanted the people of Maricopa county to vote on the issues that affected them and not on the issues that affected me. I acted only as a gentleman must and should act.

Finally the campaign was over and men were nominated for the seats in the Senate, and I came back here to serve according to law in the special session of the Fourteenth Legislature.

The letters you gentlemen and the members of the House have received are letters sent by people who do not dare to sign their name. Gentlemen of the Senate, I know who the rats are that did that but I shall not besmirch this room and my own mouth by mentioning them, but someday you gentlemen of this Senate and the people of Maricopa county will know who the people are and you will then be able to judge what it means to be a loyal American.

Gentlemen of the Senate, when it comes to loyalty to the United States of America, I wish to emphasize one thing. I am a citizen of the United States by choice. I do know what it means to be an American citizen, and I appreciate being an American citizen more than anything I possess in this world. I have boys of military age who are going to volunteer for military service. When it comes to a point of honor that affects me and affects my family, I think I have a right to speak, and may I say to you, in conclusion, that when it comes to loyalty to the flag against this wall, I take no man's word that he is a better citizen than I am. My loyalty cannot be challenged because my words and my actions in this state, for the past twenty years, speak louder than anything I can say.

I thank you.

Mr. Dodd arose to a question of personal privilege and spoke as follows:

It seems to be the curse of Democracy that the rights for which our forefathers fought shall always be confused, and I refer to the fact that the men or whom-ever it might have been who circulated this malicious document but hide behind the cloak of anonymity are devoid of any sense of decency.

It has been my privilege to be closely associated with the senior Senator from Maricopa, and I want to say that I have always found him to be a true and loyal American, of which you can say no more.

Mr. Babbitt arose to a question of personal privilege and spoke as follows:

Just as in the animal world we have a little animal with black and white stripes, that smells pretty strong—so, in the human family we have these low animals, excepting that they have not a white streak but a yellow streak down their back, and that kind of an animal that sends out these anonymous letters—seeking to destroy the character of an honorable citizen—does not deserve a reply.

I wish to say to the senior Senator from Maricopa county that during the time I have served with him in this legislature, I have not found any member of this legislature who has served their constituents more loyally and more capably than the senior Senator from Maricopa county. Neither have I found in the legislature any member who is more loyal to his state or more loyal to his country than is the senior Senator from Maricopa county. He is a highly respected member of this body and I believe the less said about that scurrilous attack, the better.

Mr. Rienhardt arose to a question of personal privilege and spoke as follows:

I agree with all that the senator from Coconino county has said but there comes a time when we cannot longer ignore these insidious, innuendo attacks by people who dare not show their face in the light of day, and I think that it is altogether right and proper at this time, concurring in everything the senators from Pima and Coconino have said relative to this matter, that this Senate go on record, in no uncertain terms, for the benefit of the whole world and giving it to the press, reciting the esteem and affection which we hold for the senior Senator from Maricopa, and that once and for all time, these things be stopped and never attempted again.

My advice to the senior Senator from Maricopa county would be to prosecute the perpetrators of these libelous attacks, and I would endeavor to see that they were in the penitentiary before the turn of the year, if that is possible, because that is where those kind of animals belong. They are not qualified to associate or be seen in the company of decent people.

I, therefore, Mr. President, move you that this Senate go on record that it is our considered judgment and opinion that this libelous attack on the character of one of our colleagues, disseminated in this body and the House of Representatives by the use of unsigned papers,

we find to be wholly unwarranted, unfounded, un-American and most disgraceful, and we therefore go on record in expressing our full faith and confidence in the honor and integrity of our senior Senator from Maricopa county, Jimmy Minotto.

The motion was seconded by Mr. Angius.

Mr. Blake arose to a question of personal privilege and spoke as follows:

Before this motion is put, I would just like to say about a half dozen words. We who are born here in the United States, I doubt sometimes if we appreciate our heritage. I doubt if we appreciate enough the favorable conditions under which we were born and our citizenship in this country. I am sure that Jimmy Minotto became a citizen of the United States by choice, as he stated here this morning. I do not wish to make a long talk here, but through my association with him and the members of this Senate I have learned that it is the opinion of this Senate that he is a gentleman and a scholar, and, if I were choosing a man in this Senate as the most loyal to his state and his country, I would say that Jimmy Minotto is the most loyal, if I were choosing.

Mr. Coxon arose to a question of personal privilege and spoke as follows:

Mr. President, I, as an American, can feel some of the sting which the senior Senator from Maricopa is feeling this morning.

It was my good fortune to be born an American citizen. I was born in the city of Concord, New Hampshire, on Christmas day, 1895. When I was a small infant of three months, my parents, who were not citizens of this country, took me to the land of their nativity. From that time until I was seventeen years of age I remained abroad. I remained a citizen of the United States and I knew and do know today what it means to be a citizen of the United States in some foreign country where our nation is more hated than it is loved.

I recall the day that, sailing back through the Hudson river and passing the Statue of Liberty, as a mere boy I took the cap from my head in respect to that wonderful statue.

I can feel deeply for a man who renounces the land of his nativity and becomes a citizen of the United States, and does that from choice, as so ably expressed here by the Senator from Graham. This country had a deeper meaning; it was a better country to him than the land of his nativity.

Mr. President, during the last four years, I have not been immune from criticism for advancing and helping

to bring about a project on the Gulf of California which many of the citizens of the state criticized. But just this morning we were able to picture a far-reaching vision of our efforts to bring forth that project when we heard over the radio of the Italian-German-Japanese pact which was signed and virtually levied against the United States of America.

Senator Minotto has been a great influence in furthering this project. He has been not once but several times to the Gulf of California. He has crossed the international boundary into Mexico hundreds of times in the advancement of that project, because he knew what a great item it would be toward the national defense of this country and what a great factor it would be toward the protection of this state, its copper mines, irrigation projects and its great dams. We knew that the nation of Japan had had fishing concessions in the Gulf of California. We knew it was possible that they may have established secret air-bases and submarine-bases. Senator Minotto was familiar with the fact there was a growing Japanese population in that area.

We are not levying anything but faith in the country to our south, because we know they are our friends and we know this project is of mutual benefit to the Republic of Mexico as to the United States, but Senator Minotto, if he had been anything but a loyal citizen of the United States, would have opposed that legislation. No doubt he is aware that the Nazi government has tried to establish radio stations, secret air-bases and spies on the Gulf of California, and yet Senator Minotto has been the outstanding citizen in the state of Arizona who has stood with me and with Governor Jones in the furthering of this project, so that those conditions would be opposed as part of the defense of this nation.

I heartily join in the sentiment expressed by the Senator from Gila. The senior Senator from Maricopa county has here spoken of his allegiance to the American flag, and he has acknowledged before God and before us to be an upright, loyal American citizen. I certainly wish to uphold the motion of the Senator from Gila.

The President addressed the Senate as follows:

Gentlemen, I am not going to even comment on this letter. I remember, in 1933, when the same, vicious letter was sent to this Senate. At that time I heard the senior Senator from Maricopa give a wonderful explanation, vindicating himself on the floor of this Senate.

You have heard me say, many times, gentlemen, that one of the most beautiful things about our legislature is that we make lasting friendships. That is true with all of us. We make lasting friendships. My friendship with Senator Minotto has lasted over a period of

many years, and no writer of anonymous letters is going to break that friendship.

I am going to put the motion now, gentlemen. Are you ready for the question? All those in favor signify by saying 'Aye'. Those opposed shall answer 'Nay'.

The motion was unanimously agreed to.

ADJOURNMENT SINE DIE

Mr. Dalton moved that a committee be appointed to notify the House of Representatives and the Governor that the Senate had completed its work and was ready to adjourn sine die. The motion failed on roll call, which resulted: Ayes 8, Noes 10, not voting 1, as follows:

AYES

Babbitt	Coxon	Minotto
Blake	Dalton	The President
Bohlinger	Edwards	

NOES

Angius	Menderson	Stanton
Baker	Moore	Wimberly
Crable	Morrow	
Dodd	Rienhardt	

NOT VOTING

Coleman

CREDENTIALS OF MR. CRABLE

The President laid before the Senate the official certification by Honorable Harry M. Moore, Secretary of State, of the appointment on September 23, 1940, by the Board of Supervisors of Yavapai county, of Robert Crable as a member of the State Senate.

MUNICIPAL REVENUE BOND ACT OF 1940

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had concurred in the Bill No. 1, by Mr. Babbitt, relating to municipal revenue bond act of 1940.

RAILROAD UNEMPLOYMENT INSURANCE

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had concurred in the Senate amendments to House Bill No. 13, relating to railroad unemployment insurance.

MESSAGES FROM THE HOUSE

Messages from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had passed the following:

House Bill No. 5, entitled: "An act relating to livestock,

providing for the eradication of dourine, making an appropriation therefor, and declaring an emergency”.

House Bill No. 3, entitled: “An act relating to public finance, authorizing the issuance of tax anticipation bonds, and making an appropriation for expense incurred in carrying out the provisions of this act”.

#### INTRODUCTION AND FIRST READING OF BILLS

House Bill No. 5, entitled: “An act relating to livestock, providing for the eradication of dourine, making an appropriation therefor, and declaring an emergency”, was, by unanimous consent, read the first time by number and title.

Mr. Babbitt moved that the rules be suspended and the Bill be placed under the order of business second reading of bills for today. The motion was agreed to.

House Bill No. 3, entitled: “An act relating to public finance, authorizing the issuance of tax anticipation bonds, and making an appropriation for expense incurred in carrying out the provisions of this act”, was, by unanimous consent, read the first time by number and title.

Mr. Angius moved that the rules be suspended and the Bill be placed under the order of business second reading of bills for today. The motion was agreed to.

#### ERADICATION OF DOURINE

By unanimous consent House Bill No. 5, relating to eradication of dourine, was read the second time by number and title.

Mr. Minotto moved that the rules be further suspended and the Bill be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 18, not voting 1, as follows:

#### AYES

Angius	Crabbe	Moore
Babbitt	Dalton	Morrow
Baker	Dodd	Rienhardt
Blake	Edwards	Stanton
Bohlinger	Menderson	Wimberly
Coxon	Minotto	The President

#### NOT VOTING

Coleman

#### TAX ANTICIPATION BONDS

By unanimous consent House Bill No. 3, relating to tax anticipation bonds, was read the second time by number and title.

Mr. Angius moved that the rules be further suspended and the Bill be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 18, not voting 1, as follows:

AYES

Angius	Crabbe	Moore
Babbitt	Dalton	Morrow
Baker	Dodd	Rienhardt
Blake	Edwards	Stanton
Bohlinger	Menderson	Wimberly
Coxon	Minotto	The President

NOT VOTING

Coleman

ERADICATION OF DOURINE

House Bill No. 5, relating to eradication of dourine, was read the third and final time, and passed on roll call, which resulted: Ayes 17, Noes 1, not voting 1, as follows:

AYES

Angius	Crabbe	Morrow
Babbitt	Dalton	Rienhardt
Baker	Dodd	Stanton
Blake	Menderson	Wimberly
Bohlinger	Minotto	The President
Coxon	Moore	

NOES

Edwards

NOT VOTING

Coleman

The President announced the signing in open session of House Bill No. 5, relating to eradication of dourine.

TAX ANTICIPATION BONDS

House Bill No. 3, relating to tax anticipation bonds, was read the third and final time, and passed on roll call, which resulted: Ayes 18, not voting 1, as follows:

AYES

Angius	Crabbe	Moore
Babbitt	Dalton	Morrow
Baker	Dodd	Rienhardt
Blake	Edwards	Stanton
Bohlinger	Menderson	Wimberly
Coxon	Minotto	The President

NOT VOTING

Coleman

The President announced the signing in open session of House Bill No. 3, relating to tax anticipation bonds.

## MUNICIPAL REVENUE BOND ACT OF 1940

The President laid before the Senate a communication from the Governor giving notice that Senate Bill No. 1, by Mr. Babbitt, relating to municipal revenue bond act of 1940, had been forwarded to the Secretary of State with the Governor's approval.

## COMMITTEE OF THE WHOLE

Mr. Dodd moved that the Senate resolve itself into Committee of the Whole for the consideration of bills on the Calendar. The motion was agreed to.

## ADJOURNMENT SINE DIE

Mr. Dalton moved that a committee be appointed to notify the House of Representatives and the Governor that the Senate had completed its work and was ready to adjourn sine die. The motion was agreed to on roll call, which resulted: Ayes 10, Noes 8, not voting 1, as follows:

## AYES

Babbitt	Crable	Wimberly
Blake	Dalton	The President
Bohlinger	Minotto	
Coxon	Morrow	

## NOES

Angius	Edwards	Rienhardt
Baker	Menderson	Stanton
Dodd	Moore	

## NOT VOTING

Coleman

The President designated Mr. Dalton, Mr. Minotto, and Mr. Bohlinger as members of such committee.

## SENATOR MINOTTO

The President laid before the Senate a telegram addressed to Mr. Minotto, which was read as follows:

1940 SEP 27 AM 10 20

SU WASHINGTON DC 27 1053A

SENATOR JAMES MINOTTO  
CARE OF STATE SENATE PHOENIX ARIZ

DEAR SENATOR MINOTTO ABOUT SEVEN YEARS AGO I TELEGRAPHED YOU EXPRESSING MY ENTIRE CONFIDENCE IN YOUR PATRIOTISM AND YOUR LOYALTY TO AMERICAN IDEALS PERIOD I STILL STOUTLY ENTERTAIN FOR YOU THE SAME SENTIMENTS I EXPRESSED IN THAT TELEGRAM AND MY RESPECT FOR AND CONFIDENCE IN YOUR PATRIOTISM JUDGMENT ABILITY AND CHARACTER HAVE BEEN INCREASED RATHER THAN DIMINISHED DURING THE

PAST SEVEN YEARS PERIOD YOU MAY MAKE ANY  
USE OF THIS TELEGRAM YOU CHOOSE PERIOD KIND  
REGARDS

HENRY F ASHURST

RECESS

By unanimous consent (at 11 o'clock and ten minutes, a. m.) the Senate stood at recess, subject to the call of the gavel.

The President called the Senate to order at 11:12 o'clock, a. m.

COMMITTEE FROM THE HOUSE

The Sergeant at Arms (at 11:13 o'clock, a. m.) announced a committee from the House of Representatives, consisting of Mr. Curry, Mr. Reichard, and Mr. Murray. The committee informed the Senate that the House was ready to adjourn sine die.

RECESS

By unanimous consent (at 11 o'clock and fifteen minutes, a. m.) the Senate stood at recess, subject to the call of the gavel.

The President called the Senate to order at 11:19 o'clock, a. m.

ADJOURNMENT SINE DIE

The committee appointed by the President reported that it had notified the Governor and the House of Representatives that the Senate was ready to adjourn sine die.

By unanimous consent (at 11 o'clock and twenty minutes, a. m.) the Senate of the Fourteenth Legislature, First Special Session, adjourned sine die.

PAUL C. KEEFE,  
President.

W. J. GRAHAM,  
Secretary.



JOURNAL  
OF THE  
HOUSE OF  
REPRESENTATIVES



FIRST SPECIAL SESSION  
FOURTEENTH LEGISLATURE  
OF THE  
STATE OF ARIZONA  
1940

SESSION CONVENED—SEPTEMBER TWENTY-THREE  
SESSION ADJOURNED—SINE DIE AT  
ELEVEN TWENTY-THREE A. M.  
SEPTEMBER TWENTY-SEVEN  
NINETEEN HUNDRED FORTY

Printed By The  
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Phoenix, Arizona



OFFICERS OF THE HOUSE OF REPRESENTATIVES  
OF THE FOURTEENTH LEGISLATURE  
FIRST SPECIAL SESSION OF  
THE STATE OF ARIZONA

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LALLAH RUTH.....Chief Clerk  
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M. V. DECKER.....Sergeant-at-Arms  
REV. CLARENCE B. HOLLAND.....  
BISHOP LELLAND GLAZIER..... }  
FATHER EMMETT McLOUGHLIN..... } .....Chaplains  
RABBI A. L. KROHN..... }

MEMBERS OF THE HOUSE OF REPRESENTATIVES  
OF THE FOURTEENTH STATE LEGISLATURE  
FIRST SPECIAL SESSION OF THE  
STATE OF ARIZONA

County	Member	Party	Home Town
Apache.....	Hamblin, G. Oscar.....	D.....	Alpine
Cochise.....	Cowan, Ralph.....	D.....	McNeal
Cochise.....	McKinney, Howard.....	D.....	Warren
Cochise.....	Lewis, H. J.....	D.....	Douglas
Cochise.....	Sharpe, Frank W., Jr.....	D.....	Douglas
Cochise.....	McAleb, E. B.....	D.....	Willcox
Coconino.....	Stauffer, Clyde M.....	D.....	Flagstaff
Coconino.....	Wade, Charles F.....	D.....	Williams
Gila.....	Heron, James R.....	D.....	Globe
Gila.....	Copp, Harold.....	D.....	Miami
Gila.....	Rosenbaum, W. G.....	D.....	Hayden
Graham.....	Greenhalgh, J. W.....	D.....	Safford
Graham.....	Mattice, Warner B.....	D.....	Pima
Greenlee.....	Fritz, Fred J.....	D.....	Clifton
Maricopa.....	Stanford, William E.....	D.....	Phoenix
Maricopa.....	Righetti, Walter J.....	D.....	Phoenix
Maricopa.....	Francis, Charles T.....	D.....	Phoenix
Maricopa.....	Bell, Cecil A.....	D.....	Phoenix
Maricopa.....	Smith, Marvin E.....	D.....	Phoenix
Maricopa.....	Stone, Warren B.....	D.....	Phoenix
Maricopa.....	McRae, Laura.....	D.....	Phoenix
Maricopa.....	Cummard, Jack.....	D.....	Mesa
Maricopa.....	Wiggins, Raymond.....	D.....	Chandler
Maricopa.....	Curry, M. E.....	D.....	Tempe
Maricopa.....	Palmer, W. R.....	D.....	Phoenix
Maricopa.....	McDaniel, O. L.....	D.....	Glendale
Maricopa.....	McGowan, T.....	D.....	Wickenburg
Maricopa.....	Wood, R. K.....	D.....	Tolleson
Maricopa.....	Hill, Raymond S.....	D.....	Phoenix

County	Member	Party	Home Town
Maricopa	Thompson, C. T.	D.	Phoenix
Maricopa	Batchelder, Geo. A.	D.	Phoenix
Maricopa	Lockwood, Lorna E.	D.	Phoenix
Maricopa	Vidrine, Kirby L.	D.	Phoenix
Mohave	Jameson, E. L.	D.	Kingman
Navajo	Flake, Marshall	R.	Snowflake
Navajo	Murray, Oren L.	D.	Winslow
Pima	Robles, Frank	D.	Tucson
Pima	Carson, F. K.	D.	Tucson
Pima	Forbes, Robert H.	D.	Tucson
Pima	Wilson, Larry B.	D.	Tucson
Pima	Penny, D. M.	D.	Tucson
Pima	O'Neill, B. J.	D.	Ajo
Pima	Spaid, William	D.	Tucson
Pinal	Goff, C. S.	D.	Casa Grande
Pinal	Ernst, Geo.	D.	Ray
Santa Cruz	Hathaway, W. H.	D.	Nogales
Yavapai	Perkins, Robert E.	D.	Prescott
Yavapai	Reichard, Van A.	D.	Prescott
Yavapai	Klein, Leonard	D.	Clarkdale
Yavapai	Flood, Elliott	D.	Jerome
Yuma	Wisener, William	D.	Yuma
Yuma	Shaw, Edw. V.	D.	Yuma



# HOUSE JOURNAL

FOURTEENTH LEGISLATURE

FIRST SPECIAL SESSION

STATE OF ARIZONA

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## MONDAY, SEPTEMBER 23

Pursuant to the proclamation of the Governor, under date of September 18, 1940, the House of Representatives of the Fourteenth Legislature, First Special Session, convened in the House chambers at the Capitol Building in the city of Phoenix, at 10:00 a. m., Mr. Spaid, Speaker pro tempore, presiding.

Roll call showed the following members present:

Batchelder, Bell, Carson, Copp, Cowan, Cummard, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Heron, Hill, Jameson, Klein, Lockwood, Mattice, Murray, McAleb, McDaniel, McGowan, McKinney, McRae, O'Neill, Palmer, Penny, Perkins, Reichard, Righetti, Rosenbaum, Sharpe, Shaw, Smith, Stanford, Stauffer, Thompson, Vidrine, Wade, Wiggins, Wilson, Wisener, Mr. Speaker pro tempore—43.

Absent: Bourdon, Carreon, Curry, Gray, Macdonald, Mader, Mullen, Wood, Mr. Speaker—9.

Reverend C. B. Holland, chaplain of the House, offered prayer.

The proclamation of the governor of Arizona, under date of September 18, 1940, calling the fourteenth legislature into special session, was read as follows:

### PROCLAMATION

#### CALLING THE FOURTEENTH LEGISLATURE OF ARIZONA INTO SPECIAL SESSION

WHEREAS, Article IV, Part 2, Section 3 of the Constitution of Arizona reads in part as follows:

“The Governor may call a special session, whenever in his judgment it is advisable. In calling such special session, the Governor shall specify the subjects to be considered at such session, and at such session no laws shall be enacted except such as relate to the subjects mentioned in such call.”

and,

WHEREAS, Article V, Section 4, of the Constitution of Arizona reads in part as follows:

“He (the Governor) may convene the Legislature in extraordinary session.”

NOW, THEREFORE, I, R. T. JONES, Governor of the State of Arizona, in consideration of these premises, and by virtue of the authority vested in me by the constitution, do convene the fourteenth legislature of the state of Arizona into first special session, in Phoenix, at the capitol building, at ten o'clock a. m., on the 23rd day of September, 1940, to enact legislation for the following purposes:

## I.

To provide for the eradication of dourine.

## II.

To provide defense measures made necessary by the absence of the national guard and other conditions.

## III.

To amend the unemployment compensation law of 1936 to conform to the provisions of the railroad unemployment insurance act.

## IV.

Teachers' retirement plan.

## V.

To make an emergency appropriation to pay members of the Arizona national guard for the time spent on maneuvers in Louisiana during the summer of 1940.

## VI.

To amend the old age assistance act of 1937 to conform to terms of the federal social security act, and to raise the maximum allotment to \$40 per month.

## VII.

To provide for the creation of a revolving fund by the Arizona board of social security and welfare for the purchase of food stamps and cotton stamps.

## VIII.

To make an appropriation for the defense of the 70-car train limit law and for the purpose of reimbursing the brotherhood of railroad trainmen for legal fees contracted by it in defending this law.

## IX.

To authorize the issuance of tax anticipation bonds for the purpose of securing a lower rate of interest than that paid on registered warrants.

## X.

To empower municipalities to issue revenue bonds to purchase, construct, maintain and operate waterworks.

XI.

To create a permanent non-salaried Coronado quarto centennial commission.

XII.

To consider the confirmation of recess appointments.

(SEAL) IN WITNESS WHEREOF, I have hereunto set my hand and caused the great seal of the State of Arizona to be affixed.

DONE at Phoenix, Arizona, the capitol, this 18th day of September, 1940.

ROBT. T. JONES,  
Governor.

Attest:  
(signed) HARRY MOORE,  
Secretary of State.

Motion by Mr. Rosenbaum, seconded by Mr. Klein, that the Committee on Suffrage and Elections receive and consider the credentials of the new members. Carried.

Without objection, at 10:06 a. m., the House stood at recess, subject to the call of the gavel.

At 10:20 a. m., Mr. Speaker pro tempore called the House to order.

At 10:20 a. m., the sergeant-at-arms announced a committee from the Senate consisting of Senators Minotto, Baker and Blake, who notified the House that the Senate was organized and ready for business. Mr. Speaker pro tempore thanked the committee.

REPORTS OF STANDING COMMITTEES

The Committee on Suffrage and Elections submitted the following report:

"September 23, 1940

Mr. Speaker pro tempore:

Your Committee on Suffrage and Elections reports that it has examined the credentials of the new members of the House of Representatives, first special session of the fourteenth legislature, state of Arizona, and the following members are entitled to their seats:

- |                 |  |
|-----------------|--|
| Cochise County: | Mr. H. J. Lewis to succeed Mr. M. A. Gray, (resigned).   |
| Navajo County:  | Mr. Marshall Flake to succeed Mr. William Bourdon, (resigned).   |
| Pima County:    | Mr. Frank G. Robles to succeed Mr. C. J. Carreon, (declared vacated by Board of Supervisors because of change of residence). |

Pinal County: Mr. Geo. Ernst to succeed  
Mr. W. E. Mullen, (deceased).

Santa Cruz County: Mr. W. H. Hathaway to succeed  
Mr. Geo. F. Macdonald,  
(resigned).

Yavapai County: Mr. Elliott Flood to succeed  
Mr. Harry J. Mader, (resigned).

VAN A. REICHARD,  
Chairman."

Motion by Mr. Reichard, seconded by Mr. Carson, that the report of the Committee on Suffrage and Elections be adopted. Carried.

Mr. Speaker pro tempore instructed the members of the Committee on Suffrage and Elections to escort the new members to the office of the chief justice of the supreme court to receive the oath of office.

Without objection, at 10:23 a. m., the House stood at recess, subject to the call of the gavel.

At 10:31 a. m., Mr. Speaker pro tempore called the House to order.

The Committee on Suffrage and Elections introduced the new members and announced that they had been administered the oath of office.

Mr. Batchelder introduced Mr. M. R. Bailey, nominee-elect of the House, who was accorded the privileges of the floor.

Mr. Smith introduced Mr. Dick Kilpatrick, nominee-elect of the House, who was accorded the privileges of the floor.

Mr. Cummard introduced Mr. Roy Williams, nominee-elect of the House, who was accorded the privileges of the floor.

#### BUSINESS ON THE SPEAKER'S DESK

A communication from the Honorable J. Melvin Goodson was read in full as follows:

"Phoenix, Arizona,  
September 23, 1940.

Mrs. Lallah Ruth,  
Chief Clerk, Fourteenth Legislature,  
Capitol Building,  
Phoenix, Arizona.

Dear Mrs. Ruth:

I herewith present to you to be transmitted to the House convened in special session, September 23, 1940, my resignation as Speaker of the House of Representatives of the Fourteenth Arizona State Legislature.

It is with genuine regret that for business reasons

I must resign at this time.

It will always be an inspiration to me, the loyalty and cooperation which the members of the House extended to me during my term as Speaker.

Sincerely,

J. MELVIN GOODSON."

Motion by Mr. Klein, seconded by Mr. Mattice, that the resignation of Mr. Goodson be accepted, and an expression of sincere appreciation be extended to Mr. Goodson by a rising vote of thanks. Carried by unanimous vote.

Motion by Miss Lockwood, seconded by Mr. Mattice, that the name of Mr. William Spaid be placed in nomination for Speaker of the House.

At 10:35 a. m., Mr. Speaker pro tempore called Mr. Wisener to the chair.

On the point of personal privilege Mr. Smith asked that the following protest be spread upon the Journal:

"Mr. Chairman:

This protest is being made for a record in the House Journal because of the fact that I am against laws of the state being made in the Adams Hotel. I am not voting against Mr. Spaid for speaker, but against the system of shaping the destiny of the legislature in a down-town hotel room.

MARVIN E. SMITH."

Motion by Mr. Carson, seconded by Mr. Batchelder, that the nominations be closed. Carried.

Motion by Mr. Carson, seconded by Mr. Batchelder, that an acclamation vote be cast for Mr. Spaid for Speaker of the House. Carried and Mr. Spaid was elected Speaker of the House.

Mr. Chairman appointed members Carson, Stanford and Reichard as a committee to escort the speaker to the chair.

At 10:40 a. m., Mr. Spaid took the chair and expressed his appreciation for the honor conferred upon him.

Mr. Palmer introduced Mr. Frank Mosshammer, nominee-elect of the House, who was accorded the privileges of the floor.

Mr. Francis introduced Mrs. Maxine Provost Burbaker, nominee-elect of the House, who was accorded the privileges of the floor.

Motion by Mr. Heron, seconded by Mr. Hill, that the rules governing the regular session of the fourteenth legislature be adopted as the rules of the first special session of the fourteenth legislature. Carried by the following vote:

Ayes: Batchelder, Bell, Carson, Copp, Cowan, Cummard, Ernst,

Flake, Flood, Forbes, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Hill Jameson, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McDaniel, McKinney, McRae, O'Neill, Penny, Perkins, Reichard, Righetti, Robles, Rosenbaum, Sharpe, Stauffer, Thompson, Vidrine, Wade, Wiggins, Wilson, Wisener, Mr. Speaker—43.

Nays: Francis, McGowan, Palmer, Shaw, Smith, Stanford—6.

Absent: Curry, Wood—2.

Motion by Mr. Sharpe, seconded by Mr. Fritz, that a committee be appointed to notify the Senate that the House is now organized and ready for business and to meet with a like committee from the Senate to wait upon the governor to notify him that the first special session of the fourteenth legislature is organized and ready to receive any message he may have for them. Carried, and Mr. Speaker appointed members Wilson, McRae and Lockwood as such a committee.

Without objection, at 10:55 a. m., the House stood at recess, subject to the call of the gavel.

At 11:02 a. m., Mr. Speaker called the House to order.

At 11:02 a. m., the committee appointed to wait upon the Senate and governor returned escorting His Excellency, the Governor.

At 11:04 a. m., the sergeant-at-arms announced the Senate of the state of Arizona.

JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE FIRST SPECIAL SESSION OF THE FOURTEENTH LEGISLATURE OF THE STATE OF ARIZONA.

The joint session of the first special session of the fourteenth legislature was called to order at 11:04 a. m., Mr. President presiding.

The Senate roll call showed the following members present:

Angius, Babbitt, Baker, Blake, Bohlinger, Coleman, Dalton, Edwards, Menderson, Minotto, Moore, Morrow, Crable, Stanton, Wimberly, Mr. President—16.

Absent: Coxon, Dodd, Reinhardt—3.

The House roll call showed the following members present:

Batchelder, Bell, Carson, Copp, Cowan, Cummard, Ernst, Flake, Flood, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Hill, Jameson, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McDaniel, McGowan, McKinney, McRae, O'Neill, Palmer, Penny, Perkins, Reichard, Righetti, Robles, Rosenbaum, Sharpe, Shaw, Smith, Stanford, Stauffer, Thompson, Vidrine, Wade, Wiggins, Wilson, Wisener, Mr. Speaker—49.

Absent: Curry, Wood—2.

At 11:06 a. m., the Governor of Arizona read his message to the legislature as follows:

Ladies and Gentlemen of the fourteenth legislature of the first special session:

Several matters of immediate and pressing importance make this first special session of the fourteenth legislature necessary. Obviously, it is impossible in a twenty-day session to cover all the needs of the state, so I have limited legislation to be considered to twelve important points, a brief analysis of which is given here for your information.

Dourine is a contagious disease common to horses. It has been endemic to Arizona for some time. Now it threatens to become epidemic unless immediate steps are taken to eradicate it.

I had offered money from my contingent fund to fight this disease, when it was first reported, but an opinion from the attorney general specifically states that this fund may not be used for this purpose.

California has already placed a quarantine on Arizona which prevents our horses from being shipped there. Other states will follow suit unless we act at once.

Failure to act on our part may necessitate cancellation of the state fair in November; elimination of the annual horse show; and seriously hamper plans of California motion picture companies to make pictures in Arizona, which would mean a loss in revenue to the state of over a million dollars a year.

The federal government will match indemnity payments dollar for dollar and will furnish at least one veterinarian to assist the state.

Acting upon orders from President Roosevelt the Arizona national guard has been mustered out of the state, leaving no state militia available to handle local emergencies.

It is necessary to create a home guard to take the place of the national guard. An appropriation is required to meet the emergency and to provide funds for the use of the Arizona state council of defense to continue its constructive efforts to rid the state of "fifth columnists" and other subversive elements who endanger the general welfare of our citizens.

During the regular session of the fourteenth legislature, you failed to pass a bill enabling the Arizona unemployment compensation commission to transfer certain funds to the railroad retirement board to conform with the provisions of the federal railroad unemployment insurance act.

This oversight would have caused the state to lose its unemployment compensation grants from the federal government had not congress granted us per-

mission to delay the transfer until a special session of our legislature could be called.

It is now our duty to pass this bill in order to conform with the provisions of the above-mentioned act in order that the working men and women of this state may continue to enjoy the protection afforded by the unemployment compensation act.

At the present time the teachers of Arizona have a pension plan which is neither satisfactory nor equitable.

To replace this act, there will be introduced for your consideration a new teachers' retirement plan, based upon joint state and individual contributions, which has been carefully prepared and meets with the approval of the Arizona education association.

It is not only fair and workable, but it will cost little more than the present teachers' pension law. I cannot too strongly urge its adoption.

Members of the Arizona national guard are regularly paid for time spent on maneuvers by both the state and national government.

This year the guard was ordered to Louisiana for its maneuvers. Its members were paid by the federal government, but could not be paid by the state because of a recent supreme court decision which ruled that guardsmen could not be paid for time spent outside Arizona.

Reason and justice dictate that these men should be compensated for their efforts. The money is available and it should be paid them immediately.

The federal food stamp plan has been in operation in three Arizona counties for several months. As you undoubtedly know, the plan is designed to help families on WPA and drawing various forms of social security.

Before the plan can be placed in effect in every Arizona county, it will be necessary for the legislature to pass a bill empowering the state social security and welfare board to create a revolving fund out of which to purchase the food stamps and the cotton stamps, which will soon be available.

Until the food stamp plan was introduced in Arizona, the federal surplus commodities corporation purchased hundreds of thousands of dollars worth of food-stuff and clothing outside Arizona and shipped it in by the carload.

Not only is this legislation of vital importance to people on relief and in need, especially since winter is drawing near, but it will mean millions of dollars of extra revenue to Arizona grocerymen, farmers and

merchants from whom these supplies will be purchased.

The railroad men of the state are very much concerned over alleged violations of the 70-car train limit law, which was enacted to protect them. They feel that the state has been negligent in its duty to defend this law.

The reason the state has not been more diligent in defending the law is that it lacks the necessary funds with which to do so. The brotherhood of railroad trainmen has even been forced to use its own funds to secure legal counsel to defend the law.

To assure an adequate and proper defense of this law, it is my duty as governor to ask for an emergency appropriation, not only to defend the law, but to reimburse the brotherhood of railroad trainmen for legal fees previously contracted by it for this purpose.

When the state of Arizona leaves a cash basis, which it often must do, it is required to register warrants for the payment of current obligations at an interest rate of 5%.

This rate is exorbitant, and can and should be reduced by passage of a law permitting the state to issue tax anticipation bonds at a much lower rate of interest. Many thousands of dollars can be saved each year by the passage of this measure.

Passage of the revenue bond act, which expired last year, is a vital necessity to several Arizona cities which have municipal water projects under consideration.

Flagstaff for example, has a project to augment its water supply by pumping water from nearby Lake Mary, but the project cannot be completed unless the city is granted the right to issue revenue bonds to defray its share of the cost of the project.

In 1939 I created, by proclamation, an Arizona Coronado cuarto centennial commission to work with the federal commission of the same name in commemorating the explorations of the Spanish explorer, Francisco Coronado.

The members of this commission have spent their own money and donated generously of their time in staging a series of celebrations throughout the state commemorating this anniversary.

It is necessary that this commission be set up on a permanent, nonsalaried basis in order that it can cooperate with the U. S. Coronado cuarto centennial commission. Plans call for the erection of a Coronado international monument and museum on the Mexican border between Nogales and Naco, an appropriation for which has already been made by the federal government.

Creation of such a commission involves no cost to the taxpayers of Arizona.

Members of the Senate will be asked to confirm several appointments I have made to state offices while the legislature was not in session.

The foregoing will be placed before you for such action as you may deem necessary and proper. It is my hope you will see them in the same light as I do. I shall be glad to supply any additional information regarding these measures, and hasten to offer the complete cooperation of my office at all times. I trust this session will accomplish much good for the people of our beloved state.

The governor read the following communication:

“ARIZONA UNEMPLOYMENT COMPENSATION  
COMMISSION  
Ellis Building  
P. O. Box 111  
Phoenix, Arizona

(In reply refer  
to File No. A-2)  
September 21, 1940.

Hon. R. T. Jones, Governor  
Capitol Building,  
Phoenix, Arizona.

Dear Governor Jones:

Under the federal social security law as originally enacted by the congress of the United States, various state agencies operating in conformity therewith collected unemployment contributions on employees of railroads as well as other industries. Subsequently congress adopted the railroad unemployment insurance act, under the terms of which provision was made for the payment of unemployment benefits to all railroad employees under a federal program administered by the railroad retirement board. At the same time it was required that each state authorize and direct the secretary of the treasury to transfer from its account in the unemployment trust fund to the railroad unemployment insurance account in the unemployment trust fund a sum representing contributions collected prior to that date from railroads within the state. It was further required that this transfer be made prior to thirty days after the close of the first regular session of the state's legislature which began after June 25, 1938 or July 1, 1939, whichever date was the later, and upon failure of the state to comply with such requirement, directed that all further funds for administration of the social security laws in such state be withheld until there was such compliance.

This law was amended in August, 1939, to extend the time for such transfer until “after the thirtieth day after the close of such state's first regular or special session of its legislature which begins after the date of

enactment of this act." Under this provision it is essential that authority be granted at the present special session to transfer the foregoing funds to the railroad retirement board or the social security board will be required to withhold future grants for the administration of the unemployment compensation law.

Sincerely yours,

(Signed) ARTHUR M. DAVIS,  
Attorney."

AMD;a  
Placed on file.

Mr. President expressed appreciation of the legislature to the governor for his message.

Without objection at 11:25 a. m., the joint session of the legislature was dissolved.

At 11:27 a. m., Mr. Speaker called the House to order.

Motion by Mr. Rosenbaum, seconded by Mr. Fritz that the House stand at recess until 2:00 p. m. Carried, and at 11:35 a. m. the House stood at recess.

AFTERNOON SESSION

At 2:00 p. m. the House resumed session, Mr. Speaker presiding.

Without objection the House referred to the Order of Business, Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

Standing committees submitted the following reports:

"September 23, 1940

Mr. Speaker:

Your committee on Printing and Clerks reports that it has had under consideration the hiring of attaches for the first special session of the fourteenth legislature, and respectfully recommends:

That the following list of attaches shall be hired:

Lallah Ruth .....	Chief Clerk
Dorothy R. Reed .....	Assistant Chief Clerk
Jenny Wood .....	Head Minute Clerk
Alice Haug .....	Minute Clerk
M. V. Decker .....	Sergeant-at-arms
R. Hazel Hilbers.....	Head E. & E. Clerk
Margaret Norton .....	Head Stenographer
Frankie Kulinovich .....	Head Page
Speaker's Secretary .....	Barba Macdonald
Chaplains. Rev. C. B. Holland, Bishop Leland Glazier, Rabbi Krohn, Father Emmett McLoughlin.	

And that the following be employed as recommend-

ed by the membership of the House:

Mrs. R. A. Hunsick	Fred A. Price
Mrs. Mary Mullin	Mildred Dysart
Flossie Scott	Luella Sims
Marguerite Bolen	Miss Paula Baker
Miss Teresa Scott	Mrs. Ben Riggs
J. Keegan	Jacqualine Ames
Hortense Zamora	Alex Goodman
Lydia Aguirrea	Margie Pearl Meeks
Melinda Burns	Alice Leonard
Dorothy Huntley	E. L. Shinn
H. D. Midkiff	Margie Waugh
Laura Norris	Mae Conley

W. G. ROSENBAUM,  
Chairman."

Motion by Mr. Rosenbaum, seconded by Mr. Sharpe, that the report of the Committee on Printing and Clerks be adopted. Carried.

"September 23, 1940

Mr. Speaker:

Your Committee on Suffrage and Elections reports that it has examined the credentials of the new member of the House of Representatives, first special session, of the fourteenth legislature, state of Arizona, and the following member is entitled to his seat:

Maricopa County: Mr. Warren B. Stone to succeed Mr. J. Melvin Goodson, (re-signed.)

VAN A. REICHARD,  
Chairman."

Motion by Mr. Reichard, seconded by Mr. Cummard, that the report of the Committee on Suffrage and Elections be adopted. Carried.

Mr. Speaker instructed the chairman of the Committee on Suffrage and Elections to escort the new member to the office of the Chief Justice of the Supreme Court to receive the oath of office.

Mr. Bell introduced Mr. Lindsay Johnson, former member of the House, who was accorded the privileges of the floor.

Without objection, at 2:02 p. m., the House stood at recess, subject to the call of the gavel.

At 2:07 p. m., Mr. Speaker called the House to order.

The chairman of the Committee on Suffrage and Elections introduced the new member and announced that he had been administered the oath of office.

#### FIRST READING OF BILLS

The following bill was read the first time by number and title only:

HOUSE CONCURRENT RESOLUTION NO. 1, by Messrs. Vidrine and Smith of Maricopa, commending un-American activities committee. Referred to the Committee on Printing.

On first reading of House Concurrent Resolution No. 1, motion by Mr. Rosenbaum, seconded by Mr. Fritz, that the requirement of the constitution, article IV, section 12, that bills and joint resolutions be read by sections on different days, was dispensed with in the matter of reading House Concurrent Resolution No. 1, on first reading by a two-thirds vote of all members elected to the House, a case of emergency being declared, and the foregoing bill was read the first time by number and title only.

Motion by Mr. Carson, seconded by Mr. McGowan, that the House stand at recess, and that a committee be appointed to wait upon the governor to ascertain whether he had any bills ready for presentation to the House. Carried, and Mr. Speaker appointed members Carson, Shaw and Murray as such a committee.

Without objection at 2:16 p. m., the House stood at recess, subject to the call of the gavel.

At 2:38 p. m., Mr. Speaker called the House to order.

At 2:38 p. m., the committee appointed to wait upon the governor reported that four bills were ready for presentation to the House, the remainder of the bills to be ready for introduction tomorrow morning. Mr. Speaker thanked the committee.

Without objection the House referred to the Order of Business, First Reading of Bills.

#### FIRST READING OF BILLS

The following bills were read the first time by number and title only:

HOUSE BILL NO. 1, by Mr. McAleb of Cochise and Mr. Carson of Pima, (by request), An Act, relating to public welfare, and providing for the procurement and distribution of food stamps and cotton stamps.

HOUSE BILL NO. 2, by Mr. Klein of Yavapai, (by request), An Act, relating to Coronado, and creating the Coronado four-centennial commission.

HOUSE BILL NO. 3, by Mr. Sharpe of Cochise, An Act, relating to public finance, and authorizing the issuance of tax anticipation bonds.

Motion by Mr. Carson, seconded by Mr. Vidrine, that the bills be not printed, but be referred to the Committee on Printing to be mimeographed. Carried, and House Bills Nos. 1, 2 and 3 were referred to the Committee on Printing to be mimeographed.

On first reading of House Bills Nos. 1, 2 and 3, motion by Mr. Rosenbaum, seconded by Mr. Fritz, that the requirement of the constitution, article IV, section 12, that bills and joint

resolutions be read by sections on different days, was dispensed with in the matter of reading House Bills Nos. 1, 2 and 3, on first reading by a two-thirds vote of all members elected to the House, a case of emergency being declared, and the foregoing bills were read the first time by number and title only.

#### READING OF RESOLUTIONS

House Resolution No. 1, by Messrs. Goff and Ernst of Pinal, was read in full as follows:

#### HOUSE RESOLUTION NO. 1

WHEREAS, W. E. Mullen, of Ray, passed away on June 20, 1940; and

WHEREAS, Mr. Mullen leaves behind him an enviable reputation as citizen, businessman, soldier, and sportsman, and many friends who mourn his departure;

WHEREAS, the deceased will long be remembered by the members of this House as a highly respected colleague, having been a member of the House of Representatives of the thirteenth and fourteenth legislatures, during both of which terms he was distinguished for his sturdy devotion to the best interests of the state; therefore

BE IT RESOLVED by the House of Representatives of the state of Arizona:

1. The death of W. E. Mullen is deeply mourned by the members of the House of Representatives.

2. This body hereby extends its sincere sympathy to the bereaved widow, children, and other relatives of the deceased.

Motion by Mr. Heron, seconded by Mr. Batchelder, that House Resolution No. 1 be adopted. Carried.

Motion by Mr. Rosenbaum, seconded by Mr. McGowan, that the House stand adjourned until 10:00 a. m., Tuesday, September 24, 1940. Carried, and at 2:49 p. m., the House so adjourned.

WM. SPAID,  
Speaker of the House.

ATTEST: LALLAH RUTH,  
Chief Clerk.

**TUESDAY, SEPTEMBER 24**

The House met at 10:00 a. m., in conformity with the rules. Mr. Speaker presiding.

Roll call showed the following members present:

Batchelder, Bell, Carson, Copp, Cowan, Cummard, Ernst, Flake, Flood, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Hill, Jameson, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McDaniel, McGowan, McKinney, McRae, O'Neill, Palmer, Penny, Perkins, Reichard, Righetti, Robles, Rosenbaum, Sharpe, Shaw, Smith, Stanford, Stauffer, Stone, Thompson, Vidrine, Wade, Wiggins, Wisener, Mr. Speaker—49.

Absent: Curry, Wood—2.

Excused: Wilson—1.

Bishop Leland Glazier, chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Monday, September 23, 1940, was dispensed with.

**PETITIONS, MEMORIALS AND REMONSTRANCES**

House Memorial No. 1, by Mr. Wisener of Yuma, was read in full as follows:

**HOUSE MEMORIAL NO. 1**

To the Congress of the United States of America:  
Your memorialist respectfully represents:

Throughout the state of Arizona and the other states of the union are large numbers of persons between the ages of sixty and sixty-five who are living in straitened circumstances, through no fault of their own, and who are as badly in need of assistance as those over sixty-five years of age.

There still remain, in the United States, large numbers of employable, but unemployed, persons below the age of sixty years.

Many needy old people desire, and should be permitted, to change their residences for reasons of health, climate, family, or other valid reasons, but are unable to do so because of the stringent residence requirements of the social security act.

States which provide pensions or other forms of relief for persons between the ages of sixty and sixty-five, or for otherwise eligible and worthy old people who have found it necessary to change their residences, receive no federal aid therefor under the present provisions of title I of the social security act.

With the limited state moneys available for relief, the support of all worthy old persons in the man-

ner to which they are entitled is a burden which the states cannot bear without assistance, and many of the nation's needy aged are forced to endure unnecessary hardships.

The cost of even the present strictly limited old age payments consumes far too large a part of the tax moneys of the several states, and the states are therefore forced to abandon or neglect many proper and necessary functions.

The problem of properly caring for the needy aged is one which should and can be solved satisfactorily only by the government of the United States, it being impossible for the individual states to care adequately for the old people.

Wherefore your memorialist, the House of Representatives of the state of Arizona, prays:

1. That the social security act be promptly amended to reduce to sixty years the age qualification for old age assistance.

2. That the requirements of residence in any one state for old age assistance under the social security act be eliminated.

3. That legislation be enacted requiring the government of the United States to assume the entire cost of all old age assistance benefits, thereby relieving the states of that burden so that they may adequately perform other necessary and proper functions.

Motion by Mr. Wisener, seconded by Mr. Rosenbaum, that House Memorial No. 1 be referred to the Committee on Petitions and Memorials. Carried.

House Memorial No. 2, by Mr. Wisener of Yuma, was read in full as follows:

#### HOUSE MEMORIAL NO. 2

To the President, the Congress, and the Secretary of the United States of America:

Your memorialist respectfully represents:

By the terms of that certain treaty between the United States of America and the Republic of Mexico, signed on December 30, 1853, and known as the Gadsden treaty, the boundary between the two republics, from a point where the one hundred eleventh meridian of longitude west of Greenwich intersects the parallel of thirty-one degrees twenty minutes north latitude, extends "in a straight line" (northwest)" to a point on the Colorado river twenty English miles below the junction of the Gila and Colorado rivers."

By this determination, in lieu of extending the common boundary line due west from the point above referred to, there was excluded from the jurisdiction

of the United States a large area possessing great potential value to this country, but so far removed by distance and economic disadvantage from the populous area of Mexico as to render questionable its value to that country.

Likewise far removed from the seat of the Mexican government and without the scope of any development program of such government likely to be considered for many generations, is the federal territory of Baja California.

Among the principal advantages which would accrue to the United States through jurisdiction over the territory referred to are: opportunity for the establishment of a deep-sea port on the Gulf of California; acquisition of several hundred thousand acres of agricultural land adjacent to the Colorado river, and elimination of possible misunderstanding between the governments of the two republics over the use of the waters of said river; possible development of fishing and other marine enterprises on the coast of the Gulf of California; opportunity for the establishment of tourist resorts on the Gulf; access to a larger territory containing an abundant supply of wild game; construction of highways and development of adequate transportation facilities through a portion of the American continent in which such development will likely otherwise be long delayed.

In the light of the events of the past year, emphasis must also be placed on the strategic value of the territory referred to in the defense of the United States, of Mexico and of the entire western hemisphere, and on the fact that the United States is much better able to utilize the defense possibilities of such territory than is Mexico.

The fact is well understood and recognized that no act or suggestion of the United States government can be suffered to offend the national pride of our friendly southern neighbor or to warrant a suspicion of this country's aims or motives. Nevertheless it is felt that a proper approach to this question through diplomatic channels, would lead the way to a possible showing of the advantages to both countries of an arrangement by which the desirable ends heretofore referred to might be realized.

Wherefore your memorialist, the House of Representatives of the state of Arizona, respectfully suggests:

That diplomatic conversations be undertaken with appropriate authorities of the Republic of Mexico looking to the securing of a lease, for ninety-nine years with the right of renewal, and on terms and conditions mutually satisfactory and advantageous, whereby the United States would obtain such jurisdiction over the territory referred to as would make feasible and practicable the development and utilization of its natural

resources and defense advantages.

Motion by Mr. Wisener, seconded by Mr. McGowan, that House Memorial No. 2 be referred to the Committees on Petitions and Memorials, Judiciary and Military Affairs. Carried.

#### REPORTS OF STANDING COMMITTEES

The Committee on Printing submitted the following report:

"September 24, 1940.

Mr. Speaker:

Your Committee on Printing reports:

That it has ordered printed House Concurrent Resolution No. 1, House Bills Nos. 1, 2 and 3.

That it has received from the printer House Concurrent Resolution No. 1, House Bills Nos. 1, 2 and 3.

Placed on file. W. G. ROSENBAUM,  
Chairman."

#### BUSINESS ON THE SPEAKER'S DESK

Mr. Speaker announced committee personnel changes as follows:

Lockwood of Maricopa county, shall serve on the Rules Committee, caused by the resignation of Mr. Goodson also of Maricopa, and shall serve as chairman of the Judiciary Committee.

Lewis, of Cochise county, shall serve on the Committees on: Labor, Judiciary, Petitions and Memorials, Public Health and Suffrage and Elections.

Stone, of Maricopa county, shall serve on the Committees on: Judiciary, Efficient Government, Highways and Bridges, and Ways and Means.

Flake, of Navajo county, shall serve on the Committees on: Public Lands, Public Health, Livestock, and Military Affairs.

Robles, of Pima county, shall serve on the Committees on: Accounting and Business Methods, Institutional Reorganization, and County and County Affairs.

Ernst, of Pinal county, shall serve on the Committees on: Fish and Game, Education, Livestock, and Mines and Mining.

Hathaway, of Santa Cruz county, shall serve on the Committees on: Military Affairs, Capitol Building and Grounds, Mines and Mining, and Public Institutions.

Flood, of Yavapai county, shall serve on the Committees on: Mines and Mining, Corporations, Labor, and Printing and Clerks.

Francis, of Maricopa county, serving as vice-chairman of the Committee on Labor shall serve as chairman of that committee.

Cowan, of Cochise county, serving as vice-chairman of the

Committee on Public Lands shall serve as chairman of that committee.

Wade, of Coconino county, serving as vice-chairman of the Committee on Fish and Game shall serve as chairman of that committee.

Shaw, of Yuma county, serving as vice-chairman of the Committee on Military Affairs shall serve as chairman of that committee.

Copp, of Gila county, shall serve as chairman of the Committee on Mines and Mining.

#### FIRST READING OF BILLS

The following bills were read the first time by number and title only:

HOUSE BILL NO. 4, by Mr. Penny of Pima and Mr. Hill of Maricopa, An Act, relating to education; providing for the retirement of employees in the educational system, and repealing section 1046, revised code of 1928, as amended. Referred to the Committee on Printing.

HOUSE BILL NO. 5, by the Committee on Livestock, An Act, relating to livestock, and providing for the eradication of dourine. Referred to the Committee on Printing.

HOUSE BILL NO. 6, by Messrs. Francis and Cumnard of Maricopa and Mr. Shaw of Yuma, An Act, relating to old age assistance, and amending sections 2 and 5. chapter 70, session laws of 1937, regular session, as amended. Referred to the Committee on Printing.

HOUSE BILL NO. 7, by Messrs. Smith, Stanford, McGowan, Palmer, Cumnard, Mrs. McRae of Maricopa, and Messrs. Shaw and Wisener of Yuma, An Act, relating to old age assistance, and amending sections 2 and 5, chapter 70. session laws of 1937, regular session, as amended.

Motion by Mr. Wisener, seconded by Mr. Smith, that House Bill No. 7 be withdrawn as it is identical with House Bill No. 6 and the introducers thereon be added to those on House Bill No. 6. Carried.

The following bill was read the first time in full:

HOUSE BILL NO. 8, by the Committee on Appropriations, An Act, making an appropriation for the fourteenth legislature of the state of Arizona, first special session.

Motion by Mr. Sharpe, seconded by Mr. Rosenbaum, that the rules be suspended, an emergency declared, and that House Bill No. 8, be not printed and be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote of all members elected to the House.

Motion by Mr. Rosenbaum, seconded by Mr. Sharpe, that the rules be suspended, an emergency declared, and that House Bills Nos. 4, 5 and 6 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote of all members elected to the House.

On first reading of House Bills Nos. 4, 5, 6 and 7, motion by Mr. Rosenbaum, seconded by Mr. Fritz, that the requirement of the constitution, article IV, section 12, that bills and joint resolutions be read by sections on different days, was dispensed with in the matter of reading House Bills Nos. 4, 5, 6 and 7, on first reading by a two-thirds vote of all members elected to the House, a case of emergency being declared, and the foregoing bills were read the first time by number and title only.

#### SECOND READING OF BILLS

The following bills were read the second time by number and title only:

HOUSE CONCURRENT RESOLUTION NO. 1, by Messrs. Vidrine and Smith of Maricopa, commending un-American activities committee. Referred to the Committees on Petitions and Memorials, Judiciary and Military Affairs.

HOUSE BILL NO. 1, by Mr. McAleb of Cochise and Mr. Carson of Pima, (by request), relating to food and cotton stamps. Referred to the Committee on Accounting and Business Methods, Agriculture and Irrigation, and Judiciary.

HOUSE BILL NO. 2, by Mr. Klein of Yavapai, (by request), creating the Coronado cuarto-centennial commission. Referred to the Committee on Judiciary.

HOUSE BILL NO. 3, by Mr. Sharpe of Cochise, authorizing issuance of tax anticipation bonds. Referred to the Committees on Accounting and Business Methods, Judiciary, and Ways and Means.

HOUSE BILL NO. 4, by Mr. Penny of Pima and Mr. Hill of Maricopa, teachers' retirement. Referred to the Committees on Education, Appropriations and Judiciary.

HOUSE BILL NO. 5, by the Committee on Livestock, eradication of dourine in horses. Referred to the Committees on Livestock, Judiciary and Appropriations.

HOUSE BILL NO. 6, by Messrs. Francis, Cummard, Smith, Stanford, McGown, Palmer, Mrs. McRae of Maricopa, and Messrs. Shaw and Wisener of Yuma, old age assistance amendment. Referred to the Committees on Judiciary, and Ways and Means.

HOUSE BILL NO. 8, by the Committee on Appropriations, legislative appropriation.

Motion by Mr. Sharpe, seconded by Mr. Cummard, that the rules be suspended, an emergency declared, and that House Bill No. 8 be placed under the Order of Business, Third Reading of Bills for today. Carried by a two-thirds vote of all members elected to the House.

On second reading of House Concurrent Resolution No. 1, House Bills Nos. 1, 2, 3, 4, 5, 6 and 8, motion by Mr. Rosenbaum, seconded by Mr. Fritz, that the requirement of the constitution, article IV, section 12, that bills and joint resolutions be read by sections on different days, was dispensed with in the matter of

reading House Concurrent Resolution No. 1, House Bills Nos. 1, 2, 3, 4, 5, 6 and 8, on second reading by a two-thirds vote of all members elected to the House, a case of emergency being declared, and the foregoing bills were read the second time by number and title only.

## THIRD READING OF BILLS

HOUSE BILL NO. 8, entitled, An Act, making an appropriation for the fourteenth legislature of the state of Arizona, first special session, was read the third time in full and passed the House by the following vote:

Ayes: Batchelder, Bell, Carson, Copp, Cowan, Cummard, Ernst, Flake, Flood, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Hill, Jameson, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McDaniel, McKinney, McRae, O'Neill, Palmer, Penny, Perkins, Reichard, Righetti, Robles, Rosenbaum, Sharpe, Shaw, Smith, Stanford, Stauffer, Stone, Thompson, Wade, Wiggins, Wisener, Mr. Speaker—47.

Nays: McGowan, Vidrine—2.

Absent: Curry, Wood—2.

Excused: Wilson—1.

Signed in open session by the Speaker, the clerk was instructed to record the action of the House on the bill and convey it to the Senate.

Motion by Mr. Stauffer, seconded by Mr. Stone, that in compliance with the governor's request, a committee of five be appointed to investigate the state institutions. Lost.

Mr. Forbes, as a member of the Committee on Public Institutions, asked that the following statement be spread upon the Journal:

"Mr. Speaker:

With reference to the inspection of state institutions proposed by the governor; I spent a portion of last Sunday at the state hospital, arriving unannounced at midday meal time. I made a thorough inspection of every building, room by room, met many of the attendants, talked with some of the inmates, saw the abundant and wholesome dinner being served and the facilities installed for special treatments of many kinds. The buildings, old and new, were spotlessly clean and an atmosphere of administrative efficiency prevailed the institution.

It is, therefore, my opinion that, in view of a similar opinion just now expressed concerning the penitentiary, that, highly to the credit of the administration, inspection of these institutions is superfluous and unnecessary.

R. H. FORBES."

Mr. O'Neill introduced Mr. Joseph Chaplain, nominee-elect

of the House, who was accorded the privileges of the floor.

Motion by Mr. Rosenbaum, seconded by Mr. Fritz, that the House stand at recess until 2:00 p. m. Carried, and at 11:10 a. m., the House stood at recess.

#### AFTERNOON SESSION

At 2:00 p. m., the House resumed session, Mr. Speaker presiding.

Without objection the House referred to the Order of Business, Reports of Standing Committees.

#### REPORTS OF STANDING COMMITTEES

The Committee on Judiciary submitted the following report:

"September 24, 1940

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Concurrent Resolution No. 1, commending un-American activities committee, and respectfully recommends, that it is constitutional and in proper form.

LORNA LOCKWOOD,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Petitions and Memorials, and Military Affairs.

#### FIRST READING OF BILLS

The following bill was read the first time by number and title only:

HOUSE BILL NO. 9, by the Committee on Labor, An Act, making an appropriation for the use of the attorney general in defraying costs and expenses of prosecuting or defending any and all suits brought by or against the state of Arizona or any official thereof concerning the enforcement or validity of section 647, revised code of 1928, commonly known as the 70-car train limit law. Referred to the Committee on Printing.

Motion by Mr. Rosenbaum, seconded by Mr. Sharpe, that the rules be suspended, an emergency declared, and that House Bill No. 9 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote of all members elected to the House.

On first reading of House Bill No. 9, motion by Mr. Rosenbaum, seconded by Mr. Fritz, that the requirement of the constitution, article IV, section 12, that bills and joint resolutions be read by sections on different days, was dispensed with in the matter of reading House Bill No. 9, on first reading by a two-thirds vote of all members elected to the House, a case of emergency being declared, and the foregoing bill was read the first time by number and title only.

SECOND READING OF BILLS

The following bill was read the second time by number and title only:

HOUSE BILL NO. 9, by the Committee on Labor, appropriation to attorney general for enforcement of car train limit law. Referred to the Committees on Judiciary, Appropriation, and Labor.

On second reading of House Bill No. 9, motion by Mr. Rosenbaum, seconded by Mr. Fritz, that the requirement of the constitution, article IV, section 12, that bills and joint resolutions be read by sections on different days, was dispensed with in the matter of reading House Bill No. 9, on second reading by a two-thirds vote of all members elected to the House. a case of emergency being declared, and the foregoing bill was read the second time by number and title only.

READING OF RESOLUTIONS

House Resolution No, 2, by Mr. Hamblin of Apache, was read in full as follows:

HOUSE RESOLUTION NO. 2

WHEREAS, another of Arizona's sturdy pioneers, Jacob Hamblin, was taken by death on April 1, 1939; and

WHEREAS, Jacob Hamblin, during his sixty years in Arizona, earned the love and respect of all who knew him, through his unceasing good works as pioneer, farmer, irrigationist, builder, churchman, welfare worker, and citizen; and

WHEREAS, the deceased faithfully served the state and his constituency as a member of the House of Representatives of the seventh and eighth legislatures;

THEREFORE, be it resolved by the House of Representatives of the state of Arizona:

1. This body records the passing of Jacob Hamblin with deep sorrow.

2. The sympathy of the House of Representatives is extended to the surviving relatives of the deceased.

Motion by Mr. Hamblin, seconded by Mr. Rosenbaum, that House Resolution No. 2 be adopted. Carried.

Motion by Mr. Rosenbaum, seconded by Mr. McKinney, that the House stand adjourned until 10:00 a. m. Wednesday, September 25, 1940. Carried, and at 2:15 p. m., the House so adjourned.

WM. SPAID,  
Speaker of the House.

ATTEST: LALLAH RUTH,  
Chief Clerk.

## WEDNESDAY, SEPTEMBER 25

The House met at 10:00 a. m., in conformity with the rules. Mr. Speaker presiding.

Roll call showed the following members present:

Batchelder, Bell, Carson, Copp, Cowan, Cummard, Ernst, Flake, Flood, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Hill, Jameson, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McDaniel, McGowan, McKinney, McRae, O'Neill, Palmer, Penny, Perkins, Reichard, Robles, Rosenbaum, Sharpe, Shaw, Smith, Stanford, Stauffer, Stone, Thompson, Vidrine, Wade, Wiggins, Wisener, Mr. Speaker—48.

Absent: Curry, Righetti, Wood—3.

Excused: Wilson—1.

Rabbi Krohn, chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Tuesday, September 24, 1940, was dispensed with and the Journal of Monday, September 23, 1940, was approved.

At 10:11 a. m., the sergeant-at-arms announced that Mr. Righetti had taken his seat.

### REPORTS OF STANDING COMMITTEES

Standing committees submitted the following reports:

"September 25, 1940

Mr. Speaker:

Your Committee on Printing reports:

That it has ordered printed House Bills Nos. 4, 5, 6 and 9 and House Memorials Nos. 1 and 2.

That it has received from the printer House Bills Nos. 5, 6 and 9 and House Memorials Nos. 1 and 2.

W. G. ROSENBAUM,  
Chairman."

Placed on file.

"September 25, 1940

Mr. Speaker:

Your Committee on Accounting and Business Methods reports that it has had under consideration House Bill No. 3, authorizing issuance of tax anticipation bonds, and respectfully recommends, that it do pass.

CECIL A. BELL,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Ways and Means, and Judiciary.

"September 25, 1940

Mr. Speaker:

Your Committee on Ways and Means reports that it has had under consideration House Bill No. 3, authorizing issuance of tax anticipation bonds, and respectfully recommends, that it do pass.

JAMES R. HERON,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on Judiciary.

"September 25, 1940

Mr. Speaker:

Your Committee on Military Affairs reports that it has had under consideration House Memorial No. 2, urging lease of deep-sea port in Mexico, and respectfully recommends, that it be returned for the consideration of the House.

EDW. V. SHAW,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Judiciary, and Petitions and Memorials.

"September 25, 1940

Mr. Speaker:

Your Committee on Military Affairs reports that it has had under consideration House Concurrent Resolution No. 1, commending un-American activities committee, and respectfully recommends, that it do pass.

EDW. V. SHAW,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on Petitions and Memorials.

"September 25, 1940

Mr. Speaker:

Your Committee on Petitions and Memorials reports that it has had under consideration House Concurrent Resolution No. 1, commending un-American activities committee, and respectfully recommends, that it do pass.

HAROLD COPP,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with reports of the Committees on Judiciary and Military Affairs.

"September 25, 1940

Mr. Speaker:

Your Committee on Appropriations reports that

it has had under consideration House Bill No. 9, appropriation to attorney general for enforcement of car train limit law, and respectfully recommends, that it be returned for the consideration of the House.

FRANK W. SHARPE, Jr.,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Judiciary and Labor.

"September 25, 1940

Mr. Speaker:

Your Committee on Rules reports for the consideration of the House, House Concurrent Resolution No. 1.

WM. SPAID,  
Chairman."

Placed on the Calendar of the Committee of the Whole House.

#### FIRST READING OF BILLS

The following bills were read the first time by number and title only:

HOUSE BILL NO. 10, by the Committee on Military Affairs, (by request), An Act, making an appropriation to pay members of the national guard of Arizona for military maneuvers in Louisiana during the summer of 1940. Referred to the Committee on Printing.

HOUSE BILL NO. 11, by the Committee on Military Affairs, (by request), An Act, relating to the Arizona state defense council, and prescribing its organization, powers, and duties. Referred to the Committee on Printing.

HOUSE BILL NO. 12, by the Committee on Military Affairs, (by request), An Act, relating to state and national defense, and providing for the establishment of the home guard of Arizona. Referred to the Committee on Printing.

SUBSTITUTE HOUSE BILL NO. 2, by Mr. Klein of Yavapai, (by request), An Act, relating to Francisco Vasquez de Coronado, and creating the Coronado international monument commission of Arizona. Referred to the Committee on Printing.

HOUSE BILL NO. 13, by Mr. Klein of Yavapai, Mr. Murray of Navajo, Mr. Shaw of Yuma and Mr. Francis of Maricopa, An Act relating to unemployment compensation; and amending chapter 13, session laws of 1936, first special session by adding section 9a. Referred to the Committee on Printing.

Motion by Mr. Rosenbaum, seconded by Mr. Klein, that the rules be suspended, an emergency declared, and that House Bills Nos. 10, 11, 12, 13 and Substitute House Bill No. 2 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote of all members elected to the House.

On first reading of House Bills Nos. 10, 11, 12, 13 and Sub-

stitute House Bill No. 2, motion by Mr. Rosenbaum, seconded by Mr. Fritz, that the requirement of the constitution, article IV, section 12, that bills and joint resolutions be read by sections on different days, was dispensed with in the matter of reading House Bills Nos. 10, 11, 12, 13 and Substitute House Bill No. 2, on first reading by a two-thirds vote of all members elected to the House, a case of emergency being declared, and the foregoing bills were read the first time by number and title only.

#### SECOND READING OF BILLS

The following bills were read the second time by number and title only:

HOUSE BILL NO. 10, by the Committee on Military Affairs, (by request), making appropriation for national guard. Referred to the Committees on Military Affairs, Appropriations and Judiciary.

HOUSE BILL NO. 11, by the Committee on Military Affairs, (by request), relating to Arizona state defense council. Referred to the Committees on Military Affairs, Judiciary and Appropriations.

HOUSE BILL NO. 12, by the Committee on Military Affairs, (by request), providing for establishment of home guard of Arizona. Referred to the Committees on Judiciary and Military Affairs.

SUBSTITUTE HOUSE BILL NO. 2, by Mr. Klein of Yavapai, (by request), creating the Coronado cuarto-centennial commission.

Motion by Mr. Klein, seconded by Mr. Rosenbaum, that the rules be suspended, an emergency declared, and that Substitute House Bill No. 2 be placed on the Calendar of the Committee of the Whole House. Carried by a two-thirds vote of all members elected to the House.

HOUSE BILL NO. 13, by Mr. Klein of Yavapai, Mr. Murray of Navajo, Mr. Shaw of Yuma and Mr. Francis of Maricopa, railroad unemployment compensation. Referred to the Committee on Labor and Judiciary.

On second reading of House Bills Nos. 10, 11, 12, 13 and Substitute House Bill No. 2, motion by Mr. Rosenbaum, seconded by Mr. Fritz, that the requirement of the constitution, article IV, section 12, that bills and joint resolutions be read by sections on different days, was dispensed with in the matter of reading House Bills Nos. 10, 11, 12, 13 and Substitute House Bill No. 2, on second reading by a two-thirds vote of all members elected to the House, a case of emergency being declared, and the foregoing bills were read the second time by number and title only.

Without objection the House referred to the Order of Business, Reports of Standing Committees.

#### REPORTS OF STANDING COMMITTEES

Standing committees submitted the following reports:

"September 25, 1940

Mr. Speaker:

Your Committee on Military Affairs reports that it has under consideration House Bill No. 10, making appropriation for national guard, and respectfully recommends, that it be amended as follows:

At the end of the title add 'and validating previous expenditures.'

Page 2, line 5, add new sentence 'Any monies heretofore paid out and expended on the approval of the national guard officials for the purpose of military maneuvers outside the state of Arizona is hereby validated.'

And, as so amended, it do pass.

EDW. V. SHAW,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Appropriations and Judiciary.

"September 25, 1940

Mr. Speaker:

Your Committee on Military Affairs reports that it has had under consideration House Bill No. 11, relating to Arizona state defense council, and respectfully recommends, that it be amended as follows:

Page 1, line 2, after the '(a)' strike the balance of that line and all of lines 3, 4 and 5 and insert in lieu thereof 'The Arizona state defense council shall consist of the adjutant general and department commanders of each of the four major recognized veterans organizations namely: American Legion, Veterans of Foreign Wars of United States, United States Spanish War Veterans and Disabled American Veterans.'

Page 1, strike all of subsection '(b)' being all of lines 6, 7 and 8 and renumber subsection '(c)' to be subsection '(b)'.

Page 3, line 4, after the words 'The sum of' insert the words 'twenty-five hundred dollars'.

Page 2, line 17, after the word 'secretary' strike the words 'The Arizona state defense council, and insert in lieu thereof 'The adjutant general'.

Page 2, line 18, after the word 'secretary' strike the words 'from within or without its membership,'.

Page 2, line 2, after the word 'governor' strike the words 'and the adjutant general'.

Page 2, line 3, after the word 'defense' insert the words 'other than military;,'.

Page 2, line 10, after the word 'activities' strike the semi-colon and insert a period and strike the balance of the paragraph being all of subsection 5.

Page 2, line 20, after the word 'salary' strike the word 'of' and in lieu thereof insert 'not exceeding'.

And, as so amended, it do pass.

EDW. V. SHAW,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Judiciary and Appropriations.

"September 25, 1940

Mr. Speaker:

Your Committee on Military Affairs reports that it has had under consideration House Bill No. 12, providing for establishment of home guard of Arizona, and respectfully recommends, that it be amended as follows:

Strike all of section 8 and insert in lieu thereof new section 8 to read 'Sec. 8. In case the governor finds it necessary to call the home guard into active service the provisions concerning the finance as contained in the 1928 revised code of Arizona covering the pay of the national guard shall apply.'

And, as so amended, it do pass.

EDW. V. SHAW,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on Judiciary.

"September 25, 1940

Mr. Speaker:

Your Committee on Labor reports that it has had under consideration House Bill No. 9, making appropriation to attorney general for enforcement of car train limit law, and respectfully recommends, that it do pass.

CHAS. T. FRANCIS,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on Judiciary.

Motion by Mr. Rosenbaum, seconded by Mr. Klein, that the House resolve itself into a Committee of the Whole House for the consideration of the bills on the Calendar. Carried, and at 10:25 a. m., the House resolved itself into a Committee of the Whole House, Mr. Rosenbaum in the chair.

At 11:09 a. m., the Committee of the Whole House rose and submitted the following report:

“Mr. Speaker:

Your Committee of the Whole House respectfully recommends:

That House Concurrent Resolution No. 1 do pass;

That Substitute House Bill No. 2 do pass.

W. G. ROSENBAUM,  
Chairman.”

The report of the Committee of the Whole House was received.

Without objection House Concurrent Resolution No. 1, commending un-American activities committee, was referred to the Committee on Enrolling and Engrossing.

Without objection, Substitute House Bill No. 2, creating the Coronado cuarto-centennial commission, was referred to the Committee on Enrolling and Engrossing.

Without objection, at 11:10 a. m., the House stood at recess, subject to the call of the gavel.

At 11:13 a. m.. Mr. Speaker called the House to order.

Without objection the House referred to the Order of Business, Reports of Standing Committees.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrolling and Engrossing submitted the following report:

“September 25, 1940

Mr. Speaker:

Your Committee on Enrolling and Engrossing reports that it has engrossed House Concurrent Resolution No. 1, commending un-American activities committee.

W. J. RIGHETTI,  
Chairman.”

House Concurrent Resolution No. 1 was placed under the Order of Business, Third Reading of Bills, for today.

#### THIRD READING OF BILLS

HOUSE CONCURRENT RESOLUTION NO. 1, commending un-American activities committee, was read the third time in full and passed the House by the following vote:

Ayes: Bell, Carson, Copp, Cowan, Cummard, Ernst, Flake, Flood, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Hill, Jameson, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McDaniel, McGowan, McRae, O'Neill, Palmer, Penny, Perkins, Righetti, Robles, Rosenbaum, Sharpe, Shaw, Smith, Stauffer, Stone, Thompson, Vidrine, Wade, Wiggins, Wisener, Mr. Speaker—45.

Absent: Batchelder, Curry, McKinney, Reichard, Stanford, Wood—6.

Excused: Wilson—1.

Signed in open session by the Speaker, the clerk was instructed to record the action of the House on the bill and convey it to the Senate.

Without objection the House referred to the Order of Business, Business on the Speaker's Desk.

BUSINESS ON THE SPEAKER'S DESK

A communication from the governor was read in full as follows:

“September 25, 1940

Honorable William Spaid, Speaker  
 Arizona House of Representatives  
 Fourteenth Legislature  
 First Special Session

Dear Mr. Speaker:

It is apparent that my remarks inviting members of the legislature to inspect the various state departments and institutions have been misconstrued, according to an article in the Phoenix morning newspaper.

It was not my intention to ask for an audit unless the members of the legislature deemed it necessary, but I do believe the people of this state are entitled to know the condition of these institutions. I merely invited the members of the legislature to inspect them and to gain first-hand information regarding their conduct under the present management.

The people of this state are very much interested in their state institutions, and there has been so much unjustified adverse publicity that I believe they are now entitled to know the real truth.

The institutions are in excellent shape, and I suggest that the same committee which investigated them two years ago make a return visit and compare conditions with those of two years ago; then, let the people know their findings.

Mr. Forbes told your honorable body that he visited the state hospital unannounced, and he submitted to you his findings. So I appeal to you to send your members, unannounced, any time between now and the first of the year to make a thorough examination, either individually or in groups.

This same invitation I extend to every resident of Arizona. I am proud of the progress these institutions have made, and I am sure the people of the state will be interested to know the real facts brought out by a thorough investigation, after which I am confident

they will hold these institutions in the same high regard I do.

Respectfully submitted,

R. T. JONES,  
Governor."

Placed on file.

Motion by Mr. Rosenbaum, seconded by Mr. Wisener, that the House stand at recess until 2:00 p. m. Carried, and at 11:24 a. m., the House stood at recess.

#### AFTERNOON SESSION

At 2:00 p. m.. the House resumed session, Mr. Speaker presiding.

Without objection the House referred to the Order of Business, Reports of Standing Committees.

#### REPORTS OF STANDING COMMITTEES

Standing committees submitted the following reports:

"September 25, 1940

Mr. Speaker:

Your Committee on Enrolling and Engrossing reports that it has engrossed Substitute House Bill No. 2, creating the Coronado cuarto-centennial commission.

W. J. RIGHETTI,  
Chairman."

Substitute House Bill No. 2 was placed under the Order of Business, Third Reading of Bills, for today.

"September 25, 1940

Mr. Speaker:

Your Committee on Labor reports that it has had under consideration House Bill No. 13, railroad unemployment compensation, and respectfully recommends, that it do pass.

CHAS. T. FRANCIS,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on Judiciary.

"September 25, 1940

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 3, authorizing issuance of tax anticipation bonds, and respectfully recommends, that in the opinion of the committee the bill is constitutional and in proper form.

LORNA LOCKWOOD,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with reports of the Committees on Accounting and Business Methods, and Ways and Means.

“September 25, 1940

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 13, railroad unemployment compensation, and respectfully recommends, that in the opinion of your committee, the bill is constitutional and in proper form.

LORNA LOCKWOOD,  
Chairman.”

Placed on the House Calendar of the Committee of the Whole House, to be considered with report of the Committee on Labor.

“September 25, 1940

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 5, eradication of dourine in horses, and respectfully recommend that it be amended as follows:

In the title strike the word ‘and’.

Strike the period at the end of the title, insert a comma and add the words ‘and making an appropriation therefor.’

And, as so amended, in the opinion of your committee the bill is constitutional and in proper form.

LORNA LOCKWOOD,  
Chairman.”

Placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Livestock and Appropriations.

“September 25, 1940

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 6, old age assistance amendment and respectfully recommends, that it be amended as follows:

Strike the comma at the end of the 2nd line in the title thereof, and add ‘by chapter 61, session laws of 1939, regular session.’

And, as so amended, in the opinion of the committee the bill is constitutional and in proper form.

LORNA LOCKWOOD,  
Chairman.”

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on Ways and Means.

"September 25, 1940

Mr. Speaker:

Your Committee on Rules reports for the consideration of the House, in the order named, the following bills:

House Bills Nos. 13 and 3.

WM. SPAID,  
Chairman."

Placed on the Calendar of the Committee of the Whole House.

#### BILLS AND OTHER BUSINESS FROM THE SENATE

Messages from the Senate by W. J. Graham, its secretary, announcing the following Senate action:

"House Bill No. 8, legislative appropriation, passed by a vote of 19 ayes."

The clerk was instructed to record the action of the Senate, and convey the bill to the governor.

"Senate Bill No. 1, municipal revenue bond act of 1940, passed by a vote of 16 ayes, 3 nays."

Placed under the Order of Business, First Reading of Bills, for today.

Without objection the House referred to the Order of Business, Business on the Speaker's Desk.

#### BUSINESS ON THE SPEAKER'S DESK

A communication from the governor, R. T. Jones, was read, giving notice that he had transmitted to the secretary of state with his approval the following:

House Bill No. 8, legislative appropriation.

#### FIRST READING OF BILLS

The following bills were read the first time by number and title only:

HOUSE JOINT RESOLUTION NO. 1, by Messrs. Cummard and Wiggins of Maricopa. distribution of revised codes.

SENATE BILL NO. 1, An Act, relating to cities and towns, and providing for the issuance of bonds by cities and towns for the financing of water works, and declaring an emergency.

Motion by Mr. Rosenbaum, seconded by Mr. Fritz, that the rules be suspended, an emergency declared, and that House Joint Resolution No. 1 and Senate Bill No. 1 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote of all members elected to the House.

On first reading of House Joint Resolution No. 1 and Senate Bill No. 1, motion by Mr. Rosenbaum, seconded by Mr. Fritz,

that the requirement of the constitution, article IV, section 12, that bills and joint resolutions be read by sections on different days, was dispensed with in the matter of reading House Joint Resolution No. 1 and Senate Bill No. 1, on first reading by a two-thirds vote of all members elected to the House, a case of emergency being declared, and the foregoing bills were read the first time by number and title only.

### SECOND READING OF BILLS

The following bills were read the second time by number and title only:

HOUSE JOINT RESOLUTION NO. 1, by Messrs. Cumnard and Wiggins of Maricopa, distribution of revised codes. Referred to the Committees on Judiciary, and Petitions and Memorials.

SENATE BILL NO. 1, municipal revenue bond act of 1940. Referred to the Committees on Judiciary, and Accounting and Business Methods.

On second reading of House Joint Resolution No. 1 and Senate Bill No. 1, motion by Mr. Rosenbaum, seconded by Mr. Fritz, that the requirement of the constitution, article IV, section 12, that bills and joint resolutions be read by sections on different days, was dispensed with in the matter of reading House Joint Resolution No. 1 and Senate Bill No. 1, on second reading by a two-thirds vote of all members elected to the House, a case of emergency being declared, and the foregoing bills were read the second time by number and title only.

### THIRD READING OF BILLS

SUBSTITUTE HOUSE BILL NO. 2, entitled An Act, relating to Francisco Vasquez de Coronado, and creating the Coronado international monument commission of Arizona, was read the third time in full and passed the House by the following vote:

Ayes: Batchelder, Bell, Carson, Cowan, Cumnard, Ernst, Flake, Flood, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Jameson, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McKinney, McRae, O'Neill, Penny, Perkins, Reichard, Righetti, Robles, Rosenbaum, Sharpe, Shaw, Stauffer, Wiggins, Wisener, Mr. Speaker—38.

Nays: Copp, Hill, McDaniel, McGowan, Palmer, Smith, Stanford, Stone, Thompson, Vidrine, Wade—11.

Absent: Curry, Wood—2.

Excused: Wilson—1.

The following member asked that explanation of his vote on Substitute House Bill No. 2 be spread upon the Journal.

"Mr. Speaker:

I am one of those against too many boards and commissions in our state government, because of the

money they spend and so increase taxes. This bill, however, provides for a commission which will operate at no expense to the state. I, therefore, vote 'aye'.

JACK CUMMARD."

Substitute House Bill No. 2, was signed in open session by the Speaker, the clerk was instructed to record the action of the House on the bill and convey it to the Senate.

Motion by Mr. Rosenbaum, seconded by Mr. Hill, that the House resolve itself into a Committee of the Whole House for the consideration of the bills on the Calendar. Carried, and at 2:25 p. m., the House resolved itself into a Committee of the Whole House, Mr. Carson in the chair.

At 2:45 p. m., the Committee of the Whole House rose and submitted the following report:

"Mr. Speaker:

Your Committee of the Whole House respectfully recommends.

That House Bill No. 13 do pass;

That House Bill No. 3 be amended as follows:

At the end of the title insert 'and making an appropriation for expense incurred in carrying out the provisions of this act.'

Page 2, line 47, after 'commissioners' insert 'provided however, such bonds shall not be sold at less than the par value thereof.'

Page 2, between lines 69 and 70 insert new section 10 to read 'Sec. 10. Appropriation. To provide for the expense of printing and issuing the bonds designated under the provisions of this act the sum of two hundred dollars is appropriated to the loan commission.' Renumber other sections to conform. And, as so amended, it do pass.

F. K. CARSON,  
Chairman."

The report of the Committee of the Whole House was received.

Without objection House Bill No. 13, railroad unemployment compensation, was referred to the Committee on Enrolling and Engrossing.

Without objection House Bill No. 3, authorizing issuance of tax anticipation bonds, as amended by the Committee of the Whole House, was referred to the Committee on Enrolling and Engrossing.

Without objection, at 2:46 p. m., the House stood at recess subject to the call of the gavel.

At 3:06 p. m., Mr. Speaker called the House to order.

Without objection, the House referred to the Order of Business, Reports of Standing Committees.

#### REPORTS OF STANDING COMMITTEES

The Committee on Enrolling and Engrossing submitted the following report:

“September 25, 1940

Mr. Speaker:

Your Committee on Enrolling and Engrossing reports that it has engrossed House Bill No. 13, railroad unemployment compensation.

W. J. RIGHETTI,  
Chairman.”

House Bill No. 13 was placed under the Order of Business, Third Reading of Bills, for today.

#### THIRD READING OF BILLS

HOUSE BILL NO. 13, entitled, An Act. relating to unemployment compensation; and amending chapter 13, session laws of 1936, first special session, by adding section 9a, and declaring and emergency, was read the third time in full and passed the House by the following vote:

Ayes: Batchelder, Bell, Carson, Copp, Cowan, Cummard, Ernst, Flake, Flood, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Hill, Jameson, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McDaniel, McGowan, McKinney, McRae, O'Neill, Palmer, Penny, Perkins, Reichard, Righetti, Robl's, Rosenbaum, Sharpe, Shaw, Smith, Stanford, Stauffer, Stone, Thompson, Vidrine, Wade, Wiggins, Wisener, Mr. Speaker—49.

Absent: Curry, Wood—2.

Excused: Wilson—1.

Signed in open session by the Speaker, the clerk was instructed to record the action of the House on the bill and convey it to the Senate.

Motion by Mr. Rosenbaum, seconded by Mr. Hill, that the House stand adjourned until 10:00 a. m., Thursday, September 26, 1940. Carried, and at 3:37 p. m., the House so adjourned.

WM. SPAID,  
Speaker of the House.

ATTEST: LALLAH RUTH,  
Chief Clerk.

## THURSDAY, SEPTEMBER 26

The House met at 10:00 a. m., in conformity with the rules, Mr. Speaker presiding.

Roll call showed the following members present:

Batchelder, Bell, Carson, Copp, Cowan, Cummard, Ernst, Flake, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Hill, Jameson, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McDaniel, McGowan, McKinney, McRae, O'Neill, Palmer, Penny, Perkins, Reichard, Righetti, Robles, Rosenbaum, Sharpe, Shaw, Smith, Stanford, Stone, Thompson, Vidrine, Wade, Wiggins, Wisener, Mr. Speaker—47.

Absent: Curry, Flood, Stauffer, Wood—4.

Excused: Wilson—1.

Father Emmett McLoughlin, chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Wednesday, September 25, 1940, was dispensed with and the Journal of Tuesday, September 24, 1940, was approved.

At 10:28 a. m., the sergeant-at-arms announced that Mr. Stauffer had taken his seat.

### PETITIONS, MEMORIALS AND REMONSTRANCES

House Memorial No. 3, by Messrs. Cummard, Smith, Palmer, Francis, Stanford, and Mrs. McRae of Maricopa, and Mr. Wisener of Yuma, was read in full as follows:

#### HOUSE MEMORIAL NO. 3

To the Congress of the United States of America:

Your memorialist respectfully represents:

The problems of unemployment and social security are two of the most vital economic issues now confronting the people of the state of Arizona, as well as other states of the union.

The United States government has already incurred a large debt in providing a bare subsistence for millions of unemployed persons.

It will be impossible to continue such relief indefinitely without serious injury to the credit of the nation.

The economic problems of unemployment and social security cannot be properly handled by individual states, but are national problems involving the general welfare of the whole nation.

There has been introduced in the present session of congress H. R. 8264, commonly known as the general

welfare bill, which has a direct bearing on said problems, and is now in committee.

Wherefore your memorialist, the House of Representatives of the state of Arizona, respectfully requests:

That H. R. 8264, now pending in the third session of the seventy-sixth congress, be brought out onto the floor for open and full discussion, to the end that the merits of the bill may be considered in open debate.

Motion by Mr. Cummard, seconded by Mr. Rosenbaum, that House Memorial No. 3 be adopted. Carried, and the clerk was instructed to record the action of the House and convey the memorial to the secretary of state.

House Memorial No. 4, by Mr. Wisener of Yuma, was read in full as follows:

#### HOUSE MEMORIAL NO. 4

To Arizona's senators and representative in the Congress, and to the Secretary of War, of the United States of America:

Your memorialist respectfully represents:

The congress has recently enacted legislation providing for the unprecedented expansion of the air forces of the United States.

To utilize efficiently this added air strength, it will be necessary to train large numbers of additional pilots and ground crews. Present facilities for such training are believed to be inadequate, and it will be necessary to establish many additional air bases and training schools.

Throughout Arizona are an abundance of sites admirably suited for such air bases and training schools. Among the many unparalleled advantages afforded by such Arizona sites, the following must be mentioned: ideal for climatic conditions, with nearly three hundred sixty-five clear or almost clear days per year; complete absence of fogs; all-year good flying weather; unexcelled visibility conditions; large areas of level ground, upon which expenditures for clearing and leveling would be negligible; nearness to main transcontinental rail, motor, and air routes; short flying time to the Mexican border and the Pacific coast; intermediate position between air bases in Texas and California; easy accessibility to sources of supply, and many others. Wherefore your memorialist, the House of Representatives of the State of Arizona, prays:

1. That Arizona's senators and representative in the congress of the United States make immediate representations to the proper federal authorities urging the establishment of air bases and training schools for pilots within the state of Arizona.

2. That the secretary of war of the United States investigate the advantages of the many available sites in Arizona for such bases and schools, and order the establishment thereof within this state.

Motion by Mr. Wisener, seconded by Mr. Klein, that House Memorial No. 4 be adopted. Carried, and the clerk was instructed to record the action of the House and convey the memorial to the secretary of state.

#### REPORTS OF STANDING COMMITTEES

Standing committees submitted the following reports:

“September 26, 1940

Mr. Speaker:

Your Committee on Enrolling and Engrossing reports that it has engrossed House Bill No. 3, authorizing issuance of tax anticipation bonds.

W. J. RIGHETTI,  
Chairman.”

House Bill No. 3 was placed under the Order of Business Third Reading of Bills, for today.

“September 26, 1940

Mr. Speaker:

Your Committee on Accounting and Business Methods reports that it has had under consideration Senate Bill No. 1, municipal revenue bond act of 1940, and respectfully recommends, that it do pass.

CECIL A. BELL,  
Chairman.”

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on Judiciary.

“September 26, 1940

Mr. Speaker:

Your Committee on Accounting and Business Methods reports that it has had under consideration House Bill No. 1, relating to food and cotton stamps, and respectfully recommends, that it be returned for the consideration of the House.

CECIL A. BELL,  
Chairman.”

Placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Judiciary, and Agriculture and Irrigation.

“September 26, 1940

Mr. Speaker:

Your Committee on Livestock reports that it has

had under consideration House Bill No. 5, eradication of dourine in horses, and respectfully recommends, that it be amended as follows:

Section 6, clause (b), line 15, after the word 'amount' insert 'in no event in excess of one hundred dollars, as provided in clause (a) of this section,'.

Section 13, line 5, after the word 'of' strike the word 'ten' and insert the word 'five'.

Section 13, line 6, after the word 'dollars' insert ', or as much thereof as may be necessary,'.

And, as so amended, it do pass.

E. L. JAMESON,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on Appropriations.

"September 26, 1940

Mr. Speaker:

Your Committee on Petitions and Memorials reports that it has had under consideration House Joint Resolution No. 1, distribution of revised codes, and respectfully recommends, that it do pass.

HAROLD COPP,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on Judiciary.

"September 26, 1940.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration Senate Bill No. 1, municipal revenue bond act of 1940, and respectfully recommends, that it is constitutional and in proper form.

LORNA LOCKWOOD,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with report of the Committee on Accounting and Business Methods.

"September 26, 1940

Mr. Speaker:

Your Committee on Appropriations reports that it has had under consideration House Bill No. 5, eradication of dourine in horses, and respectfully recommends, that it be amended as follows:

Page 2, Section 13, line 97, of the mimeographed bill, strike the word 'ten' and insert the word 'five'.

And, as so amended, it do pass.

FRANK W. SHARPE, JR.,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with reports of the Committees on Judiciary and Livestock.

"September 26, 1940

Mr. Speaker:

Your Committee on Agriculture and Irrigation reports that it has had under consideration House Bill No. 1, relating to food and cotton stamps, and respectfully recommends:

Majority report: it do not pass.

W. E. STANFORD,  
EDWARD V. SHAW,  
C. T. THOMPSON,  
RAYMOND WIGGINS,  
KIRBY L. VIDRINE,  
J. W. GREENHALGH,  
O. L. McDANIEL,  
WILLIAM WISENER

ROBERT H. FORBES,  
Chairman.

Minority report: returns same for the consideration of the House.

C. S. GOFF."

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on Judiciary.

"September 26, 1940

Mr. Speaker:

Your Committee on Appropriations reports that it has had under consideration House Bill No. 10, making appropriation for national guard, and respectfully recommends, that it be amended as follows:

Page 2, line 1, strike words 'officers and'.

And, as so amended, it do pass.

FRANK W. SHARPE, JR.,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on Judiciary.

"September 26, 1940.

Mr. Speaker:

Your Committee on Rules reports for the consideration of the House, in the order named, the following bills:

House Bill No. 5 and Senate Bill No. 1.

WM. SPAID,  
Chairman."

Placed on the Calendar of the Committee of the Whole House.

### THIRD READING OF BILLS

HOUSE BILL NO. 3, entitled, An Act, relating to public finance, authorizing the issuance of tax anticipation bonds, and making appropriation for expense incurred in carrying out the provisions of this act, was read the third time in full and passed the House by the following vote:

Ayes: Batchelder, Bell, Carson, Copp, Cowan, Cummard, Ernst, Flake, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Hill, Jameson, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McDaniel, McGowan, McKinney, McRae, O'Neill, Palmer, Penny, Perkins, Reichard, Righetti, Robles, Rosenbaum, Sharpe, Shaw, Smith, Stanford, Stauffer, Stone, Thompson, Vidrine, Wade, Wiggins, Wisener, Mr. Speaker—48.

Absent: Curry, Flood, Wood—3.

Excused: Wilson—1.

Signed in open session by the Speaker, the clerk was instructed to record the action of the House on the bill and convey it to the Senate.

Motion by Mr. Rosenbaum, seconded by Mr. Batchelder, that the House resolve itself into a Committee of the Whole House for the consideration of the bills on the Calendar. Carried, and at 10:49 a. m., the House resolved itself into a Committee of the Whole House, Mr. Sharpe in the chair.

At 11:46 a. m., the Committee of the Whole House rose and submitted the following report:

"Mr. Speaker:

Your Committee of the Whole House respectfully recommends:

That House Bill No. 5 be amended as follows:

In the title, after the word 'livestock' strike the word 'and', and at the end of the title insert ', making an appropriation therefor, and declaring an emergency.'

Page 2, line 46, after 'amount' insert 'in no event in excess of one hundred dollars, as provided in clause (a) of this section,'.

Page 2, line 97, strike 'ten' and insert 'five'.  
And, as so amended, it do pass;

That Senate Bill No. 1 do pass.

FRANK W. SHARPE, JR.,  
Chairman."

The report of the Committee of the Whole House was received.

Without objection House Bill No. 5, eradication of dourine in horses, as amended by the Committee of the Whole House, was referred to the Committee on Enrolling and Engrossing.

Without objection Senate Bill No. 1, municipal revenue bond act of 1940, was placed under the Order of Business, Third Reading of Bills, for today.

Motion by Mr. Rosenbaum, seconded by Mr. Fritz, that the House stand at recess until 2:00 p. m. Carried, and at 11:50 a. m., the House stood at recess.

#### AFTERNOON SESSION

At 2:00 p. m., the House resumed session, Mr. Speaker presiding.

At 2:00 p. m., the sergeant-at-arms announced that Mr. Flood had taken his seat.

Without objection the House referred to the Order of Business, Reports of Standing Committees.

#### REPORTS OF STANDING COMMITTEES

Standing committees submitted the following reports:

Mr. Speaker: "September 26, 1940

Your Committee on Enrolling and Engrossing reports that it has engrossed House Bill No. 5, eradication of dourine in horses.

W. J. RIGETTI,  
Chairman."

House Bill No. 5 was placed under the Order of Business, Third Reading of Bills, for today.

Mr. Speaker: "September 26, 1940

Your Committee on Judiciary reports that it has had under consideration House Bill No. 9, appropriation to attorney general for enforcement of car train limit law, and respectfully recommends, that it be amended as follows:

At the end of the title, strike the period, and insert in lieu thereof ', and declaring an emergency.'

And as so amended, the bill is constitutional and in proper form.

LORNA LOCKWOOD,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with reports of the Committees on Appropriations and Labor.

“September 26, 1940

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 10, making appropriation for national guard, and respectfully recommends, that it be amended as follows:

At the end of the title, strike the period, and insert in lieu thereof ', and declaring an emergency.'

Section 1, line 4, strike the words 'adjutant general' and insert in lieu thereof the words 'national guard'.

Section 1, line 10, strike the words 'adjutant general' and insert in lieu thereof the words 'national guard'.

And as so amended, the bill is constitutional and in proper form.

LORNA LOCKWOOD,  
Chairman.”

Placed on the House Calendar of the Committee of the Whole House, to be considered with reports of the Committees on Military Affair and Appropriations.

“September 26, 1940

Mr. Speaker:

Your Committee on Rules reports for the consideration of the House, in the order named, the following bills:

House Bills Nos. 9 and 10.

WM. SPAID,  
Chairman.”

Placed on the Calendar of the Committee of the Whole House.

#### BILLS AND OTHER BUSINESS FROM THE SENATE

Messages from the Senate by W. J. Graham, its secretary, announcing the following Senate action:

“House Concurrent Resolution No. 1, commending un-American activities committee, passed by a vote of 19 ayes.”

The clerk was instructed to record the action of the Senate, and convey the bill to the governor.

“Substitute House Bill No. 2, creating the Coronado quarto-centennial commission, passed by a vote of 19 ayes.”

The clerk was instructed to record the action of the Senate; and convey the bill to the governor.

“House Bill No. 13, railroad unemployment compensation, passed by a vote of 19 ayes, with the following amendment:

In the last line of the title following the figures ‘9a;’ insert ‘and declaring an emergency.’”

The clerk was instructed to record the action of the senate.

Motion by Mr. Rosenbaum, seconded by Mr. Sharpe, that the House concur in the Senate amendments to House Bill No. 13. Carried by the following vote:

Ayes: Batchelder, Bell, Carson, Copp, Cowan, Cummard, Ernst, Flake, Flood, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Hill, Jameson, Klein, Lewis, Lockwood, Mat-tice, Murray, McAleb, McDaniel, McGowan, McRae, O’Neill, Palmer, Penny, Perkins, Reichard, Righetti, Robles, Rosenbaum, Sharpe, Shaw, Smith, Stanford, Stauffer, Stone, Thompson, Vidrine, Wade, Wiggins, Wisener, Mr. Speaker—48.

Absent: Curry, McKinney, Wood—3.

Excused: Wilson—1.

House Bill No. 13 was signed in open session by the Speaker, the clerk was instructed to record the action of the House on the bill, notify the Senate of such action, and convey it to the governor.

#### FIRST READING OF BILLS

The following bill was read the first time by number and title only:

HOUSE BILL NO. 14, by Mr. Smith of Maricopa. An Act, relating to state defense, establishing two regiments of infantry of the state militia, providing for officering the two regiments with both commissioned and non-commissioned officers, providing for enlistment of the privates in such regiments and for conscription of the privates of such regiments, providing when the regiments can be called to active service, and the duties they can perform and are prohibited from performing strike duty when in active service, providing for an adjutant for the militia, prescribing the duties of the adjutant, his bond, his oath of office, his salary, and providing an appropriation for the office and the expenses thereof, and designating a commander-in-chief. Referred to the Committee on Printing.

Motion by Mr. Rosenbaum, seconded by Mr. Sharpe, that the rules be suspended, an emergency declared, and that House Bill No. 14 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote of all members elected to the House.

On first reading of House Bill No. 14, motion by Mr. Rosenbaum, seconded by Mr. Fritz, that the requirement of the constitution, article IV, section 12, that bills and joint resolutions

be read by sections on different days, was dispensed with in the matter of reading House Bill No. 14, on first reading by a two-thirds vote of all members elected to the House, a case of emergency being declared, and the foregoing bill was read the first time by number and title only.

#### SECOND READING OF BILLS

The following bill was read the second time by number and title only:

HOUSE BILL NO. 14. by Mr. Smith of Maricopa, Arizona state militia act. Referred to the Committees on Judiciary, Military Affairs and Appropriations.

On second reading of House Bill No. 14, motion by Mr. Rosenbaum, seconded by Mr. Fritz, that the requirement of the constitution, article IV, section 12, that bills and joint resolutions be read by sections on different days, was dispensed with in the matter of reading House Bill No. 14, on second reading by a two-thirds vote of all members elected to the House, a case of emergency being declared, and the foregoing bill was read the second time by number and title only.

#### READING OF RESOLUTIONS

House Resolution No. 3, by Messrs. Hill and Batchelder of Maricopa, was read in full as follows:

##### HOUSE RESOLUTION NO. 3

WHEREAS, there now exist in Arizona many grave problems which, if not corrected, will lead to a complete breakdown of the tax structure and will prevent the continuance of the business of the state on a sound economic basis; and

WHEREAS, many of these conditions are direct results of present constitutional restrictions and limitations; and

WHEREAS, the people of the state should have an opportunity to express their wishes in the matter of revising the constitution, in order that a more constructive and economical method of conducting the state's business may be devised, and in order that necessary relief from the present crushing tax burden may be secured; therefore

BE IT RESOLVED, by the House of Representatives of the State of Arizona.

It is the belief of this body that the regular session of the fifteenth legislature, in fairness to the people of the state, should submit to the voters, under the power of the referendum, laws providing for the calling of a convention to propose necessary alterations, revisions, and amendments to the constitution of Arizona, as provided by section 2. article XXI, of said constitution.

Without objection House Resolution No. 3 was referred to the Committees on Petitions and Memorials, and Judiciary.

### THIRD READING OF BILLS

HOUSE BILL NO. 5, entitled, An Act, relating to livestock, providing for the eradication of dourine, making an appropriation therefor and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Batchelder, Bell, Carson, Copp, Cowan, Ernst, Flake, Flood, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Hill, Jameson, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McDaniel, McGowan, McRae, O'Neill, Penny, Perkins, Reichard, Righetti, Robles, Rosenbaum, Sharpe, Shaw, Smith, Stauffer, Stone, Thompson, Vidrine, Wade, Wiggins, Mr. Speaker—44.

Nays: Cummard, Palmer, Stanford, Wisener—4.

Absent: Curry, Wood—2.

Excused: McKinney, Wilson—2.

The following member asked that explanation of his vote on House Bill No. 5 be spread upon the Journal.

"Mr. Speaker:

This evidently is an important piece of legislation or it would not have been in the Governor's call. It so happens that there is a more serious problem in social diseases among human beings than a similar condition in horses.

Each month we read in the press of the great number of new cases of gonorrhoea and syphilis in the state. This type of disease usually leading the list in number. It is more important that we do something to protect the human race against such contagion than horses. I am not necessarily against this law, but to emphasize my contention I am voting 'no'.

JACK CUMMARD."

House Bill No. 5 was signed in open session by the Speaker, the clerk was instructed to record the action of the House on the bill and convey it to the Senate.

SENATE BILL NO. 1, entitled, An Act, relating to cities and towns, and providing for the issuance of bonds by cities and towns for the financing of waterworks, and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Batchelder, Bell, Carson, Copp, Cowan, Cummard, Ernst, Flake, Flood, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Jameson, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McDaniel, McGowan, McRae, O'Neill, Palmer, Penny, Reichard, Righetti, Robles, Rosenbaum, Sharpe,

Shaw, Smith, Stanford, Stauffer, Stone, Thompson, Vidrine, Wade, Wiggins, Wisener, Mr. Speaker—46.

Absent: Curry, Wood—2.

Excused: Hill, McKinney, Perkins, Wilson—4.

Signed in open session by the Speaker, the clerk was instructed to record the action of the House on the bill and return it to the Senate.

Without objection the House referred to the Order of Business, Business on the Speaker's Desk.

#### BUSINESS ON THE SPEAKER'S DESK

Communications from the governor, R. T. Jones, were read, giving notice that he had transmitted to the secretary of state with his approval the following:

House Concurrent Resolution No. 1, commending un-American activities committee.

Substitute House Bill No. 2, creating the Coronado cuarto-centennial commission.

Motion by Mr. Rosenbaum, seconded by Mr. Cowan, that the House resolve itself into a Committee of the Whole House for the consideration of the bills on the Calendar. Carried. and at 2:49 p. m., the House resolved itself into a Committee of the Whole House, Mr. Klein in the chair.

At 3:13 p. m., the Committee of the Whole House rose and submitted the following report:

"Mr. Speaker:

Your Committee of the Whole House respectfully recommends:

That House Bill No. 9 be amended as follows:

In the last line of the title, after the word 'Law', strike the period, and insert ', and declaring an emergency.'

And, as so amended, it do pass;

That House Bill No. 10 be amended as follows:

In the last line of the title, after the figures '1940', strike the period and insert ', validating previous expenditures, and declaring an emergency.'

In lines 4 and 11 of the mimeographed bill strike the words 'adjutant general' and insert 'national guard'.

In line 12 of the mimeographed bill strike out the words 'officers and'.

In line 16 of the mimeographed bill, following the word 'amended.' insert 'Any monies heretofore paid and

expended on the approval of the national guard officials for the purpose of military maneuvers outside the state of Arizona is hereby validated.'

And, as so amended. it do pass.

LEONARD KLEIN,  
Chairman."

The report of the Committee of the Whole House was received.

Without objection House Bill No. 9, appropriation to attorney general for enforcement of car train limit law, as amended by the Committee of the Whole House, was referred to the Committee on Enrolling and Engrossing.

Without objection House Bill No. 10, making appropriation for national guard, as amended by the Committee of the Whole House, was referred to the Committee on Enrolling and Engrossing.

Motion by Mr. Rosenbaum, seconded by Mr. Hill, that the House stand adjourned until 10:00 a. m., Friday, September 27, 1940. Carried, and at 3:16 p. m., the House so adjourned.

WM. SPAID,  
Speaker of the House.

ATTEST: LALLAH RUTH,  
Chief Clerk.

**FRIDAY, SEPTEMBER 27**

The House met at 10:00 a. m., in conformity with the rules. Mr. Speaker presiding.

Roll call showed the following members present:

Batchelder, Bell, Carson, Copp, Cowan, Cummard, Ernst, Flake, Flood, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Hill, Jameson, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McDaniel, McGowan, McKinney, McRae, O'Neill, Palmer, Penny, Perkins, Reichard, Righetti, Robles, Rosenbaum, Sharpe, Shaw, Smith, Stanford, Stauffer, Stone, Thompson, Vidrine, Wade, Wiggins, Wisener, Wood, Mr. Speaker—50.

Absent: Curry—1.

Excused: Wilson—1.

Reverend C. B. Holland, chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Thursday, September 26, 1940 was dispensed with and the Journal of Wednesday, September 25, 1940, was approved.

**REPORTS OF STANDING COMMITTEES**

Standing committees submitted the following reports:

“September 27, 1940

Mr. Speaker:

Your Committee on Enrolling and Engrossing reports that it has engrossed the following.

House Bill No. 9, appropriation for attorney general for enforcement of car train limit law.

House Bill No. 10, making appropriation for national guard.

W. J. RIGHETTI,  
Chairman.”

House Bills Nos. 9 and 10 were placed under the Order of Business, Third Reading of Bills, for today.

“September 27, 1940

Mr. Speaker:

Your Committee on Petitions and Memorials reports that it has had under consideration House Memorial No. 1, urging amendment to federal social security act relative to old age assistance, and respectfully recommends:

## JOURNAL OF THE HOUSE

Majority report: it do pass.

CHAS. T. FRANCIS,  
W. R. PALMER,  
H. J. LEWIS,  
HAROLD COPP,  
Chairman.

Minority report: it do not pass.

CHAS. F. WADE."

Placed on the House Calendar of the Committee of the Whole House.

"September 27, 1940

Mr. Speaker:

Your Committee on Petitions and Memorials, reports that it has had under consideration House Memorial No. 2, urging lease of deep-sea port in Mexico, and respectfully returns same for consideration of the House.

HAROLD COPP,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on Judiciary.

"September 27, 1940

Mr. Speaker:

Your Committee on Education reports that it has had under consideration House Bill No. 4, teachers' retirement, and respectfully recommends:

Majority report: it be returned for consideration of the House.

LAURA McRAE,  
W. R. PALMER,  
CLYDE M. STAUFFER,  
J. R. HERON,  
WM. WISENER,  
LORNA E. LOCKWOOD,  
JACK CUMMARD,  
Chairman.

Minority report: it do not pass.

W. B. MATTICE,  
F. K. CARSON,  
R. H. FORBES,  
R. E. PERKINS,  
GEORGE ERNST."

Placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Judiciary and Appropriations.

"September 27, 1940

Mr. Speaker:

Your Committee on Judiciary reports that it has

had under consideration House Memorial No. 2, urging lease of deep-sea port in Mexico, and respectfully recommends, that it is in proper form.

LORNA E. LOCKWOOD,  
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with reports of the Committees on Military Affairs, and Petitions and Memorials.

"September 27, 1940

Mr. Speaker:

Your Committee on Rules reports for the consideration of the House, House Memorial No. 1.

WILLIAM SPAID,  
Chairman."

Placed on the Calendar of the Committee of the Whole House.

#### BUSINESS ON THE SPEAKER'S DESK

A communication from the governor, R. T. Jones, was read giving notice that he had transmitted to the secretary of state with his approval the following:

House Bill No. 13, railroad unemployment compensation.

A telegram from the Arizona Horse Lovers Club urging an appropriation for the eradication of dourine in horses was read. Placed on file.

At 10:18 a. m., the sergeant-at-arms announced that Mr. Curry had taken his seat.

#### THIRD READING OF BILLS

HOUSE BILL NO. 9, entitled, An Act, making an appropriation for the use of the attorney general in defraying costs and expenses of prosecuting or defending any and all suits brought by or against the state of Arizona or any official thereof concerning the enforcement or validity of section 647, revised code of 1928, commonly known as the 70-car train limit law, and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Batchelder, Bell, Carson, Copp, Cowan, Cummard, Curry, Ernst, Flake, Flood, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Hill, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McGowan, McKinney, McRae, O'Neill, Penny, Perkins, Reichard, Righetti, Robles, Rosenbaum, Sharpe, Shaw, Smith, Stanford, Stauffer, Stone, Wade, Wiggins, Wisener, Wood, Mr. Speaker—46.

Nays: McDaniel, Palmer, Thompson, Vidrine—4.

Excused: Jameson, Wilson—2.

The following member asked that explanation of his vote on House Bill No. 9 be spread upon the Journal.

"Mr. Speaker:

The law which is now being defended by the railroad brotherhood and affiliated organizations affects about 2% of the state population. These organizations have huge sums at their disposal created wholly for the purpose of using just as was done in this instance. I don't approve of having 98% of the people of the State pay to defend a lawsuit involving only 2%. I must vote 'no'.

KIRBY VIDRINE."

House Bill No. 9 was signed in open session by the Speaker, the clerk was instructed to record the action of the House on the bill and convey it to the Senate.

HOUSE BILL NO. 10, entitled, An Act, making an appropriation to pay members of the national guard of Arizona for military maneuvers in Louisiana during the summer of 1940, validating previous expenditures, and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Batchelder, Bell, Carson, Copp, Cowan, Cummard, Curry, Ernst, Flake, Flood, Forbes, Francis, Fritz, Goff, Greenhalgh, Hamblin, Hathaway, Heron, Hill, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McDaniel, McGowan, McKinney, McRae, O'Neill, Palmer, Penny, Perkins, Reichard, Righetti, Robles, Rosenbaum, Sharpe, Shaw, Smith, Stanford, Stauffer, Stone, Thompson, Vidrine, Wade, Wiggins, Wisener, Wood, Mr. Speaker—50.

Excused: Jameson, Wilson—2.

The following member asked that explanation of his vote on House Bill No. 10 be spread upon the Journal:

"Mr. Speaker:

The Arizona National Guard was ordered out by the President for maneuvers in Louisiana. The extra cost for holding maneuvers 2,000 miles from our state is expensive. The extra expense incurred must be paid and the payee is the taxpayers of Arizona. The responsibility does not rest upon any public official in this state. It was solely meeting the orders of the commander in chief of the army and navy and land forces of the United States and as such Arizona must appropriate these funds. I vote 'yes'.

KIRBY L. VIDRINE."

House Bill No. 10 was signed in open session by the Speaker, the clerk was instructed to record the action of the House on the bill and convey it to the Senate.

Without objection the House referred to the Order of Business, Business on the Speaker's Desk.

## BUSINESS ON THE SPEAKER'S DESK

A communication from the governor, R. T. Jones, was read in full as follows:

"September 27, 1940

Honorable William Spaid, Speaker  
Arizona House of Representatives  
and members of the  
House of Representatives  
Fourteenth Legislature  
Capitol  
Phoenix

Ladies and Gentlemen:

It has come to my attention that the old age assistance and teachers' retirement bills are still in committee in your honorable body.

As I stated in my opening message, our pioneer men and women are receiving an amount inadequate to cover their needs, especially with winter approaching.

The increased compensation requested in this bill comes in part from the federal government, and only requires legislative action to conform with federal requirements.

It is acknowledged by a great majority of our people that the old folks are justly entitled to this modest increase—immediately.

The teachers' retirement plan, which is based on the principle of joint contribution will involve no noticeable increase in governmental expenditures. It is unfortunate that the exigencies of politics have prevented the teachers from obtaining enactment of the protective provisions of this measure long ago.

Neither you nor I have any assurance that the next legislature will take favorable action on either of these important measures, so I strongly urge their immediate passage at this special session.

Respectfully yours,

R. T. JONES,  
Governor."

Placed on file.

## BILLS AND OTHER BUSINESS FROM THE SENATE

Messages from the Senate by W. J. Graham, its secretary, announcing the following Senate action:

"House Bill No. 3, authorizing issuance of tax anticipation bonds, passed by a vote of 18 ayes, 1 not voting."

The clerk was instructed to record the action of the Senate, and convey the bill to the governor.

"House Bill No. 5, eradication of dourine in horses, passed by a vote of 17 ayes, 1 nay, 1 not voting."

The clerk was instructed to record the action of the Senate, and convey the bill to the governor.

Without objection the House referred to the Order of Business, Business on the Speaker's Desk.

#### BUSINESS ON THE SPEAKER'S DESK

A communication from the governor, R. T. Jones, was read, giving notice that he had transmitted to the secretary of state with his approval the following:

House Bill No. 3, authorizing issuance of tax anticipation bonds.

House Bill No. 5, eradication of dourine in horses.

Motion by Mr. Rosenbaum, seconded by Mr. Sharpe that a committee of three be appointed to notify the Senate that the House was ready to adjourn sine die and wait upon the governor and ask him if he had any further message for the legislature.

At 11:10 a. m., (during House roll call on sine die adjournment), the sergeant-at-arms announced a committee from the Senate, consisting of Senators Dalton, Minotto and Bohlinger, who announced that the Senate was ready to adjourn sine die. Mr. Speaker thanked the committee.

The sine die adjournment motion was carried by the following vote:

Ayes: Batchelder, Bell, Carson, Copp, Cowan, Curry, Ernst, Flake, Flood, Fritz, Goff, Hamblin, Hathaway, Heron, Hill, Jameison, Klein, Lewis, Lockwood, Mattice, Murray, McAleb, McDaniel, McGowan, McKinney, O'Neill, Perkins, Reichard, Righetti, Robles, Rosenbaum, Sharpe, Stauffer, Stone, Thompson, Vidrine, Wade, Wiggins, Wood, Mr. Speaker—40.

Nays: Cumnard, Forbes, Francis, Greenhalgh, McRae, Palmer, Penny, Shaw, Smith, Stanford, Wisener—11.

Excused: Wilson—1.

The following members asked that explanation of their vote on the sine die adjournment motion be spread upon the Journal.

"Mr. Speaker:

As there was not sufficient time to properly prepare and consider the old age assistance bill and the Senate is ready for sine die adjournment and will not give it consideration, I vote for adjournment.

C. M. STAUFFER."

"Mr. Speaker:

I feel that the old age assistance act, which we

have before us under House Bill No. 6, is the most important piece of legislation brought before this special session of the legislature. I feel that we should stay in session for a few more hours in which to consider this bill. The Ways and Means Committee have a public hearing arranged for this morning, and it is only fair that we should consider the merits and demerits of the bill. It will not cost the tax payers any more, as far as the running expense of this body is concerned, to adjourn this afternoon, rather than this morning. We have taken care of the attorney general, the sick horses and the railroad employees, but there seems to be a group which does not wish to take care of our aged pioneers who are so badly in need of assistance at this time. I am not in favor of unnecessarily prolonging this special session, and under the usual conditions I would vote yes, but because of this important old age assistance bill, to allow a maximum of \$40.00 of which Uncle Sam will pay half, I feel we should stay here a few more hours. I find it is necessary for me to vote 'No'.

JACK CUMMARD."

Mr. Speaker appointed members Curry, Reichard and Murray as a committee to notify the Senate and governor that the House was ready to adjourn sine die.

At 11:16 a. m., the committee appointed to notify the Senate that the House was ready to adjourn sine die and wait upon the governor reported that he had no further message for the legislature. Mr. Speaker thanked the committee.

Mr. O'Neill of Pima county, rose to a point of personal privilege and stated that he wished to bequeath to Mr. W. G. Rosenbaum of Gila county, the oldest member of the House in point of service, the chair, which was used in the eighth legislature by Speaker A. M. Crawford of Yavapai county and willed by him to Mr. Charles J. McQuillan of Navajo county. Mr. McQuillan, at the close of his legislative service as Speaker pro tempore of the third special session of the eleventh legislature, willed the chair to Mr. E. F. Bohlinger of Santa Cruz county, who in turn, at the close of his legislative service as Speaker of the House of the first special session of the twelfth legislature, willed the chair to Mr. O'Neill. Mr. O'Neill, in bequeathing the chair, stated that he hoped it would be an asset to Mr. Rosenbaum.

Mr. Speaker announced the approval of the minutes of Thursday, September 26, 1940 and Friday, September 27, 1940.

Motion by Mr. Rosenbaum, seconded by Mr. Sharpe, that the House do now adjourn sine die. Carried by unanimous vote, and at 11:23 a. m., September 27, 1940, the first special session of the House of Representatives of the fourteenth legislature of the state of Arizona so adjourned.

WM. SPAID,  
Speaker of the House.

ATTEST: LALLAH RUTH,  
Chief Clerk.



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JOURNAL  
OF THE  
HOUSE OF  
REPRESENTATIVES



FIRST SPECIAL SESSION  
FOURTEENTH LEGISLATURE  
OF THE  
STATE OF ARIZONA  
1940



ALPHABETICAL LIST OF MEMBERS OF THE HOUSE  
OF REPRESENTATIVES  
FOURTEENTH STATE LEGISLATURE  
FIRST SPECIAL SESSION

Representative	County	Home Address
Batchelder, G. A.	Maricopa	222 Indianola Ave., Phoenix
Bell, Cecil A.	Maricopa	702 S. 3rd St., Phoenix
Carson, F. K.	Pima	845 E. 4th, Tucson
Copp, Harold	Gila	Miami
Cowan, Ralph	Cochise	McNeal
Cummard, Jack	Maricopa	Metz Hotel, Mesa
Curry, M. E.	Maricopa	520 Mill Ave., Tempe
Ernst, George	Pinal	Ray
Flake, Marshall H.	Navajo	Snowflake
Flood, Elliott	Yavapai	Jerome
Forbes, R. H.	Pima	105 Olive Rd., Tucson
Francis, Chas. T.	Maricopa	1245 E. Diamond St., Phoenix
Fritz, Fred J.	Greenlee	Clifton
Goff, C. S.	Pinal	Casa Grande
Greenhalgh, J. W.	Graham	Safford
Hamblin, G. Oscar	Apache	Alpine
Hathaway, W. H.	Santa Cruz	Nogales
Heron, James R.	Gila	Globe
Hill, Raymond S.	Maricopa	25th & Libby, Phoenix
Jameson, E. L.	Mohave	Kingman
Klein, Leonard	Yavapai	Clarkdale
Lewis, H. J.	Cochise	Douglas
Lockwood, Lorna E.	Maricopa	84 W. Cypress, Phoenix
Mattice, W. B.	Graham	Pima
Murray, O. L.	Navajo	Winslow
McAleb, E. B.	Cochise	Willcox
McDaniel, O. L.	Maricopa	Camelback Rd. & Lat. 16, Glendale
McGowan, T.	Maricopa	Wickenburg
McKinney, Howard	Cochise	Warren

McRae, Laura .....	Maricopa.....	929 E. Coronado, Phoenix
O'Neill, B. J.....	Pima.....	Ajo
Palmer, W. R.....	Maricopa.....	201 N. 17th St., Phoenix
Penny, D. M.....	Pima.....	90 N. Church St., Tucson
Perkins, R. E.....	Yavapai.....	Prescott
Reichard, Van A.....	Yavapai.....	P. O. Box 1378, Prescott
Righetti, W. J.....	Maricopa.....	910 N. 8th St., Phoenix
Robles, Frank .....	Pima.....	Tucson
Rosenbaum, W. G.....	Gila.....	Hayden
Sharpe, Frank W., Jr.....	Cochise.....	Douglas
Shaw, Edw. V.....	Yuma.....	Yuma
Smith, Marvin E.....	Maricopa.....	715 N. Central Ave., Phoenix
Spaid, Wm. ....	Pima.....	P. O. Box 175, Tucson
Stanford, W. E.....	Maricopa.....	15 N. 17th Ave., Phoenix
Stauffer, Clyde M.....	Coconino.....	Flagstaff
Stone, Warren B.....	Maricopa.....	826 N. 2nd Ave., Phoenix
Thompson, C. T.....	Maricopa.....	Rt. 9, Box 120, Phoenix
Vidrine, Kirby L.....	Maricopa.....	Northern & Romona Rd., Phoenix
Wade, Chas. F.....	Coconino.....	Williams
Wiggins, Raymond.....	Maricopa.....	Chandler
Wilson, Larry B.....	Pima.....	827 S. 6th Ave., Tucson
Wisener, Wm. ....	Yuma.....	Yuma
Wood, R. K.....	Maricopa.....	Tolleson

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- Appropriation, to attorney general for enforcement of car train limit law  
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- Appropriation, legislative  
H. B. 8—by the Committee on Appropriations.
- Appropriation, to pay national guard  
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"B"

- Bonds, issuance of tax anticipation  
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## "C"

- Congressional general welfare bill, urging consideration of  
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ford, Mrs. McRae of Maricopa, and Mr. Wisener of Yuma.
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H. R. 1—by Messrs. Goff and Ernst of Pinal.
- Deep-sea port, urging leasing of in Mexico  
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- Defense legislation
- Defense council, to establish state  
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quest).
- Home guard, to establish state  
H. B. 12—by the Committee on Military Affairs (by re-  
quest).
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- National guard, making appropriation for pay of  
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quest).
- Dies committee, commending work of  
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## "H"

- Home guard, to establish state  
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- Horses, making appropriation for eradication of dourine in  
H. B. 5—by the Committee on Livestock.

## "L"

- Legislative appropriation  
H. B. 8—by the Committee on Appropriations.

## "M"

- Municipal revenue bond act of 1940  
S. B. 1—by Senator Babbitt of Coconino.

## "N"

National guard, appropriation for pay of  
H. B. 10—by the Committee on Military Affairs (by request).

## "O"

Old age assistance amendment  
H. B. 6—by Messrs. Francis, Cummard, Smith, Stanford, McGowan, Palmer, Mrs. McRae of Maricopa, Messrs. Shaw and Wisener of Yuma.  
(H. B. 7 being identical bill was withdrawn).

Old age assistance, urging amendment to federal social security act relative to  
H. M. 1—by Mr. Wisener of Yuma.

## "R"

Railroad unemployment compensation  
H. B. 13—by Mr. Klein of Yavapai, Mr. Murray of Navajo, Mr. Shaw of Yuma and Mr. Francis of Maricopa.

Revised codes, distribution of  
H. J. R. 1—by Messrs. Cummard and Wiggins of Maricopa.

## "S"

Stamps, food and cotton  
H. B. 1—by Mr. McAleb of Cochise and Mr. Carson of Pima (by request).

State defense council, to establish  
H. B. 11—by the Committee on Military Affairs (by request).

## "T"

Tax anticipation bonds, authorizing issuance of  
H. B. 3—by Mr. Sharpe of Cochise.

Teachers' retirement  
H. B. 4—by Mr. Penny of Pima and Mr. Hill of Maricopa.

Train car limit law, appropriation for enforcement of  
H. B. 9—by the Committee on Labor.

## "U"

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H. C. R. 1—by Messrs. Vidrine and Smith of Maricopa.

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No.	Action of House	Action of Senate	Action of Governor
1	Died in Committee		
2	Died in Committee		
Sub. 2	Passed	Passed	Signed
3	Passed	Passed	Signed
4	Died in Committees.		
5	Passed	Passed	Signed
6	Died in Committee		
7	withdrawn		
8	Passed	Passed	Signed
9	Passed	Died	
10	Passed	Died	
11	Died in Committees		
12	Died in Committee		
13	Passed	Passed, amended	Signed
14	Died in Committees		

## HOUSE RECORD OF HOUSE BILLS

## Introduced by members

Hamblin, G. Oscar—H. R. No. 2.

Klein, Leonard—H. B. No. 2 and Sub. H. B. No. 2.

Sharpe, Frank W., Jr.—H. B. No. 13.

Wisener, Wm.—H. M. Nos. 1. 2 and 4.

## Bills introduced jointly by members

Cummard and Wiggins of Maricopa—H. J. R. No. 1.

Cummard, Smith, Palmer, Francis, Stanford, McRae of Maricopa,  
Wisener of Yuma—H. M. No. 3.

Francis, Cummard, Smith, Stanford, McGowan, Palmer, McRae of  
Maricopa, Shaw and Wisener of Yuma—H. B. No. 6.

Goff and Ernst of Pinal—H. R. No. 1.

Hill and Batchelder of Maricopa—H. R. No. 3.

Klein of Yavapai, Murray of Navajo, Shaw of Yuma and Francis  
of Maricopa—H. B. No. 13.

McAleb of Cochise and Carson of Pima (by request)—H. B. No. 1.

Penny of Pima and Hill of Maricopa—H. B. No. 4.

Vidrine and Smith of Maricopa—H. C. R. No. 1.

Bills introduced by committees

- Committee on Appropriations—H. B. No. 8.
- Committee on Labor—H. B. No. 9.
- Committee on Livestock—H. B. No. 5.
- Committee on Military Affairs (by request)—H. B. Nos. 10, 11 and 12.

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HOUSE ACTION

Total number of House Bills introduced.....	14	
Total number of substitute House Bills introduced	1	
Number of House Bills passed House and trans-		
mitted to the Senate.....	7	
Number of House Bills died in committees.....	7	
Number of House Bills withdrawn.....	1	
		15    15

SENATE ACTION

Total number of House Bills transmitted to the		
Senate .....	7	
Number of House Bills passed by the Senate....	5	
Number of House Bills died in the Senate.....	2	
		7    7

GOVERNOR'S ACTION

Total number of House Bills transmitted to the		
Governor .....	5	
Number of House Bills signed by the Governor	5	

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HOUSE RECORD OF HOUSE BILLS

HOUSE BILL NO. 1, by Mr. McAleb of Cochise and Mr. Carson of Pima (by request), relating to food and cotton stamps.

First Reading .....	21
Second Reading, referred to Committees on Accounting and Business Methods, Agriculture and Irrigation, and Judiciary .....	28
Report of the Committee on Accounting and Business Methods .....	48
Report of the Committee on Agriculture and Irrigation....	50
Died in committee.	

HOUSE BILL NO. 2, by Mr. Klein of Yavapai (by request),  
creating Coronado cuarto-centennial commission.

First Reading .....	21
Second Reading, referred to Committee on Judiciary.....	28
Died in committee.	

SUBSTITUTE HOUSE BILL NO. 2. by Mr. Klein of Yavapai  
(by request), creating the Coronado cuarto-centennial  
commission. (Chapter 2, Laws 1940, 1st Special Session).

First Reading .....	34
Second Reading .....	35
Report of the Committee of the Whole House.....	38
Report of the Committee on Enrolling and Engrossing.....	40
Third Reading, passed .....	43, 44
Passed the Senate .....	53
Transmitted to the Governor.....	54
Signed by the Governor.....	57
Senate Action: Received (S. J. 33); First Reading (S. J. 33); Second Reading (S. J. 35); Third Reading, pass- ed (S. J. 37); Signed by the president (S. J. 37).	

HOUSE BILL NO. 3, by Mr. Sharpe of Cochise, authorizing  
issuance of tax anticipation bonds. (Chapter 5, Laws 1940,  
1st Special Session).

First Reading .....	21
Second Reading, referred to Committees on Judiciary, Ac- counting and Business Methods, and Ways and Means	28
Report of the Committee on Accounting and Business Methods .....	32
Report of the Committee on Ways and Means.....	33
Report of the Committee on Judiciary.....	40
Report of the Committee on Rules.....	42
Report of the Committee of the Whole House.....	44
Report of the Committee on Enrolling and Engrossing.....	43
Third Reading, passed .....	51
Passed the Senate .....	63
Transmitted to the Governor .....	63
Signed by the Governor .....	64
Senate Action: Received (S. J. 46); First Reading (S. J. 46); Second Reading (S. J. 46, 47); Third Reading, passed (S. J. 47); Signed by the president (S. J. 47).	

HOUSE BILL NO. 4, by Mr. Penny of Pima and Mr. Hill of  
Maricopa, teachers' retirement.

First Reading .....	27
Second Reading, referred to Committees on Education, Judiciary and Appropriations .....	28
Report of the Committee on Education.....	60
Died in committees.	

HOUSE BILL NO. 5. by the Committee on Livestock, eradica-  
tion of dourine in horses. (Chapter 6, Laws 1940, 1st  
Special Session).

First Reading .....	27
Second Reading, referred to Committees on Livestock. Ap- propriations, and Judiciary .....	28
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Report of the Committee on Enrolling and Engrossing.....	52
Third Reading, passed .....	56
Passed the Senate .....	64
Transmitted to the Governor.....	64
Signed by the Governor.....	64
Senate Action: Received (S. J. 45, 46); First Reading (S. J. 46); Second Reading (S. J. 46); Third Reading, pass- ed (S. J. 47); Signed by the president (S. J. 47).	
 HOUSE BILL NO. 6, by Messrs. Francis. Cumnard, Smith, Stan- ford, McGowan, Palmer, Mrs. McRae of Maricopa, Messrs. Shaw and Wisener of Yuma, old age assistance amend- ment.	
First Reading .....	27
Second Reading, referred to Committees on Judiciary, and Ways and Means .....	28
Report of the Committee on Judiciary.....	41
Died in committee.	
 HOUSE BILL NO. 7, by Messrs. Smith, Stanford, McGowan, Palmer, Cumnard, Mrs. McRae of Maricopa, Messrs. Shaw and Wisener of Yuma, old age assistance amendment.	
First Reading .....	27
Withdrawn and introducers added to House Bill No. 6, as bills are identical.	
 HOUSE BILL NO. 8, by the Committee on Appropriations, legis- lative appropriation. (Chapter 1, Laws 1940, 1st Special Session).	
First Reading .....	27
Second Reading .....	28
Third Reading, passed .....	29
Passed the Senate .....	42
Transmitted to the Governor .....	42
Signed by the Governor.....	42
Senate Action: Received (S. J. 26); First Reading (S. J. 28); Second Reading (S. J. 29); Third Reading, pass- ed (S. J. 30); Signed by the president (S. J. 30).	
 HOUSE BILL NO. 9, by the Committee on Labor, appropriation to attorney general for enforcement of car train limit law.	
First Reading .....	30
Second Reading, referred to Committees on Judiciary, Ap- propriations, and Labor .....	31
Report of the Committee on Appropriations.....	33, 34

Report of the Committee on Labor.....	37
Report of the Committee on Judiciary.....	52
Report of the Committee on Rules.....	53
Report of the Committee of the Whole House.....	57, 58
Report of the Committee on Enrolling and Engrossing.....	59
Third Reading, passed .....	61, 62
Died in the Senate.	
Senate Action: House transmitted the passed bill to the Senate, but House message was never read before the Senate, therefore received no Senate action.	
 HOUSE BILL NO. 10, by the Committee on Military Affairs (by request), making appropriation for national guard.	
First Reading .....	34
Second Reading, referred to Committees on Military Affairs, Appropriations, and Judiciary .....	35
Report of the Committee on Military Affairs.....	36
Report of the Committee on Appropriations.....	50
Report of the Committee on Judiciary.....	53
Report of the Committee on Rules .....	53
Report of the Committee of the Whole House.....	57, 58
Report of the Committee on Enrolling and Engrossing.....	59
Third Reading, passed .....	62
Died in the Senate.	
Senate Action: House transmitted the passed bill to the Senate, but House message was never read before the Senate, therefore received no Senate action.	
 HOUSE BILL NO. 11, by the Committee on Military Affairs (by request), relating to Arizona state defense council.	
First Reading .....	34
Second Reading, referred to Committees on Military Affairs, Judiciary, and Appropriations .....	35
Report of the Committee on Military Affairs.....	36, 37
Died in committees.	
 HOUSE BILL NO. 12, by the Committee on Military Affairs (by request), providing for establishment of home guard of Arizona.	
First Reading .....	34
Second Reading, referred to Committees on Judiciary, and Military Affairs .....	35
Report of the Committee on Military Affairs.....	37
Died in committee.	
 HOUSE BILL NO. 13, by Mr. Klein of Yavapai, Mr. Murray of Navajo, Mr. Shaw of Yuma, and Mr. Francis of Maricopa, railroad unemployment compensation. (Chapter 3, Laws 1940, 1st Special Session).	
First Reading .....	34
Second Reading, referred to Committees on Judiciary, and Labor .....	35
Report of the Committee on Labor.....	40

Report of the Committee on Judiciary.....	41
Report of the Committee on Rules.....	42
Report of the Committee of the Whole House.....	44
Report of the Committee on Enrolling and Engrossing.....	45
Third Reading, passed .....	45
Passed the Senate, amended .....	54
House concurred in Senate amendments .....	54
Transmitted to the Governor .....	54
Signed by the Governor .....	61
Senate Action: Received (S. J. 33); First Reading (S. J. 33); Second Reading (S. J. 36); amended (S. J. 36); Referred to Enrolling and Engrossing Committee (S. J. 36); Enrolling and Engrossing reported (S. J. 37); Third Reading, passed (S. J. 37, 38); Signed by the president (S. J. 38).	

HOUSE BILL NO. 14, by Mr. Smith of Maricopa, Arizona state militia act.

First Reading .....	54
Second Reading, referred to Committees on Judiciary, Military Affairs, and Appropriations.....	55
Died in committees.	

RESUME OF HOUSE RESOLUTIONS, CONCURRENT RESOLUTIONS, JOINT RESOLUTIONS, AND MEMORIALS

RESOLUTIONS:

Total number introduced .....		3
Adopted by the House.....	2	
Died in committee .....	1	
	<u>3</u>	<u>3</u>

CONCURRENT RESOLUTIONS:

Total number introduced .....	1	
Passed by the House.....	1	
Passed by the Senate.....		1
Signed by the Governor.....		1

JOINT RESOLUTIONS.

Total number introduced .....		1
Died in committee .....	1	

MEMORIALS:

Total number introduced .....		4
Adopted by the House.....	2	

Died on the House Calendar.....	2		
		<u>4</u>	<u>4</u>

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#### HOUSE RECORD OF HOUSE RESOLUTIONS

HOUSE RESOLUTION NO. 1, by Messrs. Goff and Ernst of Final in memory of W. E. Mullen. Introduced and adopted .....	22
HOUSE RESOLUTION NO. 2. by Mr. Hamblin of Apache. in memory of Jacob Hamblin. Introduced and adopted .....	31
HOUSE RESOLUTION NO. 3, by Messrs. Hill and Batchelder of Maricopa, urging constitutional convention. Introduced and referred to Committees on Judiciary, and Petitions and Memorials .....	55, 56
Died in committees.	

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#### HOUSE RECORD OF HOUSE CONCURRENT RESOLUTIONS

HOUSE CONCURRENT RESOLUTION NO. 1, by Messrs. Vidrine and Smith of Maricopa, commending un-American activi- ties committee.	
First Reading .....	21
Second Reading, referred to Committees on Petitions and Memorials, Judiciary, and Military Affairs.....	23
Report of the Committee on Judiciary.....	30
Report of the Committee on Military Affairs.....	33
Report of the Committee on Petitions and Memorials.....	33
Report of the Committee on Rules.....	34
Report of the Committee of the Whole House.....	33
Report of the Committee on Enrolling and Engrossing.....	38
Third Reading, passed .....	38, 39
Passed the Senate .....	53
Transmitted to the Governor.....	53
Signed by the Governor.....	57
Senate Action: Received (S. J. 32); First Reading (S. J. 33; Second Reading (S. J. 35; Third Reading, pass- ed (S. J. 37); Signed by the president (S. J. 37).	

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#### HOUSE RECORD OF HOUSE JOINT RESOLUTIONS

HOUSE JOINT RESOLUTION NO. 1, by Messrs. Cummard and Wiggins of Maricopa, distribution of revised codes.	
First Reading .....	42
Second Reading, referred to Committees on Judiciary, and Petitions and Memorials .....	43

Report of the Committee on Petitions and Memorials..... 49  
 Died in committee.

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HOUSE RECORD OF HOUSE MEMORIALS

HOUSE MEMORIAL NO. 1. by Mr. Wisener of Yuma, urging amendment to federal social security act relative to old age assistance.

Introduced, and referred to Committee on Petitions and Memorials ..... 23, 24  
 Report of the Committee on Petitions and Memorials...59, 60  
 Report of the Committee on Rules..... 61  
 Died on the Calendar.

HOUSE MEMORIAL NO. 2. by Mr. Wisener of Yuma, urging lease of deep-sea port in Mexico.

Introduced, and referred to Committees on Judiciary, Petitions and Memorials, and Military Affairs.....24, 25, 26  
 Report of the Committee on Military Affairs..... 33  
 Report of the Committee on Petitions and Memorials..... 60  
 Report of the Committee on Judiciary.....60, 61  
 Died on the House Calendar.

HOUSE MEMORIAL NO. 3. by Messrs. Cummard, Smith, Palmer, Francis. Stanford. Mrs. McRae of Maricopa, and Mr. Wisener of Yuma, relating to congressional general welfare bill.

Introduced, and adopted .....46, 47

HOUSE MEMORIAL NO. 4. by Mr. Wisener of Yuma, urging establishment of Arizona air bases and pilot training schools.

Introduced, and adopted .....47, 48

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RESUME OF SENATE BILLS

Total number received from the Senate..... 1  
 Passed by the House..... 1  
 Signed by the Governor..... 1

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HOUSE RECORD OF SENATE BILLS

SENATE BILL NO. 1, by Senator Babbitt of Coconino, municipi-

pal revenue bond act of 1940. (Chapter 4, Laws 1940. 1st Special Session).

Received from the Senate.....	42
First Reading .....	42
Second Reading, referred to Committees on Judiciary, and Accounting and Business Methods.....	43
Report of the Committee on Accounting and Business Methods .....	48
Report of the Committee on Judiciary.....	49
Report of the Committee on Rules.....	51
Report of the Committee of the Whole House.....	51, 52
Third Reading, passed .....	56, 57
Signed by the Governor.	