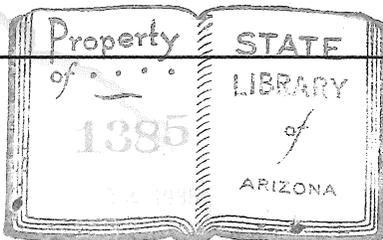


JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES



THIRD SPECIAL SESSION
ELEVENTH LEGISLATURE
OF THE
STATE OF ARIZONA
1934

SESSION CONVENED—NOVEMBER TWENTY-SIX
SESSION ADJOURNED—SINE DIE AT TEN FORTY-EIGHT A. M.,
DECEMBER FOURTEENTH
NINETEEN HUNDRED THIRTY-FOUR



OFFICERS OF THE HOUSE OF REPRESENTATIVES OF THE
THIRD SPECIAL SESSION OF THE ELEVENTH LEG-
ISLATURE OF THE STATE OF ARIZONA

W. G. ROSENBAUMSpeaker
LALLAH RUTHChief Clerk
HENRY HILBERSSergeant-at-Arms
REV. THOS C. HARRISChaplain

MEMBERS OF THE HOUSE OF REPRESENTATIVES
OF THE ELEVENTH LEGISLATURE, THIRD SPECIAL SESSION,
OF THE STATE OF ARIZONA

Apache County	✓ Fred T. Colter	D	Colter
Cochise County	✓ W. E. Oxsheer	D	Bisbee
Cochise County	✓ Mrs. J. E. Bevan	D	Bisbee
Cochise County	✓ Martin L. Armstrong	D	Warren
Cochise County	✓ I. B. Ward	D	Douglas
Cochise County	✓ E. F. Vickers	D	Douglas
Cochise County	✓ Joseph N. Curtis, Jr.	D	St. David
Cochise County	✓ Vernon G. Davis	D	Willcox
Cocconino County	✓ James E. Babbitt	D	Flagstaff
Cocconino County	✓ L. S. Williams	D	Williams
Gila County	✓ Elizabeth Kelley	D	Miami
Gila County	✓ James R. Heron	D	Globe
Gila County	✓ Howard Sprouse	D	Claypool
Gila County	✓ Walter J. Randall	D	Pine
Gila County	✓ W. G. Rosenbaum	D	Hayden
Graham County	✓ Jesse A. Udall	R	Thatcher
Graham County	✓ Fred Webb	D	Pima
Greenlee County	✓ W. T. Witt	D	Clifton
Greenlee County	✓ W. J. Williams	D	Morenci
Maricopa County	✓ J. Melvin Goodson	D	Phoenix
Maricopa County	✓ Bert C. Armstrong	D	Phoenix
Maricopa County	✓ Bridgie M. Porter	D	Phoenix
Maricopa County	✓ G. L. Christian	D	Phoenix
Maricopa County	✓ M. V. Decker	D	Phoenix
Maricopa County	✓ James B. Sayers	D	Phoenix
Maricopa County	✓ E. R. Pryor	D	Phoenix
Maricopa County	✓ Geo. A. Johnson	D	Mesa
Maricopa County	✓ Jas. E. DeSouza	D	Chandler
Maricopa County	✓ Hugh E. Laird	D	Tempe
Maricopa County	✓ W. R. Palmer	D	Phoenix
Maricopa County	✓ J. M. Combs	D	Glendale
Maricopa County	✓ Nat M. Dysart	D	Peoria
Maricopa County	✓ J. C. Wilson	D	Buckeye
Maricopa County	✓ Chas. E. Mincks	D	Phoenix
Maricopa County	✓ Charles E. Jennings	D	Phoenix
Maricopa County	✓ Conner Johnson	D	Phoenix
Maricopa County	✓ Mary Francis	D	Phoenix
Maricopa County	✓ M. G. Pratt	D	Phoenix
Maricopa County	✓ Neri Osborn, Jr.	D	Phoenix
Maricopa County	✓ Walter I. Ettleman	D	Phoenix

Maricopa County	✓ John J. Phillips	D	Phoenix
Maricopa County	✓ L. Alton Riggs	D	Mesa
Mohave County	✓ Joseph M. Peggs	D	Kingman
Navajo County	✓ T. C. Hoyt	R	Snowflake
Navajo County	✓ Charles J. McQuillan	R	Winslow
Pima County	✓ Fern Priser	D	Tucson
Pima County	✓ John H. Rapp	D	Tucson
Pima County	✓ William Wisdom	D	Tucson
Pima County	✓ John M. Nugent	D	Tucson
Pima County	✓ August Wieden	D	Tucson
Pima County	✓ B. J. O'Neill	D	Ajo
Pima County	✓ Thomas D. Tway	D	Tucson
Pima County	✓ William Spaid	D	Tucson
Pinal County	✓ R. W. Kenworthy	D	Coolidge
Pinal County	✓ Jos. S. Richards	D	Ray
Santa Cruz County	✓ E. F. Bohlinger	D	Patagonia
Yavapai County	✓ J. A. Reichard	D	Prescott
Yavapai County	✓ Harry Mader	D	Jerome
Yavapai County	✓ V. C. Wiggins	R	Clarkdale
Yavapai County	✓ Annie Campbell Jones	D	Prescott
Yavapai County	✓ Ralph A. Lyke	D	Prescott
Yuma County	✓ Nellie T. Bush	D	Parker
Yuma County	✓ Wm. Wisener	D	Yuma
Yuma County	✓ Ray C. Bennett	D	Yuma

HOUSE JOURNAL

ELEVENTH LEGISLATURE
THIRD SPECIAL SESSION
STATE OF ARIZONA

MONDAY, NOVEMBER 26

Pursuant to the proclamation of the Governor, under date of November 19, 1934, the House of Representatives of the Eleventh Legislature, Third Special Session, convened in the House Chambers at the Capitol Building in the city of Phoenix, at 10:00 a. m., Mr. Rosenbaum, Speaker pro tempore presiding.

Roll call showed the following members present:

Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, Decker, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Richards, Riggs, Sayers, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker pro tempore—59.

Absent: Beer, Irvine, Sellers, Surber, Mr. Speaker—5.

Reverend Thomas C. Harris, Chaplain of the House, offered prayer.

The proclamation of the Governor of Arizona, under date of November 19, 1934, calling the Eleventh Legislature into special session, was read as follows:

“PROCLAMATION

CALLING THE ELEVENTH 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, B. B. Moeur, Governor of the State of Arizona, in consideration of these premises, and by virtue of the authority vested in me by this Constitution, do convene the Eleventh Legislature of the State of Arizona into special session, in Phoenix, the Capitol, at ten o'clock a. m., on Monday, the twenty-sixth day of November, 1934, to enact legislation for the following purposes:

I.

To enable the Board of Regents of the University of Arizona, the Arizona State Teachers College at Flagstaff, the Arizona State Teachers College at Tempe, the Arizona State School for the Deaf and Blind to borrow money or accept grants from any Federal agency;

II.

To enable irrigation districts, drainage districts, flood control districts, agricultural improvement districts, electrical districts and power districts to borrow money or receive grants from any Federal agency, for any district purpose;

III.

To enable counties, cities, towns, villages, school districts, high school districts and union high school districts to borrow money and accept grants from any Federal agency for any purpose not prohibited by the Constitution of Arizona;

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Arizona to be affixed.

(SEAL) Done at the Capitol Building, in Phoenix, this 19th day of November, 1934.

B. B. MOEUR,
Governor of Arizona.

ATTEST: JAMES H. KERBY,
Secretary of State.

By AUSTIN S. GRIMES,
Assistant Secretary of State."

Motion by Mr. McQuillan, seconded by Mr. Armstrong of Maricopa, that the Committee on Suffrage and Elections receive and consider the credentials of the new members of the House of Representatives. Carried.

At 10:15 a. m., the House stood at recess, subject to the call of the gavel.

At 10:23 a. m., Mr. Speaker pro tempore called the House to order.

REPORTS OF STANDING COMMITTEES

The Committee on Suffrage and Elections submitted the following report:

“November 26, 1934.

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, Third Special Session, of the Eleventh Legislature, State of Arizona, and the following members are entitled to their seats:

Maricopa County: Mr. James E. DeSouza to succeed Mr. Frank W. Beer (resigned).

Maricopa County: Mr. Neri Osborn, Jr., to succeed Mr. Lewis Irvine (resigned).

Pima County: Mr. Wm. Spaid to succeed Mr. K. K. Surber (resigned).

Pinal County: Mr. Ray Kenworthy to succeed Mr. Geo. Sellers (resigned).

Yavapai County: Mr. V. A. Reichard to succeed Mr. S. A. Spear (resigned).

CHARLES J. McQUILLAN,
Chairman.”

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

Mr. Speaker pro tempore instructed the chairman 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.

At 10:25 a. m., the House stood at recess, subject to the call of the gavel.

At 10:27 a. m., Mr. Speaker pro tempore called the House to order.

At 10:27 a. m., the Acting Sergeant-at-Arms announced a committee from the Senate consisting of Senators McEachren, Houston and Minotto, who notified the House that the Senate was organized and ready for business.

Mr. Speaker pro tempore thanked the committee.

At 10:28 a. m., the House stood at recess subject to the call of the gavel.

At 10:30 a. m., Mr. Speaker pro tempore called the House to order.

The Committee on Suffrage and Elections announced that the new members had been administered the oath of office. Mr. McQuillan, chairman of the Committee, introduced the new members-elect to the House.

BUSINESS ON THE SPEAKER'S DESK

A communication from Mr. S. A. Spear was read in full as follows:

"November 20, 1934.

Mrs. Lallah Ruth,
Chief Clerk,
Eleventh Legislature,
State of Arizona.

My dear Mrs. Ruth:

I herewith present to you to be transmitted to the House when convened in Special Session, November 26th, my resignation as Speaker, House of Representatives, of the Eleventh Legislature.

Very truly yours,

S. A. SPEAR."

Motion by Mr. Sayers, seconded by Mr. Sprouse, that the resignation of Mr. Spear be accepted and that the House extend him a rising vote of thanks for the efficient and impartial manner in which he conducted his office during the Regular and First and Second Special Sessions of the Eleventh Legislature. Carried unanimously.

Motion by Mr. Ettleman, seconded by Mr. Williams of Coconino, that Mr. W. G. Rosenbaum be placed in nomination for Speaker of the House.

At 10:39 a. m., Mr. Speaker pro tempore, called Mr. Sayers to the chair.

Motion by Mr. Rapp, seconded by Mr. Armstrong of Maricopa, that the nominations be closed and that the Speaker be elected by acclamation. Carried by unanimous vote.

A gavel, designed and made by Mr. Robert Silvey of the Arizona State Teachers College, Tempe, Arizona, was presented to Mr. Rosenbaum, Speaker of the House.

At 10:45 a. m., Mr. Rosenbaum, Speaker of the House, took the chair, and expressed his appreciation of the gift and for the honors conferred upon him.

Motion by Mr. McQuillan, seconded by Mr. Conner Johnson, that the rules governing the Regular Session of the Eleventh Legislature be

adopted as the rules of the Third Special Session of the Eleventh Legislature. Carried.

Motion by Mrs. Bush, seconded by Mrs. Porter, that a committee be appointed to notify the Senate that the House was organized and ready for business and to meet with a like committee from the Senate to wait upon the Governor and notify him that the Third Special Session of the Eleventh Legislature was organized and ready to receive any message he might have for them. Carried, and Mr. Speaker appointed members, Bush, Bevan, Francis, Jones, Kelley and Porter as such a committee.

At 10:48 a. m., the House stood at recess, subject to the call of the gavel.

At 10:55 a. m., Mr. Speaker called the House to order.

At 10:57 a. m., the Committee appointed to notify the Senate that the House was organized and ready for business, and to wait upon the Governor and notify him that the Third Special Session of the Eleventh Legislature was organized and ready to receive any message he might have for them, reported that the Governor was ready to deliver his message.

Mr. Speaker thanked and discharged the Committee.

Due to the resignation of the Sergeant-at-Arms, Mr. Thomas Cowperthwaite, Mr. Speaker declared the office vacant.

Motion by Mr. Oxsheer, seconded by Mrs. Bush, that Mr. Henry Hilbers be placed in nomination for Sergeant-at-Arms.

Motion by Mr. Ettleman, seconded by Mr. George A. Johnson, that the nominations be closed and that the Sergeant-at-Arms be elected by acclamation. Carried by unanimous vote.

The message of the Governor to the members of the Third Special Session, of the Eleventh State Legislature, was read in full as follows:

"Ladies and Gentlemen of the Eleventh Legislature:

The calling of this special session was deemed advisable because of the urgent need of the funds involved for employment purposes during these winter months, and I feel that you, individually and collectively, will lend your best efforts to the expeditious enactment of this enabling legislation.

You know as well as I do that Arizona has been and is now confronted with the most serious unemployment problem in its history. Thousands of our citizens are dependent upon emergency relief for the necessities of life. Funds are not available for many needed improvements in state institutions. Our Federal Government is making available funds for these purposes on a highly advantageous basis. Through the enactment of the legislation which is being submitted to you the several educational institutions of our state will be able to avail themselves of these funds and many needed im-

provements will be made possible. Hundreds of our citizens will be taken off relief rolls and restored to gainful employment.

Arizona is becoming more and more dependent on the development of its agricultural resources and every effort must be made to assist in the development of the various irrigation, drainage, flood control and agricultural improvement districts, as well as electrical and power districts. Through legislation submitted to you it will be possible for these districts to scale down and refinance outstanding indebtedness, as well as borrow money for improvement and future development.

The various counties, cities, towns, villages, school districts, etc., will also be enabled to avail themselves of these relief funds.

At this time I wish to thank you for the co-operation you, as members of the Eleventh Legislature, have extended to me and my administration during these two years:

Respectfully submitted,

B. B. MOEUR,
Governor."

Motion by Mrs. Bush, seconded by Mr. Richards, that the Committee on Printing and Clerks be given the same authority to appoint the necessary attaches, as given them in the Regular and First and Second Special Sessions of the Eleventh Legislature. Carried.

Mr. Speaker announced that in the personnel of the Committee on Printing and Clerks, Mr. Tway would act as chairman, Mr. L. S. Williams as vice-chairman, Mr. Wieden would take the place of Mr. Surber, resigned, and Mr. Heron would be added as a new member to fill the place vacated by himself. The personnel of the other Standing Committees would remain the same, new members taking the places held by their predecessors, with the exception of the Committee on Rules, Mr. Wilson taking the place of Mr. Irvine.

Motion by Mr. Ettleman, seconded by Mr. Richards, that the House stand at recess until 2:00 p. m. Carried, and at 11:20 a. m., the House stood at recess.

AFTERNOON SESSION

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

Mr. Speaker announced that due to the resignation of Mr. Tway, Mr. Oxsheer would act as Chairman of the Committee on Appropriations, Mr. Tway serving as Vice Chairman on that Committee.

FIRST READING OF BILLS

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

HOUSE BILL NO. 1, by Mr. Babbitt of Coconino, Messrs. Armstrong and Laird of Maricopa, and Messrs. Rapp, Wisdom and Wieden of Pima, An Act, to constitute and confirm certain educational institutions of the State as separate legal entities; to confer powers upon such educational institutions, including the powers to purchase, construct, better, and equip buildings and to make other improvements to their plants, and for such purposes to borrow money and accept grants from any federal agency; to issue bonds and to provide for the payment of such bonds and interest thereon and to secure such payment; to confer further powers for the making of agreements with the holders of such bonds; to supersede inconsistent provisions of all other laws; and to declare an emergency. Referred to the Committee on Printing.

Motion by Mr. Peggs, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that House Bill No. 1 be placed under the Order of Business, Second Reading of Bills, for today. Lost by the following vote:

Ayes: Armstrong of Maricopa, Babbitt, Bennett, Bohlinger, Bush, DeSouza, Dysart, Ettleman, Goodson, Hoyt, Heron, Johnson, Johnson Kenworthy, Laird, Lyke, Mader, McQuillan, Nugent, O'Neill, Osborn, Oxsheer, Peggs, Pratt, Priser, Rapp, Reichard, Richards, Riggs, Spaid, Tway, Udall, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Witt, Mr. Speaker—42.

Nays: Armstrong of Cochise, Bevan, Christian, Colter, Combs, Curtis, Davis, Decker, Francis, Jennings, Jones, Kelley, Mincks, Palmer, Phillips, Porter, Pryor, Randall, Sayers, Sprouse, Vickers, Wisener—22.

HOUSE BILL NO. 2, by Messrs. Armstrong, Dysart, Ettleman and Phillips of Maricopa, An Act, concerning the construction of public works projects, the acceptance of grants, and the borrowing of money by counties, cities, towns, villages, school districts, high school districts, union high school districts from the United States of America, or any federal agency, and the issuance of bonds to finance such public works projects; and declaring an emergency. Referred to the Committee on Printing.

On first reading of House Bills Nos. 1 and 2, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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 and 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.

Motion by Mr. Ettleman, seconded by Mr. Geo. A. Johnson, that the House stand adjourned until 10:00 a. m., Tuesday, November 27, 1934. Carried, and at 3:18 p. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

TUESDAY, NOVEMBER 27

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

Roll call showed the following members present:

Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Jones, Kelley, Kenworthy, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Sayers, Spaid, Tway, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr Speaker—57.

Absent: Johnson, Johnson, Laird, Osborn, Riggs, Sprouse, Udall—7.

Reverend Thomas C. Harris, Chaplain of the House, offered prayer.

At 10:01 a. m., the Sergeant-at-Arms announced that members Johnson, Johnson, Laird, Osborn, Sprouse, and Udall had taken their seats.

By unanimous consent the reading of the Journal of Monday, November 26, 1934, was dispensed with.

REPORTS OF STANDING COMMITTEES

The Committee on Printing submitted the following report:

“November 27, 1934.

Mr. Speaker:

Your Committee on Printing reports that it has ordered printed House Bills Nos. 1 and 2.

THOS. D. TWAY,
Chairman.”

Placed on file.

FIRST READING OF BILLS

The following bill was read the first time in full:

HOUSE BILL NO. 3, by the Committee on Appropriations, An Act, making an appropriation for the current and contingent expenses of carrying on, conducting and defraying the expenses of the Special Session of the Eleventh Legislature of the State of Arizona; and declaring an emergency.

Motion by Mr. Oxsheer, seconded by Mr. Bennett, that the rules be suspended, an emergency declared, and that House Bill No. 3 be placed under the Order of Business, Second Reading of Bills, for today, and that the bill be not printed. Carried by a two-thirds vote.

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

HOUSE BILL NO. 4, by Messrs. Dysart, Phillips, Ettleman, DeSouza, Wilson, Goodson of Maricopa, Mr. Kenworthy of Pinal and Mr. Bennett of Yuma, (by request), An Act, authorizing irrigation districts, drainage districts, flood control districts, agricultural improvement districts, electrical districts, power districts and other districts as defined herein, to enter into contracts or agreements with the federal government or any officer, agency, corporation or instrumentality thereof; providing for the validation of such contracts heretofore entered into by any such districts and of all proceedings taken in connection therewith; providing for the approval of such contracts or agreements and the issuance of any bonds thereunder by the vote of real property tax payers, and the validation thereof by actions in rem; further providing for the approval of the attorney general of such contracts and of bonds issued thereunder; and declaring an emergency. Referred to the Committee on Printing.

On first reading of House Bill No. 4, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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. 4, 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 bills were read the second time by number and title only:

HOUSE BILL NO. 1, by Mr. Babbitt of Coconino, Messrs. Armstrong and Laird of Maricopa, and Messrs. Rapp, Wisdom and Wieden of Pima, the educational institutions act of 1934. Referred to the Committees on Education, Judiciary, Ways and Means, Appropriations, County and County Affairs, and Public Institutions.

HOUSE BILL NO. 2, by Messrs. Armstrong, Dysart, Ettleman and Phillips of Maricopa, the municipalities public works act of 1934, Referred to the Committees on Judiciary, Ways and Means, Appropriations, and County and County Affairs.

HOUSE BILL NO. 3, by the Committee on Appropriations, legislative appropriation.

Motion by Mr. Oxsheer, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that House Bill No. 3 be placed under the Order of Business, Third Reading of Bills, for today. Carried by a two-thirds vote.

On second reading of House Bills Nos. 1, 2 and 3, motion by Mr. McQuillan, seconded by Mr. Ettleman, that the requirements 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 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. 3, entitled, An Act, making an appropriation for the current and contingent expenses of carrying on, conducting and defraying the expenses of the Special Session of the Eleventh Legislature of the State of Arizona; and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Sayers, Spaid, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—61.

Nays: Decker—1.

Absent: Riggs, Sprouse—2.

Signed in open session by the Speaker, and 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, Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

The Committee on Printing and Clerks submitted the following report:

“November 27, 1934.

Mr. Speaker:

Your Committee on Printing and Clerks reports that it has had under consideration the following names as attaches for the House of Representatives for the Third Special Session of the Eleventh Legislature, and recommends that same be approved:

Chief Clerk	Lallah Ruth
Sergeant-at-Arms	Henry Hilbers
Chaplain	Thomas C. Harris
Assistant Chief Clerk	Ruby Coulter
Head Minute Clerk	Dorothy Reed
Assistant Minute Clerk	Kathryn Gilbert
Enrolling and Engrossing Clerk	E. Kiernan
Head Stenographer	Mary Luckenbach
Speaker's Secretary	Florence Wickizer
Clerk	Jeanne Tovote
Clerk	Frankie Kalunovich
Clerk	Elinor S. Bunton

Clerk	Rivers Jackson
Clerk	Laura Norris
Clerk	Mary L. Johnson
Clerk	Nora McNatt
Clerk	Daunt Merrill
Clerk	Alta George
Clerk	Carrie Mae Archer
Clerk	Miss McCormick
Clerk	Katherine White
Clerk	Virginia Graves
Clerk	Jane Brannin
Clerk	Norma Karibo
Clerk	Pearl Meeks
Clerk	Betty Hubbard
Clerk	Mabelle Graves
Clerk	Ralph Weiland
Clerk	Ethel Wrenn
Clerk	Susanna Holden
Clerk	Nancy Sutherland
Clerk	Mrs. Agnes Kelly
Clerk	Marguerite Cowl
Clerk	Art Parmer
Clerk	Walter Nickols
Clerk	H. F. Edwards
Clerk	W. S. Caudill
Clerk	F. H. Miller
Clerk	Irene Osborne
Clerk	Edna Godbehere
Clerk	Sidney Kartus
Clerk	R. T. Mahon
Clerk	Marven Flake
Clerk	Jake English

THOMAS D. TWAY,
Chairman."

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

At 10:28 a. m., the Sergeant-at-Arms announced that Mr. Riggs had taken his seat.

Motion by Mr. Ettleman, seconded by Mr. Richards, that the House stand at recess until 2:00 p. m. Carried, and at 10:30 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 Printing submitted the following report:

"November 27, 1934.

Mr. Speaker:

Your Committee on Printing reports that it has received from the printer House Bill No. 1.

THOS. D. TWAY,,
Chairman."

Placed on file.

BUSINESS ON THE SPEAKER'S DESK

A communication from Mr. Montgomery, Superintendent of the Phoenix Union High School, inviting the members of the House to a football game at the High School Stadium, Thanksgiving day, was read.

Placed on file.

Motion by Mr. Ettleman, seconded by Mr. Richards, that a vote of thanks be extended to Mr. Montgomery, Superintendent of the Phoenix Union High School, for the invitation to the football game. Carried.

FIRST READING OF BILLS

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

HOUSE JOINT MEMORIAL NO. 1, by members Porter and Sayers of Maricopa, relating to the Townsend old age revolving pension plan. Referred to the Committee on Printing.

HOUSE BILL NO. 5, by Messrs. Armstrong and Jennings of Maricopa, An Act, enabling cities and towns to secure the benefits of the national industrial recovery act, and any acts amendatory thereof and any acts supplemental thereto and revisions thereof, and any further acts of the congress of the United States of America to reduce and relieve unemployment; authorizing cities and towns to construct, acquire, improve, extend, operate and maintain public works projects; prescribing the mode of procedure for and regulating the issuance of bonds to finance such projects, and providing for the payment thereof; authorizing agreements with the holders of such bonds; superseding inconsistent provisions of all other laws; and declaring an emergency. Referred to the Committee on Printing.

HOUSE BILL NO. 6, by Messrs. Jennings and Armstrong of Maricopa, An Act, providing for the construction, acquisition, reconstruction, improvement, betterment, extension, operation and maintenance of revenue-producing undertakings; authorizing and regulating the issuance of bonds by any city or town for financing such revenue-producing undertakings and providing for the payment of such bonds; and declaring an emergency. Referred to the Committee on Printing.

On first reading of House Joint Memorial No. 1, and House Bills Nos. 5 and 6, motion by Mr. McQuillan, seconded by Mr. Ettle-

man, 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 Memorial No. 1 and House Bills Nos. 5 and 6, 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.

Mr. Speaker announced that Mr. Reichard would serve as a member on the Committees on Suffrage and Elections, and Mines and Mining, now vacated by the Speaker.

Motion by Mr. Ettleman, seconded by Mr. Sprouse, that the House stand adjourned until 10:00 a. m. Wednesday, November 28, 1934. Carried, and at 2:15 p. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

WEDNESDAY, NOVEMBER 28

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

Roll call showed the following members present:

Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Curtis, Davis, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Geo. A. Johnson, Jones, Kelley, Kenworthy, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—58.

Absent: Combs, Decker, Conner Johnson, Laird, Porter, Vickers—6.

Reverend Thomas C. Harris, Chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Tuesday, November 27, 1934, was dispensed with and the Journal of Monday, November 26, 1934, was approved.

REPORTS OF STANDING COMMITTEES

The Committee on Printing submitted the following report:

“November 28, 1934.

Mr. Speaker:

Your Committee on Printing reports:

That it has ordered printed House Joint Memorial No. 1, House Bills Nos. 4, 5 and 6.

That it has received from the printer House Bill No. 2.

THOS. D. TWAY,
Chairman."

Placed on file.

BUSINESS ON THE SPEAKER'S DESK

A communication from the Y. M. C. A. of Phoenix, tendering the use of its privileges to the members of the House during the present session, was read. Placed on file.

Motion by Mr. Ettleman, seconded by Mr. Curtis, that a vote of thanks be extended to the Y. M. C. A. of Phoenix, for this courtesy. Carried.

At 10:06 a. m., the Sergeant-at-Arms announced that members Conner Johnson, Laird and Porter had taken their seats.

SECOND READING OF BILLS

The following bill was read the second time in full:

HOUSE JOINT MEMORIAL NO. 1, by members Porter and Sayers of Maricopa, relating to the Townsend old age revolving pension plan. Referred to the Committees on Suffrage and Elections, Petitions and Memorials, and Judiciary.

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

HOUSE BILL NO. 4, by Messrs. Dysart, Phillips, Ettleman, DeSouza, Wilson, Goodson of Maricopa, Mr. Kenworthy of Pinal and Mr. Bennett of Yuma, (by request), the district enabling act of 1934. Referred to the Committees on Agriculture and Irrigation, Judiciary, Appropriations, and Ways and Means.

HOUSE BILL NO. 5, by Messrs. Armstrong and Jennings of Maricopa, cities and towns emergency act of 1934. Referred to the Committees on Reconstruction and Unemployment, Judiciary, Appropriations, Ways and Means, and County and County Affairs.

HOUSE BILL NO. 6, by Messrs. Jennings and Armstrong of Maricopa, the revenue bond act of 1934. Referred to the Committees on Judiciary, County and County Affairs, Ways and Means, and Appropriations.

On second reading of House Bills Nos. 4, 5 and 6, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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 and 6, 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.

Mr. Speaker announced that House Bill No. 2 was also referred to the Committee on Labor.

At 10:20 a. m., the Sergeant-at-Arms announced that Mr. Combs had taken his seat.

Motion by Mr. Wisdom, seconded by Mr. Pryor, that the House stand at recess until 2:00 p. m. Carried, and at 10:50 a. m., the House stood at recess.

AFTERNOON SESSION

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

At 2:01 p. m., the Sergeant-at-Arms announced that Mr. Decker had taken his seat.

Without objection the privileges of the floor were extended to Lieutenant Colonel Neil E. Bailey, former Speaker of the Territorial Legislature.

Without objection the House referred to the Order of Business, Bills and Other Business From the Senate.

BILLS AND OTHER BUSINESS FROM THE SENATE

A message from the Senate, by W. J. Graham, its Secretary, announcing the following Senate action:

“House Bill No. 3, legislative appropriation, passed by a vote of 17 ayes, 2 not voting with the following amendments: Strike out all of Section 5; amend the title by inserting the word ‘Third’ before the words ‘Special Session of the Eleventh Legislature’.”

Motion by Mr. McQuillan, seconded by Mrs. Bush, that the House concur in the Senate amendments to House Bill No. 3. Carried by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Hoyt, Heron, Jennings, Conner Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O’Neill, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Sayers, Spaid, Sprouse, Udall, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wisdom, Wisener, Witt, Mr. Speaker—56.

Absent: Goodson, Geo. A. Johnson, Osborn, Oxsheer, Tway, Vickers, Wilson—7.

Excused: Riggs—1.

House Bill No. 3 was signed in open session by the Speaker, and 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.

Motion by Mr. Ettleman, seconded by Mr. Wisener, that the House stand adjourned until 10:00 a. m., Friday, November 30, 1934. Carried, and at 2:12 p. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

FRIDAY, NOVEMBER 30

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

Roll call showed the following members present:

Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wisdom, Wisener, Witt, Mr. Speaker—63.

Absent: Wilson—1.

Reverend Thomas C. Harris, Chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Wednesday, November 28, 1934, was dispensed with and the Journal of Tuesday, November 27, 1934, was approved.

At 10:05 a. m., the Sergeant-at-Arms announced that Mr. Wilson had taken his seat.

REPORTS OF STANDING COMMITTEES

The Committee on Printing submitted the following report:

“November 30, 1934.

Mr. Speaker:

Your Committee on Printing reports that it has received from the printers House Joint Memorial No. 1 and House Bills Nos. 4 and 6.

THOS. D. TWAY,
Chairman.”

Placed on file.

FIRST READING OF BILLS

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

HOUSE BILL NO. 7, by Messrs. Dysart and Combs of Maricopa, An Act, extending the time for beginning construction under unexpired permits of State Water Commissioner where permittee is applicant for government funds; and declaring an emergency. Referred to the Committee on Printing.

On first reading of House Bill No. 7, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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. 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 bill was read the first time by number and title only.

Motion by Mr. Sayers, seconded by Mrs. Porter, that the rules be suspended, an emergency declared, and that the House resolve itself into a Committee of the Whole House at 9:00 a. m., Monday, December 3, 1934, for the consideration of House Joint Memorial No. 1. Carried by a two-thirds vote.

Motion by Mr. Rapp, seconded by Mr. Ettleman, that the House stand at recess until 1:45 p. m. Carried, and at 10:17 a. m., the House stood at recess.

AFTERNOON SESSION

At 1:45 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:

“November 30, 1934.

Mr. Speaker:

Your Committee on Printing reports that it has ordered printed House Bill No. 7.

THOS. D. TWAY,
Chairman.”

Placed on file.

“November 30, 1934.

Mr. Speaker:

Your Committee on Petitions and Memorials reports that it has had under consideration House Joint Memorial No. 1, relating to the Townsend old age revolving pension plan, and respectfully returns same for consideration of the Committee of the Whole House.

CHAS. E. JENNINGS,
Chairman.”

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

"November 30, 1934.

Mr. Speaker:

Your Committee on Agriculture and Irrigation reports that it has had under consideration House Bill No. 4, the district enabling act of 1934, and respectfully recommends, that it do pass.

NAT M. DYSART,
Chairman."

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

BUSINESS ON THE SPEAKER'S DESK

A communication from the Governor, B. B. Moeur, was read, giving notice that he had transmitted to the Secretary of State with his approval the following:

House Bill No. 3, legislative appropriation.

FIRST READING OF BILLS

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

HOUSE BILL NO. 8, by Messrs. DeSouza, Combs and Dysart of Maricopa, An Act, to amend Section 6, of Chapter 98 of the Session Laws of the regular session of the Tenth Legislature, relating to re-funding bonds; and declaring an emergency. Referred to the Committee on Printing.

Motion by Mr. Dysart, seconded by Mr. Eittleman, that the rules be suspended, an emergency declared, and that House Bill No. 8 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

On first reading of House Bill No. 8, motion by Mr. McQuillan, seconded by Mr. Eittleman, 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. 8, 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. 8, by Messrs. DeSouza, Combs and Dysart of Maricopa, amendment relating to refunding bonds. Referred to the Committees on Judiciary, and Agriculture and Irrigation.

On second reading of House Bill No. 8, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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. 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 bill was read the second time by number and title only.

At 1:57 p. m., the House stood at recess subject to the call of the gavel.

2:02 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

Standing committees submitted the following reports:

“November 30, 1934.

Mr. Speaker:

Your Committee on Suffrage and Elections reports that it has had under consideration House Joint Memorial No. 1, relating to the Townsend old age revolving pension plan, and respectfully recommends that it be amended as follows:

Strike the word ‘joint’ in the title of the bill; in line 40, page 2 of the printed bill, after the word ‘position’, strike the comma and insert a period, and strike the balance of the paragraph reading as follows: ‘and accept this pension in lieu of all other pensions now received from the United States government or other political subdivision thereof’; Strike everything in line 19, page 4, down to and including line 22.

And, as so amended, it be returned for the consideration of the House.

CHARLES J. McQUILLAN,
Chairman.”

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

“November 30, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Joint Memorial No. 1, relating to the Townsend old age revolving pension plan,

and respectfully returns same for consideration of the Committee of the Whole House.

JOHN H. RAPP,
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with the reports of the Committees on Suffrage and Elections, and Petitions and Memorials.

FIRST READING OF BILLS

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

HOUSE CONCURRENT RESOLUTION NO. 1, by Mr. Colter of Apache, urging state legislatures to petition congress relative to Frazier-Lemke agriculture refinancing measure. Referred to the Committee on Printing.

On first reading of House Concurrent Resolution No. 1, motion by Mr. McQuillan, seconded by Mr. Ettlman, 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. Ettlman, seconded by Mr. Nugent, that the House stand adjourned until 10:00 a. m., Saturday, December 1, 1934. Carried, and at 2:10 p. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

SATURDAY, DECEMBER 1

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

Roll call showed the following members present:

Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Curtis, Davis, Decker, DeSouza, Dysart, Ettlman, Francis, Goodson, Hoyt, Heron, Jennings, Conner Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams of Greenlee, Wisdom, Wisener, Witt, Mr. Speaker—59.

—4. Absent: Combs, Geo. A. Johnson, Williams of Coconino, Wilson

Excused: Priser—1.

Reverend Thomas C. Harris, Chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Friday, November 30, 1934, was dispensed with and the Journal of Wednesday, November 28, 1934, was approved.

At 10:05 a. m., the Sergeant-at-Arms announced that Mr. Geo. A. Johnson, and Mr. Williams of Coconino had taken their seats.

REPORTS OF STANDING COMMITTEES

Standing committees submitted the following reports:

“December 1, 1934.

Mr. Speaker:

Your Committee on Printing reports:

That it has ordered printed House Bill No. 8 and House Concurrent Resolution No. 1.

That it has received from the printer House Bill No. 5.

THOS. D. TWAY,
Chairman.”

Placed on file.

“December 1, 1934.

Mr. Speaker:

Your Committee on Ways and Means reports that it has had under consideration House Bill No. 1, the educational institutions act of 1934, and respectfully returns same for consideration of the Committee of the Whole House.

JAS. R. HERON,
Chairman.”

Placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Education, Judiciary, Appropriations, County and County Affairs, and Public Institutions.

“December 1, 1934.

Mr. Speaker:

Your Committee on Ways and Means reports that it has had under consideration House Bill No. 2, the municipalities public works act of 1934, and respectfully

returns same for consideration of the Committee of the Whole House.

JAS. R. HERON,
Chairman."

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

"December 1, 1934.

Mr. Speaker:

Your Committee on Ways and Means reports that it has had under consideration House Bill No. 4, the district enabling act of 1934, and respectfully returns same for consideration of the Committee of the Whole House.

JAS. R. HERON,
Chairman."

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

At 10:12 a. m., the Sergeant-at-Arms announced that Mr. Combs had taken his seat.

"December 1, 1934.

Mr. Speaker:

Your Committee on Rules reports for the consideration of the House, House Joint Memorial No. 1.

CONNER JOHNSON,
Vice-Chairman."

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

FIRST READING OF BILLS

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

HOUSE CONCURRENT RESOLUTION NO. 2, by Mr. Wieden of Pima, constitutional amendment providing for limited exemption from taxation of homes. Referred to the Committee on Printing.

On first reading of House Concurrent Resolution No. 2, motion by Mr. McQuillan, seconded by Mr. Ettlman, 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. 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 bill was 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. 7, by Messrs. Dysart and Combs of Maricopa, permittee application for government funds. Referred to the Committees on Agriculture and Irrigation, and Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 1, by Mr. Colter of Apache, urging state legislatures to petition congress relative to Frazier-Lemke agriculture refinancing measure. Referred to the Committees on Petitions and Memorials, and Judiciary.

On second reading of House Bill No. 7 and House Concurrent Resolution No. 1, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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. 7 and House Concurrent Resolution 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.

READING OF RESOLUTIONS

House Resolution No. 1, by Mr. Colter of Apache, was read in full as follows:

HOUSE RESOLUTION NO. 1

INFORMING THE UNITED STATES TREATY-MAKING POWERS THAT WATERS OF THE COLORADO RIVER SYSTEM HAVE ALREADY BEEN APPROPRIATED IN ARIZONA AND IN THE UNITED STATES OF AMERICA, AND IN SUCH APPROPRIATIONS THE REFLOW WATERS THEREFROM WILL MORE THAN TAKE CARE OF ALL THE LANDS OF THE COLORADO RIVER IN MEXICO.

Whereas, practically all the water and all the drainage basin of the Colorado River system is within and contributed by the United States of America; and,

Whereas, the entire state of Arizona is within the drainage basin of the Colorado River system and depends thereon for its only water supply; and

Whereas, all unappropriated water of the Colorado River system has been appropriated by Fred T. Colter as trustee for and in behalf of the state of Arizona under water filings that were made in 1923 and water rights that were initiated therefor commencing in 1919, on the Glen Canyon Storage Dam and Bridge Canyon Diversion Dam and the Arizona Highline-Verde Canal to irrigate 6,000,000 acres of land in Arizona and to develop 5,000,000 electric horse power, and such other

dams and canal sites on the Colorado River and tributaries which were made thereafter as amendatory filings thereto, to irrigate an additional 1,500,000 acres of land in Arizona; and

Whereas, the state of Arizona and those claiming water under said state and Fred T. Colter, as trustee, has made the above water filings before the Federal Power Commission and the state water commissioner, and has kept up due and reasonable diligence therefor; and

Whereas, most of the lands under said projects have been patented and homesteaded and irrigation districts and proposed irrigation districts have been formed thereunder for the purpose of getting water on said lands; and

Whereas, this method of starting development in the highest reaches of the Colorado River and its tributaries will obtain in the maximum development of the river to get the greatest return of reflow, and that reflow and re-use of water will eventually return to the river and lower lands and provide sufficient water for the 2,000,000 acres of land in Mexico; and

Whereas, the United States supreme court in its recent decision sustained the rights of Arizona and those claiming to appropriate present and future water; and

Whereas, if Arizona would consent to the Santa Fe Compact, Tri-State Compact, or the Boulder Canyon Project Act, or the contract offered by former Secretary of the Interior Wilbur, or the present contract proposed to Secretary of the Interior Harold L. Ickes by the Arizona Colorado River Commission, which contracts are equivalent of the Santa Fe Compact, the waters of Arizona, and the United States, would first and forever go to Mexico and for one acre which would be irrigated in Mexico there would be four acres left dry in the United States of America, leaving Arizona a desert forever; and

Whereas, the state of Arizona by decision of the United States supreme court is not bound by the ruinous Santa Fe Compact as she did not ratify it; and

Whereas, these water filings and water rights have been filed with the Federal Power Commission and the state water commissioner and other officials; and

Whereas, Mexico and its water users and landholders in the delta of the Colorado River in Mexico have been notified by Fred T. Colter, as trustee for Arizona, that he had made these water filings above mentioned and has kept up due and reasonable diligence thereon and that vested and inchoate rights have been obtained thereon and that any water they had put to use, or water for which they attempted to get rights, were protested against and belong to Arizona and the United

States of America, and that any such efforts in Mexico, and would be at their own risk and hazard; and

Whereas, it is essential that the United States and Arizona, in order to protect their water rights, take note of these facts; therefore, be it

Resolved by the House of Representatives of the Third Special Session of the Eleventh Legislature of the State of Arizona that this information be conveyed to our representatives in congress and that they be urged to do all they can in the event of a treaty being made with Mexico to protect Arizona and the nation in their said water rights; and that copies of this resolution be sent to our United States Senators Hayden and Ashurst and our United States Representative Isabella Greenway, and the members of the United States Treaty-making Commission with Mexico, all members of the United States Senate, President Roosevelt of the United States, United States Secretary Hull, United States Attorney General Cummings, Governor Moeur of Arizona, the Arizona Colorado River Commission, and Attorney General La Prade of Arizona.

House Resolution No. 1 was referred to the Committee on Printing.

Mrs. Bush introduced Mr. David J. Marks, member-elect of the House, who was accorded the privileges of the floor.

Mr. Speaker inquired of Mr. Christian his reason for the use of a crutch. Mr. Christian replied that he was merely a lame duck.

At 10:19 a. m., the Sergeant-at-Arms announced that Mr. Wilson had taken his seat.

Motion by Mr. Sayers, seconded by Mrs. Porter, that the House resolve itself into a Committee of the Whole House for the consideration of the bills on the Calendar. Carried, and at 10:20 a. m., the House resolved itself into a Committee of the Whole House, Mr. McQuillan in the chair.

At 10:34 a. m., the Committee of the Whole House rose and submitted the following report:

“Mr. Speaker:

Your Committee of the Whole House reports that it has had under consideration House Joint Memorial No. 1, and respectfully recommends:

That House Joint Memorial No. 1 be amended as follows: page 1, line 13, strike ‘unaccounted’ and insert ‘enormous’; page 2, line 17, strike ‘the Honorable’, and as so amended, and as amended by the Committee on Suffrage and Elections, it do pass.

CHAS. J. McQUILLAN,
Chairman.”

Without objection the report of the Committee of the Whole House was received.

Without objection House Joint Memorial No. 1, relating to the Townsend old age revolving pension plan, as amended by the Committee of the Whole House, and by the Committee on Suffrage and Elections, was referred to the Committee on Enrolling and Engrossing.

Mr. Speaker appointed the lady members of the House as a committee to purchase a floral tribute, and convey the sympathy of the House to the Governor and his family, on the death of his son, the late Dr. John Kelly Moeur.

Motion by Mr. Ettleman, seconded by Mr. Wisener, that the House stand at recess subject to the call of the gavel. Carried, and at 10:45 a. m., the House stood at recess.

At 11:50 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 County and County Affairs submitted the following report:

"December 1, 1934.

Mr. Speaker:

Your Committee on County and County Affairs reports that it has had under consideration House Bill No. 1, the educational institutions act of 1934, and respectfully recommends that the bill be: first, amended to be self-repealing as of July 1, 1935; second, that a clause be inserted to the effect that the maximum obligation should not exceed \$1,720,000; third, that the Committee on Judiciary be respectfully requested to check the bill for any possible violation of the Arizona minimum wage law, and, as so amended, it be returned for the consideration of the House.

V. C. WIGGINS,
Chairman."

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

BILLS AND OTHER BUSINESS FROM THE SENATE

A message from the Senate, by W. J. Graham, its Secretary, announcing the following Senate action:

"Senate Concurrent Resolution No. 1, in memory of Dr. John Kelly Moeur, passed by a vote of 18 ayes, 1 not voting."

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

FIRST READING OF BILLS

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

SENATE CONCURRENT RESOLUTION NO. 1, in memory of Dr. John Kelly Moeur.

Motion by Mr. Udall, seconded by Mr. Sayers, that the rules be suspended, an emergency declared, and that Senate Concurrent Resolution No. 1 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

On first reading of Senate Concurrent Resolution No. 1, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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 Senate 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.

SECOND READING OF BILLS

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

SENATE CONCURRENT RESOLUTION NO. 1, in memory of Dr. John Kelly Moeur.

Motion by Mr. Peggs, seconded by Mr. Geo. A. Johnson, that the rules be suspended, an emergency declared, and that Senate Concurrent Resolution No. 1 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

On second reading of Senate Concurrent Resolution No. 1, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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 Senate Concurrent Resolution 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 bill was read the second time by number and title only.

THIRD READING OF BILLS

SENATE CONCURRENT RESOLUTION NO. 1, in memory of Dr. John Kelly Moeur, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong of Cochise, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Geo. A. Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter,

Pratt, Pryor, Randall, Rapp, Reichard, Richards, Sayers, Spaid, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—58.

Excused: Armstrong of Maricopa, Conner Johnson, Nugent, Priser, Riggs, Sprouse—6.

Mr. McQuillan made the following remarks:

“Mr. Speaker:

I have never had a son, but I think I know how it must feel to lose one. I feel how weak and fruitless must be any words of mine, which should attempt to beguile the bereaved family from the grief of a loss so overwhelming.

But I cannot refrain from tendering them the consolation that may be found in the love and esteem in which he was held by all of us who knew him.

I pray the Heavenly Father may assuage the anguish of their bereavement, and leave them only the cherished memory of the loved and lost, and the solemn pride that must be theirs, to have been the parents of such a good and noble son.”

Senate Concurrent Resolution No. 1 was signed in open session by the Speaker, and the clerk was instructed to record the action of the House on the bill and return it to the Senate.

In memory of the late Dr. John Kelly Moeur, the House stood one minute in silent prayer.

Motion by Mr. Eittleman, seconded by Mr. Geo. A. Johnson, that the House stand adjourned until 10:00 a. m., Monday, December 3, 1934.

Motion by Mr. Udall, seconded by Mr. Babbitt, that the motion by Mr. Eittleman be amended, and that the House stand at recess until 2:00 p. m. Carried, and at 12:12 p. 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 Education submitted the following report:

“December 1, 1934.

Mr. Speaker:

Your Committee on Education reports that it has had under consideration House Bill No. 1, the educational

institutions act of 1934, and respectfully returns same for the consideration of the House.

M. G. PRATT,
Chairman."

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

READING OF RESOLUTIONS

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

HOUSE RESOLUTION NO. 2.

Whereas, the benefits of periods of relaxation, of vacations and outings, to the health of individuals, and particularly of those whose occupations are confining, are generally recognized; and

Whereas, nearby and easily accessible areas, affording relief from the cares of the work-a-day world and an agreeable change of scenery and climate, is a splendid asset to any community; and

Whereas, during the summer months many residents of Salt River Valley and other communities of southern Arizona seek rest and recreation outside the state, because of the difficulty of reaching desirable vacation areas lying close at hand; and

Whereas, these vacationists carry a great deal of money out of the state, which otherwise would remain in the channels of local trade and aid materially to maintain Arizona's prosperity; and

Whereas, the benefits of a vacation and change of scenery and climate are denied to large numbers of southern Arizona's citizens because of the expense attached to going far from home; and

Whereas, just a few miles north of Phoenix, within the boundaries of the Prescott and Tonto national forests, lies a recreational area affording every advantage of climate, scenery, water and camping facilities that the heart could desire, where the residents of Salt river valley and southern Arizona in general could repair during the summer months for rest, recreation, and relief from the heat, without loss of time in travel, and without undue expense, if roads to the district were such as to make the area readily accessible; and

Whereas, this area also contains many deposits of valuable minerals the development of which would be advanced if it were tapped by a modern highway; and

Whereas, the opening of this recreational and mineral area to travel is a matter of statewide interest; now, therefore, be it resolved by the House of Representatives of the State of Arizona:

That it is the sense of this body that the road now leading to the Prescott and the Tonto national forests recreational area, known as the Cave Creek road, should be included within the state highway system, with a view to such improvement and extension whenever the same may be practicable, as will adequately serve the needs of the residents of southern Arizona and other prospective visitors, and promote development of the district; and be it further

Resolved, that the Arizona Highway Department be, and hereby is requested to include the said Cave Creek road within the state highway system, and to take over its maintenance and improvement.

Motion by Mr. Ettleman, seconded by Mr. Peggs, that House Resolution No. 2 be adopted. Lost.

House Resolution No. 3, by Mr. Colter of Apache, was read in full as follows:

HOUSE RESOLUTION NO. 3

INFORMING THE ATTORNEY GENERAL OF ARIZONA THAT A GRAVE CRISIS EXISTS ON THE COLORADO RIVER; THAT THE NEARLY COMPLETE BOULDER DAM WOULD IMPOUND AND EQUATE THE SPRING FLOODS OF SAID RIVER IN 1935 AND UNDER THE SANTA FE COMPACT WOULD RELEASE ARIZONA'S ONLY WATER TO MEXICO, AND HER POWER TO CALIFORNIA POWER SYNDICATES; THAT THIS DISASTER MUST BE PREVENTED BY A SUIT BY THE ATTORNEY GENERAL IN THE UNITED STATES SUPREME COURT, WHICH HAS ALREADY RULED THAT ARIZONA IS NOT BOUND BY THE SANTA FE COMPACT, BOULDER ACT OR BOULDER DAM, AND CAN DIVERT WATER ABOVE BOULDER DAM; THAT SAID SUIT MUST ALLEGE ALL WATER FILINGS, WATER RIGHTS AND PROJECTS OF AND FOR THE STATE OF ARIZONA AND THOSE CLAIMING UNDER IT THROUGHOUT THE STATE, INCLUDING THE COLTER FILINGS FOR ARIZONA WHICH APPROPRIATED AND SAFEGUARDED THE WATERS AND POWER OF THE COLORADO RIVER AND ITS TRIBUTARIES FOR IRRIGATING 6,000,000 ACRES UNDER THE GLEN-BRIDGE-VERDE-HIGHLINE PROJECTS; THAT SAID SUIT MUST ALLEGE ALL EVIDENCE, ACCOUNTS OF DUE AND REASONABLE DILIGENCE, ENGINEERING SURVEYS AND REPORTS, AND OTHER COMPILATIONS OF DATA WHICH ARE UTILIZED BY

THE COURTS IN THE ISSUANCE OF WATER DECREES; AND THAT THE COURTS ALONE CAN ESTABLISH TITLES TO THE USE OF WATER.

1. WHEREAS, a grave national crisis exists on the Colorado River since the nearly completed Boulder Dam would impound and equate the spring floods of said river in 1935, and from this dam Arizona's only water would be regularly released under the Santa Fe Compact to make power for California power syndicates and to irrigate 2,000,000 acres in Mexico owned by California land syndicates, and four acres in Arizona and the United States would be left desert forever for every acre thus irrigated in Mexico; and

2. WHEREAS, this calamity must be prevented by a suit by the Attorney General of Arizona in the supreme court of the United States, which has already ruled that Arizona is not bound by the ruinous Santa Fe Compact, Boulder Act or Boulder Dam, and can divert water above Boulder Dam, which the court allowed to be built for navigation alone and subject to Arizona's present and future water rights; and

3. WHEREAS, such suit must allege all water filings, water rights, and projects of and for the State of Arizona and those claiming under it throughout the state on the Colorado River and its tributaries, Arizona's only water, including the Colter filings for Arizona which appropriated and safeguarded the waters and power of the Colorado River and its tributaries for irrigating 6,000,000 acres under the Glen-Bridge-Verde-Highline Projects, which projects represent maximum beneficial development of the State of Arizona and of the Colorado River for all concerned, including California and Mexico; and

4. WHEREAS, water decrees are issued by the courts solely on the basis of such water filings and water rights and data thereon, such as accounts of due and reasonable diligence, evidence, engineering surveys and reports, etc.; and

5. WHEREAS, the courts alone are always the final avenue for establishing titles to the use of water;

NOW, THEREFORE, BE IT RESOLVED, (1) That the Attorney General should now prepare and file in the Supreme Court of the United States an original suit for the final adjudication of, and alleging, all vested and inchoate water filings, water rights and projects of and for the State of Arizona and those claiming under it throughout Arizona on the Colorado River and its tributaries which drain 93% of this state and are our only water, including the prior and superior combined irrigation and power filings made by Fred T. Colter as trustee for and on behalf of the State of Arizona and water users under the Glen Bridge-Verde-Highline Pro-

jects by which the waters and power of the Colorado River and its tributaries have been appropriated since September 20, 1923, for irrigating 6,000,000 acres in Arizona and manufacturing 5,000,000 electric horsepower combined with this irrigation development for financing it; and (2) that the Attorney General obtain and allege in proper printed form in said suit, as is necessary thereto, all data, surveys, reports, depositions, history of water filings and water rights and reports of due and reasonable diligence exerted in maintenance thereof, and such other reports and compilations as are commonly utilized by courts in the formulation and issuance of water decrees, especially the authorized three-volume report of Fred T. Colter, as such trustee, to the Attorney General of Arizona on April 14, 1933, of due diligence exerted by the State of Arizona and its people and himself as such trustee since statehood and more particularly during the past twelve years toward said water filings, water rights and projects of Arizona; and that (3) the Attorney General request and obtain from said court in this suit a permanent injunction against the carrying out at the Boulder Dam, or any proposed dam or any other structure or works, of the terms of the Colorado River (Santa Fe) Compact, supplemental Tri-State Compact and Boulder Canyon Project Act, or any equivalent thereof by contract or otherwise, which said court has already ruled are not binding upon Arizona as this legislature has refused to ratify said compacts; and (4) that copies of this resolution be sent to the Attorney General of Arizona, the Governor of Arizona, and the Colorado River Commission, to the Governors of California, Colorado, Nevada, New Mexico, Utah and Wyoming, to Secretary of the Interior, Harold L. Ickes, and President Franklin D. Roosevelt.

House Resolution No. 3 was referred to the Committees on Printing, Petitions and Memorials, Judiciary, and Agriculture and Irrigation.

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

HOUSE MEMORIAL NO. 2

TO FRANKLIN D. ROOSEVELT, PRESIDENT OF THE UNITED STATES, COMMENDING THE ADMINISTRATION'S POLICY OF ENDING UNEMPLOYMENT AND RELIEF PROBLEMS THROUGH GREAT PUBLIC WORKS; REQUESTING FAVORABLE ACTION ON THE PWA LOAN APPLICATION OF \$350,000,000 MADE NOVEMBER 10, 1933, FOR CONSTRUCTION OF THE GLEN BRIDGE VERDE HIGHLINE PROJECTS OF ARIZONA; POINTING OUT THAT THESE ARIZONA PROJECTS REPRESENT MAXIMUM BENEFICIAL DEVELOPMENT OF THE STATE OF ARIZONA AND OF ITS ONLY WATERS, THE COLORADO

RIVER, FOR ALL STATES IN THE COLORADO RIVER BASIN, AND THAT THESE PROJECTS ARE PRIOR AND SUPERIOR IN TIME AND RIGHT UNDER THE COLTER FILINGS FOR ARIZONA; AND SHOWING THAT THE COLORADO RIVER (SANTA FE) COMPACT WOULD DESTROY ARIZONA BY DEEDING ITS ONLY WATERS TO MEXICO AND WOULD PREVENT PROPER DEVELOPMENT OF SAID RIVER, AND CRIPPLE THE NATION BY LEAVING 10,000,000 ACRES IN ARIZONA DESERT FOREVER; AND THAT ARIZONA IS NOT BOUND BY THE COLORADO RIVER (SANTA FE) COMPACT, BOULDER CANYON PROJECT ACT OR BOULDER DAM.

1. WHEREAS, this legislature commends the administration's policy of ending unemployment and relief through great public works which will put to work those now on relief rolls, create vast new wealth, and conserve and develop our land, water and power resources upon which the people must subsist, toward which President Franklin D. Roosevelt is now actively directing a planned national program; and

2. WHEREAS, on November 10, 1933, Fred T. Colter as trustee and as president of Glen Bridge Verde Highline Preorganization Irrigation and Power District, made the \$350,000,000 Public Works Administration loan application, now pending in Washington, for construction of the Glen Bridge Verde Highline Projects filed upon by him beginning in 1923 for and on behalf of the State of Arizona and water users under said projects for irrigating 6,000,000 acres and manufacturing 5,000,000 electric horsepower combined with this irrigation development for financing it; and

3. WHEREAS, the Glen Bridge Verde Highline projects are the key upon which hinges the only present and future water supply, the existence, growth and prosperity of the State of Arizona, and proper development of Arizona's only water, the Colorado River, for all concerned, including all the basin states in this country and the Republic of Mexico, and said projects are the richest and most valuable combined reclamation and power projects in the world; and

4. WHEREAS, if it were not for these projects and their prior and superior legal water rights under the Colter filings for Arizona, the spring floods of the Colorado River would be impounded and equated at Boulder Dam in 1935 and from this dam Arizona's only waters would be regularly released under the Colorado River (Santa Fe) Compact to irrigate 2,000,000 acres in Mexico owned by California land syndicates, which would compete with our present agriculture, labor and industry and menace our national defense, and four acres in Arizona would be left desert forever for every acre thus irrigated in Mexico, and Arizona's power would be left to the monopoly of California power syndicates; and

5. WHEREAS, it is, therefore, essential that said Glen-Bridge-Verde Highline filings and projects continue to be maintained with due diligence by the State of Arizona and its people and the United States and by said trustee, Fred T. Colter, and rapidly constructed in order that our waters may first be put to use in Arizona and the United States; and

6. WHEREAS, the semi-arid State of Arizona, youngest in the union, with a population of only half a million, should be aided in its growth to become a strong link in the federal union, which would be impossible if its only waters are deeded to a foreign nation and its power in the Grand Canyon left to the monopoly of California power syndicates under said Colorado River (Santa Fe) Compact, or any equivalent thereof, or any contract subject thereto, such as that certain tentative river contract with Arizona now under consideration by Secretary of the Interior, Harold L. Ickes, or any treaty with Mexico, etc.; and

7. WHEREAS, such a disaster would not only destroy Arizona but also by the loss of 10,000,000 rich irrigated acres in Arizona's subtropical all-year growing climate would cripple the entire nation now suffering from water shortage and faced with the taking from cultivation of millions of acres in the dry farming sections of the middle and northwest which must be returned to grass and trees or become desert; and

8. WHEREAS, at such a time or in any other circumstances in the life of a people at peace or war it would be folly to condemn 10,000,000 acres in Arizona to desert forever and pervert beneficial use and proper development of the Colorado River through said illegal and unprecedented compact; and

9. WHEREAS, under decision of the United States Supreme Court Arizona is not bound by the Colorado River (Santa Fe) Compact, or by the Boulder Act or Dam, and can divert water above Boulder Dam, which the court allowed to be built for navigation alone, and subject to Arizona's present and future water rights;

YOUR MEMORIALIST, the House of Representatives of the Eleventh Legislature of the State of Arizona in special session assembled prays that immediate action be undertaken to grant said \$350,000,000 PWA loan application for construction of the Glen Bridge Verde Highline filings and projects of Arizona, and that construction thereof commence as soon as possible, which will expedite and augment the public works program and national recovery through development of these rich projects, relieve unemployment, and properly develop Arizona and the land, water and power resources of the Colorado River System, Arizona's only water, for all concerned. And Your Memorialist Will Ever Pray.

BE IT RESOLVED, that copies of this memorial be addressed to the Secretary of State, Cordell Hull,

Secretary of War, George H. Dern, and Secretary of the Interior and Public Works Administrator, Harold L. Ickes.

House Memorial No. 2 was referred to the Committees on Printing, Reconstruction and Unemployment, Judiciary, and Petitions and Memorials.

Mr. Speaker announced that House Resolution No. 1 was also referred to the Committees on Petitions and Memorials, Judiciary, and Agriculture and Irrigation.

Motion by Mr. Babbitt, seconded by Mr. Palmer, that the House stand adjourned until 9:00 a. m., Monday, December 3, 1934.

Motion by Mr. Rapp, seconded by Mr. Armstrong of Maricopa, that the motion by Mr. Babbitt be amended, and that the House stand adjourned until 10:00 a. m., Monday, December 3, 1934. Carried, and at 2:20 p. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

MONDAY, DECEMBER 3

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

Roll call showed the following members present:

Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, O'Neill, Oxsheer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Sayers, Spaid, Tway, Udall, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—57.

Absent: Christian, Osborn, Palmer, Sprouse, Vickers—5.

Excused: Nugent, Riggs—2.

Reverend Thomas C. Harris, Chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Saturday, December 1, 1934, was dispensed with and the Journal of Friday, November 30, 1934, was approved.

At 10:06 a. m., the Sergeant-at-Arms announced that members Palmer, Osborn and Sprouse had taken their seats.

JOURNAL OF THE HOUSE

REPORTS OF STANDING COMMITTEES

Standing committees submitted the following reports:

“December 3, 1934.

Mr. Speaker:

Your Committee on Printing reports:

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

That it has received from the printer House Concurrent Resolutions Nos. 1 and 2, House Resolutions Nos. 1 and 3, House Memorial No. 2, and House Bills Nos. 7 and 8.

THOS. D. TWAY,
Chairman.”

Placed on file.

“December 3, 1934.

Mr. Speaker:

Your Committee on Appropriations reports that it has had under consideration House Bill No. 1, the educational institutions act of 1934, and respectfully recommends that it be amended as follows:

Insert following the numeral 4 and before the word ‘the’ in line 37, page 3, the following: ‘Such institutions shall have power and are hereby authorized from time to time to issue negotiable bonds in the aggregate principal amount, respectively: board of regents of the University of Arizona, not exceeding \$1,020,000.: Arizona State Teachers College at Tempe, not exceeding \$670,000.: Arizona State Teachers College at Flagstaff, not exceeding \$450,000.: Arizona State School for the Deaf and Blind, not exceeding \$120,000.’

Insert after the words ‘be controlling’ in line 5, page 10, the following: ‘Except in pursuance of any contract or agreement theretofore entered into by and between any institution and any Federal agency, no institution shall borrow any money or issue any bonds pursuant to the provisions of this act after March 1, 1936.’

And, as so amended, it do pass.

W. E. OXSHEER,
Chairman.”

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

"December 3, 1934.

Mr. Speaker:

Your Committee on Petitions and Memorials reports that it has had under consideration House Concurrent Resolution No. 1, urging State Legislatures to petition Congress relative to Frazier-Lemke agricultural refinancing measure, and respectfully returns same for the consideration of the Committee of the Whole House.

CHAS. E. JENNINGS,
Chairman."

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

BUSINESS ON THE SPEAKER'S DESK

A telegram from the Tucson Townsend Old Age Club, urging the passage of House Memorial No. 1, was read. Placed on file.

At 10:20 a. m., the Sergeant-at-Arms announced that Mr. Christian had taken his seat.

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:

"December 3, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 1, the educational institutions Act of 1934, and has given careful attention to the questions raised and the amendments suggested by the various House members.

The following amendments are submitted for the consideration of the House:

- (1) Section 4, page 3, line 37, insert after the period following the numeral '4' and prior to the word 'the', the following:

'Such institutions shall have power and are hereby authorized from time to time to issue negotiable bonds in aggregate principal amount, respectively: board of regents of the University of Arizona, not exceeding \$1,020,000; Arizona State Teachers College at Tempe, not exceeding \$670,000; Arizona State Teachers College at Flagstaff, not exceeding \$450,000; Arizona State School for the Deaf and Blind, not exceeding \$120,000.'

This amendment places a limitation on the principal amount of bonds the respective institutions may issue pursuant to the authority of this proposed act, the limitation being 25% in excess of programs planned by each institution.

- (2) Section 4, page 4, line 6, strike the comma after the word 'agency' and insert in lieu thereof the word 'and'.
The purpose of this amendment is to improve the wording of Section 4.
- (3) Section 5, subsection I, page 7, line 20, strike all of lines 20, 21, 22, 23 and 24, starting with the words 'which powers' and ending with the words 'private corporation' and insert in lieu thereof the words 'for the protection of the bond holders.'
This amendment places a more definite limit on the powers that might be granted a receiver or receivers in the event of a default than is contained in the original wording of the bill.
- (4) Section 10, page 9, line 15, strike, beginning with the words 'when delivered' to and including the words 'for any cause' in line 23.
The legality of the sentence thereby eliminated from the bill is questionable.
- (5) Section 12, page 10, line 5, after the words 'be controlling' insert the following: 'Except in pursuance of any contract or agreement theretofore entered into by and between any institution and any Federal agency, no institution shall borrow any money or issue any bonds pursuant to the provisions of this Act after March 1, 1936.'

This amendment places a limit upon the period within which the various institutions may avail themselves of the borrowing powers granted in this bill.

Amendments Nos. 1 and 5 have been the subject of consideration by the Appropriation Committee and recommendations relative thereto have been included in the report of that Committee.

Assistant Attorney General, Charles W. Strauss, following a telephone conversation to Washington, has informed your Committee that the amendments set forth above have the approval of the proper PWA officials, and that in the event of the adoption of amendments numbered one and five, that the limit in time in amendment five, be placed not earlier than March 1, 1936, and that the margin above proposed loans contained in amendment 1, be 25% in excess of the contemplated programs.

Your Committee recommends the respective sections of the Bill be titled and appropriate titles will be submitted in a supplemental report.

In the hearing held on the Bill, your Committee was asked whether the bonds proposed to be issued pursuant to the Bill, were it enacted in the law, would contravene Section 5 of Article 9 of the Constitution of the State of Arizona, which Section pertains to limitation on the indebtedness of the State.

In the opinion of your Committee, the issuance of such bonds will not violate this Section of the State Constitution and the indebtedness thereby incurred would not, within the meaning of Section 5, Article 9 of the Constitution be an indebtedness of the State of Arizona. The legal question raised thereby has been the subject of adjudication in the Courts of last resort of certain of the States having constitutional provisions similar to that under discussion in Arizona, and the majority and prevailing opinions support the view of your Committee as expressed above, though our own Supreme Court has never had before it for adjudication the precise legal point involved. The most recent case on this point is that of 'State of Georgia vs. Regents of the University System of Georgia' decided by the Supreme Court of Georgia July 28, 1934, and your Committee has noted that House Bill No. 1 in its construction in many respects, follows that decision.

Your committee was also asked whether or not in creating by special act of legislature the corporate entities set forth in Section 2 of H. B. 1 was it in violation of Section 2 of Article 14 of the Constitution of Arizona.

In the opinion of your Committee, Section two of Article fourteen of the Constitution does not apply to public or quasi-public corporations such as will be created by Section two, H. B. one.

In the opinion of your Committee, with the proposed amendments two, three or four, or with or without amendments one and five, House Bill No. 1, is constitutional and in proper form.

JOHN H. RAPP,
Chairman."

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

SECOND READING OF BILLS

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

HOUSE CONCURRENT RESOLUTION NO. 2, by Mr. Wieden of Pima, constitutional amendment providing for limited exemption from taxation of homes. Referred to the Committees on Efficient Government, Judiciary, and Constitutional Amendments and Referendum.

On second reading of House Concurrent Resolution No. 2, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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. 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 bill was read the second time by number and title only.

READING OF RESOLUTIONS

House Memorial No. 1, by Mrs. Porter and Mr. Sayers of Maricopa, was read in full as follows:

HOUSE MEMORIAL NO. 1.

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

Your memorialist, the House of Representatives of the Eleventh Legislature, of the State of Arizona, in third special session, respectfully represents:

Our nation as a whole and our people as individual units of the nation are suffering from and because of a general paralysis of business, industry and trade. The normal flow of all branches of commerce is obstructed and many marts of trade partially or wholly suspended thus preventing them from rendering their usual services to the public at large and to the people of the United States as individuals.

This stagnation in business, from whatever cause or causes originated, has and still is causing enormous loss, everywhere, equally to concentrated capital engaged in the basic industries of our country and also to the individual citizenry of our nation, carrying with it on the crest of its foremost waves misery, suffering, and want, to those of limited means, who, because of this depression in industry and trade are deprived of the privilege of earning their daily wage, in order that they might relieve the gnawing pangs of hunger or clothe the weakening body against the rigors of winter's chilling blasts.

These deplorable conditions are so wide spread and universal in the extent to which they affect the citizenry of the nation, that it is breeding a dangerous discontent, fostering socialism, instilling the idea of Communism and is wholly destructive of the morale of a large and growing number of people to such an extent as to give the gravest warning and apprehension for the safety of the general government.

It is clearly apparent that so long as the general populace of the nation has no buying power, nor the opportunity to create a buying power, that any effort to stimulate either trade or industry, must of necessity be sporadic in its nature and in the end a failure as has been repeatedly proven.

All efforts, so far in the giving of relief have been either local in character or applied for the relief of certain classes of citizens or to stabilize or stimulate certain trades or industries, and that all like proposals made by financial and industrial leaders and by many members of the Congress of the United States, are of a like character, and as your memorialists fully believe must in the end also fail to meet the nations needs.

Without decrying the potential local or class benefits to be derived from such measures so sponsored, we would call your attention to a measure of proposed legislation which we believe would meet the nations needs and give immediate relief to all who need. The proposed legislation to which reference is made is known as the Townsend Old Age Revolving Pension Plan, which is simple, self-executing, self-liquidating and nation-wide in its application. It does not contemplate any changes in the set up of our government or the establishment of any new departments. We represent the plan to be substantially as follows:

The payment to each citizen of the United States, both men and women, who have led clean law-abiding lives, and shall have attained the age of sixty years, the sum of two hundred dollars (\$200.00) per month, under the express condition that the money so received shall be spent within the calendar month that it is received, and for commodities only. No part of it may be expended for investments of any kind. That the recipient shall retire from a remunerative position.

In support of this constructive plan, we submit the following:

First:—It is a primary duty of all civilized governments to provide its subjects and citizens, with a flexible, liquid, rapid-moving medium of exchange, whose value must be kept fairly constant and whose flow through channels of trade and commerce must be constant and uninterrupted.

Second:—That whenever basic industries unite or individuals combine to disturb the steady flow of this exchange medium or to unreasonably depress its value, it is the duty and a proper function of the national government to place a restraining hand upon their activities so as to restore and preserve its exchange value.

Third:—Available records indicate the following burdens now borne by citizens of the United States, to-wit:—

In 28 states cost and upkeep of poor

houses with 775,000 inmates\$2,500,000,000.00
All forms of relief work\$36,000,000,000.00
Cost of all forms of crime\$18,000,000,000.00
Cost to labor by reason of lower wages	
and loss of time (1932)\$25,000,000,000.00
Loss by strike (1927) 37,800,000 days

Loss to trade and industry unknown, but appalling.

1930 census give 10,300,000 citizens, who by reason of age would be entitled to this pension, with a probable 2,300,000 whose income is in excess of the \$200.00 per month pension.

That, with the retirement of 5,000,000 of the remaining 8,000,000 from gainful occupations there would at once be created openings for approximately 5,000,000 men. That the regular expenditure of \$200.00 per month throughout the year creates a new job—with 8,000,000 men expending regularly \$200.00 per month there would be 8,000,000 more new jobs created, which would absorb 13,000,000 of the 15,000,000 and thus practically re-establish normal employment. **That this condition could be brought about in 90 days time.** That this re-employment of labor would greatly reduce the amount now being expended for relief. It would also reduce crime, and would wipe out the entire loss to labor by reason of unemployment.

Fourth:—That the aged persons of the country are quite evenly distributed and that a regular payment to them of \$200.00 under the proposed restrictions of the Townsend Old Age Revolving Pension Plan, places buying power in every community—that it distributes and redistributes an exchange medium throughout the length and breadth of the land whose steady and regular flow cannot be interrupted, by any economic condition, save a general public disaster and whose exchange value can be maintained by governmental regulation thus preventing its becoming "frozen".

WHEREFORE, your memorialist prays that you examine carefully into all merits of the aforesaid Townsend Old Age Pension Plan and that you devote to it your most searching analysis of its merits, and if you find, as we believe you will, that this plan has to its credit all the merit that we claim for it, that your Honorable body will at once enact it into law, to the end that industry, and trade may be placed at normal; that labor may have a chance to earn its wage, that the general morale of the country may be restored and want and suffering be driven from our land.

WHEREFORE, your memorialist further prays that The Congress make a direct appropriation for the initial sum necessary to meet the expense of the first payment, and that a sales tax upon commodities and commercial transactions be levied in such an amount and at a rate that will provide a fund to meet all future monthly payments. All funds derived from such a tax levy to be "ear-marked" for that specific purpose.

And your memorialist will ever pray.

Motion by Mr. Sayers, seconded by Mrs. Porter, that House Memorial No. 1 be adopted. Carried, and the clerk was instructed

to record the action of the House on the bill and convey it to the Governor.

Motion by Mr. McQuillan, seconded by Mr. Wisener, that a committee consisting of not less than seven members be appointed to represent the House of Representatives at the funeral services of the late Dr. John Kelly Moeur, son of the Governor of Arizona. Carried, and Mr. Speaker appointed members Babbitt, Colter, Porter, Jones, Laird, Phillips, Bush, Bevan, Geo. A. Johnson, Wilson, Ettleman, Wisdom, Udall, Lyke and Hoyt as such a committee.

Motion by Mr. Sayers, seconded by Mr. Wisener, that the House stand adjourned until 10:00 a. m., Tuesday, December 4, 1934, out of respect to the memory of the late Dr. John Kelly Moeur, son of the Governor of Arizona. Carried, and at 11:00 a. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

TUESDAY, DECEMBER 4

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

Roll call showed the following members present:

Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wisdom, Wisener, Witt, Mr. Speaker—63.

Absent: Wilson—1.

Reverend Howard A. Anspach, offered prayer.

By unanimous consent the reading of the Journal of Monday, December 3, 1934, was dispensed with and the Journal of Saturday, December 1, 1934, was approved.

REPORTS OF STANDING COMMITTEES

Standing Committees submitted the following reports:

“December 4, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 4, the district

enabling act of 1934, and respectfully recommends that it be amended as follows:

Amend Section 11, by striking, beginning with the words 'and any bonds' in line 42, page 12, and ending with the words 'for any cause', in line 5, page 13.

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

JOHN H. RAPP,
Chairman."

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

"December 4, 1934.

Mr. Speaker:

Your Committee on Public Institutions reports that it has had under consideration House Bill No. 1, the educational institutions act of 1934, and respectfully recommends:

This bill has been considered by other committees, including the Committees on Education, Judiciary, Ways and Means, Appropriations, and County and County Affairs.

Various members of our committee have sat in at these hearings, and have a good general idea of the same.

In order that we might avoid further delay, we consider it proper to report this to the Committee of the Whole House for further consideration.

WM. WISENER,
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with the reports of the Committees on Education, Judiciary, Ways and Means, Appropriations, and County and County Affairs.

"December 4, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 8, amendment relating to refunding bonds, and respectfully recommends that, in the opinion of the committee the bill is constitutional and in proper form.

JOHN H. RAPP,
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on Agriculture and Irrigation.

BUSINESS ON THE SPEAKER'S DESK

Eight telegrams from labor and civic organizations of the State, urging the passage of House Bill No. 7, were read. Placed on file.

At 10:20 a. m., the Sergeant-at-Arms announced that Mr. Wilson had taken his seat.

FIRST READING OF BILLS

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

HOUSE JOINT MEMORIAL NO. 2, by Mr. Davis of Cochise, urging Congress to cancel indebtedness against construction of Arizona reclamation projects. Referred to the Committee on Printing.

On first reading of House Joint Memorial No. 2, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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 Memorial 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 bill was read the first time by number and title only.

At 10:22 a. m., the House stood at recess subject to the gavel.

At 10:30 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 Rules submitted the following report:

"December 4, 1934.

Mr. Speaker:

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

CONNER JOHNSON,
Vice-Chairman."

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

Motion by Mr. Peggs, seconded by Mr. Ettleman, that the House resolve itself into a Committee of the Whole House for the consideration of the bills on the Calendar. Carried, and at 10:35 a. m., the House resolved itself into a Committee of the Whole House, Mr. Ward in the chair.

At 11:00 a. m., the Committee of the Whole House rose and submitted the following report:

“Mr. Speaker:

Your Committee of the Whole House reports progress and asks leave to sit again.

I. B. WARD,
Chairman.”

Without objection the report of the Committee of the Whole House was received.

Motion by Mr. Bennett, seconded by Mr. O'Neill, that the House stand at recess until 1:00 p. m.

Motion by Mr. Sayers, seconded by Mr. Wisener, that the motion by Mr. Bennett be amended, and the House stand at recess until 2:00 p. m. Lost.

The motion by Mr. Bennett was then put and carried, and at 11:05 a. m., the House stood at recess.

AFTERNOON SESSION

At 1:00 p. m., the House resumed session, Mr. Speaker presiding.

Motion by Mr. Rapp, seconded by Mr. Jennings, that the House stand at recess subject to the call of the gavel. Carried, and at 1:03 p. m., the House stood at recess.

At 1:15 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 Judiciary submitted the following report:

“December 4, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 1, the educational institutions act of 1934, and respectfully submits a supplemental report as follows:

Amend the bill by placing headings after sections, as follows:

Sec. 1 Definitions.

Sec. 2 Creating certain institutions separate and independent legal entities.

Sec. 3 Powers.

- Sec. 4 Resolution for issuance of bonds.
- Sec. 5 Powers to secure bonds.
- Sec. 6 Moneys of Institutions.
- Sec. 7 Validity of bonds.
- Sec. 8 Prohibitions against obligating State of Arizona.
- Sec. 9 Bonds obligations of institutions.
- Sec. 10 Certification of bonds by Attorney General.
- Sec. 11 Excision of unconstitutional or ineffective parts of act.
- Sec. 12 Supplemental nature of act, Constitution and purpose.
- Sec. 13 Short title of act.
- Sec. 14 Declaration of Emergency and time of taking effect.

JOHN H. RAPP,
Chairman."

Motion by Mr. McQuillan, seconded by Mr. Rapp, that the supplemental report be referred to the Committee of the Whole House to be considered with the original report by the Committee on Judiciary. Carried.

BILLS AND OTHER BUSINESS FROM THE SENATE

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

"Senate Bill No. 1, the district enabling Act of 1934, passed by a vote of 17 ayes, 2 not voting."

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

"Senate Bill No. 2, the municipalities public works Act of 1934, passed by a vote of 17 ayes, 2 not voting."

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

FIRST READING OF BILLS

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

SENATE BILL NO. 1, An Act, authorizing irrigation districts, drainage districts, flood control districts, agricultural improvement districts, electrical districts, power districts and other districts as defined herein, to enter into contracts or agreements with the federal

government or any officer, agency, corporation or instrumentality thereof; providing for the validation of such contracts heretofore entered into by any such districts and of all proceedings taken in connection therewith; providing for the approval of such contracts or agreements and the issuance of any bonds thereunder by the vote of real property taxpayers, and the validation thereof by actions in rem; further providing for the approval of the attorney general of such contracts and of bonds issued thereunder; and declaring an emergency. Placed under the Order of Business, Second Reading of Bills, for tomorrow.

SENATE BILL NO. 2, An Act, concerning the construction of public works projects, the acceptance of grants, and the borrowing of money by counties, cities, towns, villages, school districts, high school districts, union high school districts from the United States of America, or any federal agency, and the issuance of bonds to finance such public works projects; and declaring an emergency. Placed under the Order of Business, Second Reading of Bills, for tomorrow.

HOUSE CONCURRENT RESOLUTION NO. 3, by Mr. Jennings of Maricopa, appointing members to western bus and truck conference. Referred to the Committee on Printing.

The following bill was read the first time in full:

HOUSE JOINT MEMORIAL NO. 3, by Mr. Davis of Cochise, requesting investigation of federal bureau of public roads on Steins Pass-Benson Highway.

Motion by Mr. Davis, seconded by Mr. Geo. A. Johnson, that the rules be suspended, an emergency declared, and that House Joint Memorial No. 3 be not printed, and that it be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

On first reading of Senate Bills Nos. 1, 2 and House Concurrent Resolution No. 3, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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 Senate Bills Nos. 1, 2 and House Concurrent Resolution No. 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.

SECOND READING OF BILLS

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

HOUSE JOINT MEMORIAL NO. 3, by Mr. Davis of Cochise, requesting investigation of Federal Bureau of Public Roads on Steins Pass-Benson highway.

Motion by Mr. Davis, seconded by Mr. Geo. A. Johnson, that the rules be suspended, an emergency declared, and that House Joint Memorial No. 3 be referred to the Committee on Enrolling and Engrossing to be enrolled and engrossed for Third Reading. Carried by a two-thirds vote.

On second reading of House Joint Memorial No. 3, motion by Mr. McQuillan, seconded by Mr. Etleman, 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 Memorial No. 3, 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 Memorial No. 3, by Mr. Wisdom of Pima, was read in full as follows:

HOUSE MEMORIAL NO. 3.

Your memorialist, the House of Representatives of the Legislature of the State of Arizona, respectfully represents:

The operation of the Home Owners Loan Corporation has been of inestimable value to the State of Arizona, by helping worthy citizens to avoid the loss of their homes, relieving creditors of their frozen assets, making possible the payment of delinquent taxes, creating employment and trade through the making of necessary repairs to home buildings, and stimulating many lines of industry. This activity of the Federal government has proven to be a most constructive phase of the recovery program.

There are still many worthy Arizona homeowners who require assistance of the sort which it is the function of the Home Owners Loan Corporation to extend, if their homes are to be saved. Some eleven hundred legitimate applications for loans have been filed with the local office of this Corporation, but have received no consideration on account of the exhaustion of the funds provided for use by the Home Owners Loan Corporation. Reports indicate that a similar condition exists in other states.

The situation is a critical one in this state, for private lending agencies have not yet seen fit to extend their operations to this field, or to make loans on terms with which the distressed home owner can comply.

Wherefore your memorialist prays that legislation be enacted at the approaching session of the Congress extending the operation of the Home Owners Loan Corporation, and providing funds for the making of legitimate loans to worthy citizens whose homes are imperiled.

And your memorialist will ever pray.

Motion by Mr. Wisdom, seconded by Mr. Richards, that House Memorial No. 3 be adopted. Carried, and the Clerk was instructed to record the action of the House on the bill and convey it to the Governor.

Motion by Mr. Wieden, seconded by Mr. Ettleman, that the privileges of the floor be extended to Mr. Charles Strouss, Assistant Attorney General of the State of Arizona, during the discussion of House Bill No. 1, in the Committee of the Whole House. Carried.

Without objection, at 1:30 p. m., the House resolved itself into a Committee of the Whole House for the further consideration of the bills on the Calendar, Mr. Ward in the chair.

At 2:55 p. m., the Committee of the Whole House rose and submitted the following report:

“Mr. Speaker:

Your Committee of the Whole House reports that it has had under consideration House Bill No. 1, and respectfully recommends:

That House Bill No. 1 be amended as follows: insert a new section 11, to read as follows: ‘Section 11. Establishment of minimum rates of wages. All contracts involving the expenditures of such grants shall contain provisions establishing minimum rates of wages, to be predetermined by the Industrial Commission of Arizona, which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals for bids for the work.’; renumber succeeding sections accordingly; in line 9, after the word ‘bonds’ in the title of the bill, insert the words ‘and limit the amounts thereof’; in line 13 of the title of the printed bill, after the word ‘bonds’ add the following: ‘to limit the time within which bonds may be issued’; on page 6, line 10, insert a comma after the word ‘not’; on page 6, line 11, insert a comma after the word ‘determined’; and as so amended, and as amended by the two reports of the Committee on Judiciary, it do pass.

I. B. WARD,
Chairman.”

Without objection the report of the Committee of the Whole House was received.

Without objection House Bill No. 1, the educational institutions Act of 1934, as amended by the Committee of the Whole House and the Committee on Judiciary, was referred to the Committee on Enrolling and Engrossing.

Without objection the privileges of the floor were extended to Mr. Walter Pierce, member of Congress and former Governor of the State of Oregon, and to his wife.

Motion by Mr. Goodson, seconded by Mr. Ettleman, that the use of the House Chambers be extended to the Young Democrats Club, for their meeting tonight. Carried.

Motion by Mr. Eittleman, seconded by Mr. Armstrong of Maricopa, that the House stand adjourned until 10:00 a. m., Wednesday, December 5, 1934. Carried, and at 3:05 p. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

WEDNESDAY, DECEMBER 5

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

Roll call showed the following members present:

Armstrong of Maricopa, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, DeSouza, Dysart, Eittleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, O'Neill, Osborn, Oxsheer, Palmer, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—60.

Absent: Armstrong of Cochise, Decker—2.

Excused: Nugent, Peggs—2.

Reverend Thomas C. Harris, Chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Tuesday, December 4, 1934, was dispensed with and the Journal of Monday, December 3, 1934, was approved.

At 10:10 a. m., the Sergeant-at-Arms announced that Mr. Decker had taken his seat.

REPORTS OF STANDING COMMITTEES

Standing committees submitted the following reports:

“December 5, 1934.

Mr. Speaker:

Your Committee on Printing reports:

That it has ordered printed and mimeographed House Joint Memorial No. 2 and House Concurrent Resolution No. 3.

That it has received from the stenographic department House Joint Memorial No. 2.

THOS. D. TWAY,
Chairman.”

Placed on file.

“December 5, 1934.

Mr. Speaker:

Your Committee on Enrolling and Engrossing reports that it has engrossed the following:

House Joint Memorial No. 3, requesting investigation of Federal Bureau of Public Roads on Steins Pass-Benson Highway.

House Bill No. 1, the educational institutions Act of 1934.

E. F. VICKERS,
Chairman.”

House Joint Memorial No. 3, and House Bill No. 1 were placed under the Order of Business, Third Reading of Bills, for today.

“December 5, 1934.

Mr. Speaker:

Your Committee on Labor reports that it has had under consideration House Bill No. 2, the municipalities public works Act of 1934, and respectfully returns same for the consideration of the Committee of the Whole House.

E. F. VICKERS,
Chairman.”

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

“December 5, 1934.

Mr. Speaker:

Your Committee on Appropriations reports that it has had under consideration House Bill No. 2, the municipalities public works Act of 1934, and respectfully recommends that it be amended as follows:

Strike out all of Section 11, commencing on line 3, page 6, down to and including the word ‘cause’ in line 11; strike the words ‘Section 12’, in line 12, page 6, and insert in lieu thereof the words ‘Section 11’; strike the words ‘Section 13’, in line 18, page 6, and insert in lieu thereof the words ‘Section 12’; strike the words ‘Section 14’, in line 24, page 6, and insert in lieu thereof the words ‘Section 13’; strike the words ‘Section 15’, in line 29, page 6, and insert in lieu thereof the words ‘Section 14’; strike the words ‘Section 16’, in line 2, page 7, and insert in lieu thereof the words ‘Section 15’; strike the

words 'section 17' line 4, page 7, and insert in lieu thereof the words 'Section 16', and, as so amended, it do pass.

W. E. OXSHEER,
Chairman."

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

"December 5, 1934.

Mr. Speaker:

Your Committee on Appropriations reports that it has had under consideration House Bill No. 4, the district enabling act of 1934, and respectfully returns same for the consideration of the Committee of the Whole House.

W. E. OXSHEER,
Chairman."

Placed on the House Calendar of the Committee of the Whole House to be considered with the reports of the Committees on Agriculture and Irrigation, Judiciary, and Ways and Means.

"December 5, 1934.

Mr. Speaker:

Your Committee on Agriculture and Irrigation reports that it has had under consideration House Bill No. 8, amendment relating to refunding bonds, and respectfully returns same without recommendation.

N. M. DYSART,
Chairman."

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

"December 5, 1934.

Mr. Speaker:

Your Committee on Agriculture and Irrigation reports that it has had under consideration House Bill No. 7, permittee application for government funds, and respectfully recommends:

Majority report: it do pass

G. L. CHRISTIAN,
CHAS. E. MINCKS,
JOHN J. PHILLIPS,
WM. WISENER,

W. J. WILLIAMS,
 J. M. COMBS,
 FRED T. COLTER,
 NELLIE' T. BUSH.

Minority report: it do not pass

JAS. E. DESOUZA,
 GEO. A. JOHNSON,
 R. W. KENWORTHY.

Minority report: no recommendation

A. WIEDEN,
 FRED WEBB,
 T. C. HOYT,
 JESSE A. UDALL,
 NAT. M. DYSART,

Chairman."

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

BUSINESS ON THE SPEAKER'S DESK

A communication from the Maricopa County Democratic Central Committee, inviting the members to a victory ball December 7, 1934, at Riverside Park, was read. 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:

"Senate Bill No. 3, the educational institutions act of 1934, passed by a vote of 14 ayes, 3 nays, 2 not voting."

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

"Senate Bill No. 4, amendment relating to refunding bonds, passed by a vote of 17 ayes, 2 not voting."

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

"Senate Bill No. 5, permittee application for government funds, passed by a vote of 13 ayes, 3 nays, 3 not voting."

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

FIRST READING OF BILLS

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

SENATE BILL NO. 3, An Act, to constitute and confirm certain educational institutions of the state as separate legal entities; to confer powers upon such educational institutions, including the powers to purchase, construct, better, and equip buildings and to make other improvements to their plants, and for such purposes to borrow money and accept grants from any federal agency; to issue bonds and to provide for the payment of such bonds and interest thereon and to secure such payments; to confer further powers for the making of agreements with the holders of such bonds; to supersede inconsistent provisions of all other laws; and to declare an emergency.

Motion by Mr. McQuillan, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that Senate Bill No. 3 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

SENATE BILL NO. 4, An Act, to amend Section 6 of Chapter 98 of the Session Laws of the Regular Session of the Tenth Legislature, relating to refunding bonds; and declaring an emergency.

Motion by Mr. McQuillan, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that Senate Bill No. 4 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

SENATE BILL NO. 5, An Act, extending the time for beginning construction under unexpired permits of state water commissioner where permittee is applicant for government funds; and declaring an emergency.

Motion by Mr. Dysart, seconded by Mr. Pratt, that the rules be suspended, an emergency declared, and that Senate Bill No. 5 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

HOUSE BILL NO. 9, by the Committee on Appropriations, An Act, making an appropriation for the current and contingent expenses of carrying on, conducting and defraying the expenses of the Third Special Session of the Eleventh Legislature of the State of Arizona; and declaring an emergency.

Motion by Mr. Oxsheer, seconded by Mr. Ettleman, 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.

HOUSE BILL NO. 10, by the Committee on Appropriations, An Act, to provide an appropriation for the purchase of copies of the Revised Code of 1928. Referred to the Committee on Printing.

On first reading of Senate Bills Nos. 3, 4, 5 and House Bills Nos. 9 and 10, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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 Senate Bills Nos. 3, 4, 5 and House Bills Nos. 9 and 10, 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.

At 10:20 a. m., the Sergeant-at-Arms announced that Mr. Armstrong of Cochise had taken his seat.

SECOND READING OF BILLS

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

SENATE BILL NO. 1, the district enabling act of 1934.

Motion by Mr. Conner Johnson, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that Senate Bill No. 1 be placed on the House Calendar of the Committee of the Whole House. Carried by a two-thirds vote.

SENATE BILL NO. 2, the municipalities public works act of 1934.

Motion by Mr. McQuillan, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that Senate Bill No. 2 be placed on the House Calendar of the Committee of the Whole House. Carried by a two thirds vote.

HOUSE CONCURRENT RESOLUTION NO. 3, by Mr. Jennings of Maricopa, appointing members to western bus and truck conference. Referred to the Committees on Highways and Bridges, and Petitions and Memorials.

HOUSE JOINT MEMORIAL NO. 2, by Mr. Davis of Cochise, urging Congress to cancel indebtedness against construction of Arizona reclamation projects. Referred to the Committees on Agriculture and Irrigation, Mines and Mining, and Judiciary.

SENATE BILL NO. 3, the educational institutions act of 1934.

Motion by Mr. Conner Johnson, seconded by Mr. Wilson, that the rules be suspended, an emergency declared, and that Senate Bill No. 3 be placed on the House Calendar of the Committee of the Whole House. Carried by a two-thirds vote.

SENATE BILL NO. 4, amendment relating to refunding bonds.

Motion by Mr. Babbitt, seconded by Mr. Conner Johnson, that the rules be suspended, an emergency declared, and that Senate Bill No. 4 be placed on the House Calendar of the Committee of the Whole House. Carried by a two-thirds vote.

SENATE BILL NO. 5, permittee application for government funds.

Motion by Mr. McQuillan, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that Senate Bill No. 5 be placed on the House Calendar of the Committee of the Whole House. Carried by a two-thirds vote.

HOUSE BILL NO. 9, by the Committee on Appropriations, legislative appropriation.

Motion by Mr. Oxsheer, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that House Bill No. 9 be placed under the Order of Business, Third Reading of Bills, for today. Carried by a two-thirds vote.

On second reading of Senate Bills Nos. 1, 2, House Concurrent Resolution No. 3, House Joint Memorial No. 2, Senate Bills Nos. 3, 4, 5 and House Bill No. 9, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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 Senate Bills Nos. 1, 2, House Concurrent Resolution No. 3, House Joint Memorial No. 2, Senate Bills Nos. 3, 4, 5 and 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 bills were read the second time by number and title only.

THIRD READING OF BILLS

HOUSE JOINT MEMORIAL NO. 3, requesting investigation of Federal Bureau of Public Roads on Steins Pass-Benson Highway, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong of Maricopa, Babbitt, Bennett, Bevan, Bohlinger, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Jennings, Johnson, Johnson, Jones, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Osborn, Palmer, Phillips, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Webb, Wieden, Wiggins, Williams of Coconino, Wilson, Wisdom, Wisener, Mr. Speaker—50.

Nays: Armstrong of Cochise, Bush, Christian, Heron, Kelley, Oxsheer, Porter, Vickers, Ward, Williams of Greenlee, Witt—11.

Absent: Nugent, O'Neill, Peggs—3.

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

Motion by Mr. McQuillan, seconded by Mrs. Bush, that the rules be suspended, an emergency declared and that House Bill No. 1 be re-referred to the House Calendar of the Committee of the Whole House to be considered with Senate Bill No. 3. Carried by two-thirds vote.

HOUSE BILL NO. 9, entitled An Act, making an appropriation for the current and contingent expenses of carrying on, conducting and defraying the expenses of the Third Special Session of the Eleventh Legislature of the State of Arizona; and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong of Cochise, Babbitt, Bennett, Bevan, Bohlinger, Christian, Colter, Combs, Curtis, Davis, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, O'Neill, Oxsheer, Palmer, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—58.

Nays: Armstrong of Maricopa, Bush, Decker, Osborn—4.

Absent: Nugent, Peggs—2.

Signed in open session by the Speaker, and 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:

"December 5, 1934.

Mr. Speaker

of the House of Representatives
and the House of Representatives
of the Eleventh Legislature
in Special Session Convened
State House
Phoenix, Arizona.

Dear Friends:

Mrs. Moeur and the others of our family join me in appreciation of the tribute paid John in your resolution of last Saturday morning.

Your sympathy and thoughtfulness are a source of real comfort to us.

Sincerely yours,

B. B. MOEUR,
Governor."

Placed on file.

Without objection at 10:58 a. m., the House stood at recess subject to the call of the gavel.

At 11:10 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 Rules submitted the following report:

"December 5, 1934.

Mr. Speaker:

Your Committee on Rules reports for the consideration of the House, in the order named, Senate Bill No.

3, House Bill No. 1, Senate Bill No. 1, House Bill No. 4,
Senate Bill No. 4 and House Bill No. 8.

CONNER JOHNSON,
Vice-Chairman.'

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

Motion by Mr. Ettleman, seconded by Mr. McQuillan, that the House resolve itself into a Committee of the Whole House for the consideration of the bills on the Calendar. Carried, and at 11:15 a. m., the House resolved itself into a Committee of the Whole House, Mr. Conner Johnson in the chair.

At 12:15 p. m., the Committee of the Whole House arose and submitted the following report:

"Mr. Speaker:

Your Committee of the Whole House reports that it has had under consideration Senate Bill No. 3, and respectfully recommends:

That Senate Bill No. 3 be amended as follows:

Strike all after the number of the bill and insert in lieu thereof the following:

'AN ACT, TO CONSTITUTE AND CONFIRM CERTAIN EDUCATIONAL INSTITUTIONS OF THE STATE AS SEPARATE LEGAL ENTITIES; TO CONFER POWERS UPON SUCH EDUCATIONAL INSTITUTIONS, INCLUDING THE POWERS TO PURCHASE, CONSTRUCT, BETTER, AND EQUIP BUILDINGS AND TO MAKE OTHER IMPROVEMENTS TO THEIR PLANTS, AND FOR SUCH PURPOSES TO BORROW MONEY AND ACCEPT GRANTS FROM ANY FEDERAL AGENCY; TO ISSUE BONDS AND LIMIT THE AMOUNTS THEREOF AND TO PROVIDE FOR THE PAYMENT OF SUCH BONDS AND INTEREST THEREON AND TO SECURE SUCH PAYMENT; TO CONFER FURTHER POWERS FOR THE MAKING OF AGREEMENTS WITH THE HOLDERS OF SUCH BONDS TO LIMIT THE TIME WITHIN WHICH BONDS MAY BE ISSUED; TO SUPERSEDE INCONSISTENT PROVISIONS OF ALL OTHER LAWS; AND TO DECLARE AN EMERGENCY.'

Be it enacted by the Legislature of the State of Arizona:

Section 1. **Definitions.** The following terms, wherever used or referred to in this Act, shall have the following meaning unless a different meaning clearly appears from the context:

(a) The term 'institution' shall mean any institution named in Section 2 of this act;

(b) The term 'board' shall mean the board of education, board of regents or other governing body, by whatever name known, of an institution;

(c) The term 'bonds' shall mean any bonds of an institution issued pursuant to this Act;

(d) The term 'project' shall mean and include buildings, structures, improvements, and equipment of every kind, nature and description, which may be required by or convenient for the purpose of an institution, including, without limiting the generality of the foregoing, administration, dining, exhibition, lecture, recreational and teaching halls, or parts thereof, or additions thereto; heat, light, sewer and water works plants or systems, or parts thereof, or extensions thereto; commons, dining halls, dormitories, auditoriums, libraries, infirmaries, laundries, laboratories, metallurgical plants, museums, swimming pools, watertowers, fire prevention and fire fighting systems, gymnasias, stadia, dwellings, green houses, farm buildings, and stables, or parts thereof, or additions thereto; or any one, or more than one, or all of the foregoing, or any combination thereof;

(e) The term 'to acquire' shall include to purchase, to erect, to build, to construct, to reconstruct, to repair, to replace, to extend, to better, to equip, to develop, to improve, and to embellish a project;

(f) The term 'Recovery Act' shall mean the act of the Congress of the United States of America, approved June 16, 1933, entitled: 'An Act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works and for other purposes', and Acts amendatory thereof and Acts supplemental thereto, and revisions thereof, and any further Acts of the Congress of the United States to encourage public works or to reduce unemployment and providing for the making of loans or grants or both;

(g) The term 'federal agency' shall mean the United States of America, the President of the United States of America, the Federal Emergency Administrator of Public Works, or such other agency or agencies as may be designated or created to make loans or grants or both pursuant to the Recovery Act.

Section 2. Creating certain Institutions, separate and independent legal entities. Each of the following institutions is hereby constituted and confirmed a body politic and corporate and a separate and independent legal entity and is hereby further constituted and confirmed as a governmental instrumentality for the dissemination of knowledge and learning: 'Board of Regents of the University of Arizona', 'Arizona State Teachers College at Flagstaff', 'Arizona State Teachers College at Tempe', and 'Arizona State School for the Deaf and Blind'. A corporate purpose of every institution, in

addition to any other purposes thereof, shall be to acquire any project. The powers of every institution delegated to it by this Act shall be vested in and exercised by a majority of all the members of its board, and a majority of all the members of such board shall be a quorum for the transaction of any business authorized by this Act, but a lesser number may adjourn and compel the attendance of absent members.

Section 3. **Powers.** Every institution shall have power in its proper name as aforesaid:

(a) To have a corporate seal and alter the same at pleasure;

(b) To sue and be sued;

(c) To acquire by purchase, gift or the exercise of the right of eminent domain and hold and dispose of real or personal property or rights or interests therein and water rights;

(d) To make contracts and to execute all instruments necessary or convenient;

(e) To acquire any project or projects, and to own, operate and maintain such project;

(f) To accept grants of money or materials or property of any kind from a federal agency, upon such terms and conditions as such federal agency may impose;

(g) To borrow money and issue bonds and to provide for the payment of the same and for the rights of the holders thereof;

(h) To perform all acts and do all things necessary or convenient to carry out the powers herein granted, to obtain loans or grants or both from any federal agency, and to accomplish the purposes of this Act and secure the benefits of the Recovery Act.

Section 4. **Resolution for Issuance of Bonds.** Such institutions shall have power and are hereby authorized from time to time to issue negotiable bonds in the aggregate principal amount, respectively: board of regents of the University of Arizona, not exceeding \$1,020,000; Arizona State Teachers College at Tempe, not exceeding \$670,000; Arizona State Teachers College at Flagstaff, not exceeding \$450,000; Arizona State School for the Deaf and Blind, not exceeding \$120,000. The bonds shall be authorized by resolution of the board. The bonds may be issued in one or more series, may bear such date or dates, may be in such denomination or denominations, may mature at such time or times, not exceeding thirty years from the respective dates thereof, may mature in such amount or amounts, may bear interest at such rate or rates, not exceeding five per centum per annum, payable semi-annually, may be in such form, either coupon or registered, may carry

such registration privileges, may be executed in such manner, may be payable in such medium of payment, at such place or places, may be subject to such terms of redemption, with or without premium, as such resolution or other resolutions may provide. The bonds may be sold only to a federal agency and at not less than par. The bonds shall be fully negotiable within the meaning and for all the purposes of Chapter 53 of the Revised Code of Arizona, 1928.

Section 5. Powers to Secure Bonds. Any institution in connection with the issuance of the bonds, or in order to secure the payment of such bonds and interest thereon, shall have power by resolution of its board:

(a) To fix and maintain (1) fees, rentals and other charges from students, faculty members and others using or being served by, or having the right to be served by any project, (2) matriculation, hospital, laboratory, athletic, admission and other fees from students, faculty members and others matriculated, attending or employed at such institutions, and from the public in general, for the facilities afforded by such institutions (which shall be uniform to all those similarly situated), (3) fees, rentals and other charges from students, faculty members and others using or being served by, or having the right to use, or having the right to be served by, existing buildings, stadia, and other structures at any institution which issues bonds hereunder to acquire a project, which fees, rentals and other charges from students, faculty members and others using or being served by, or having the right to use, or having the right to be served by such buildings, stadia and other structures shall be the same as those applicable to any project similar in nature and purpose to such existing buildings, stadia, and other structures; provided, however, that as between such project and the existing buildings at the institution there may be allowed reasonable differentials based on the condition, type, location and relative convenience of such project and such existing buildings, but such differentials shall be uniform as to all such students or faculty members and others similarly accommodated;

(b) To provide that bonds issued hereunder shall be secured by a first, exclusive and closed lien on the income and revenue derived from, and shall be payable from, (1) fees, rentals and other charges from students, faculty members and others using or being served by, or having the right to use, or having the right to be served by, any project, and any existing buildings, stadia, and other structures, and (2) matriculation, hospital, laboratory, athletic, admission and other fees from students, faculty members and others matriculated, attending or employed at such institution, and from the public in general, for the facilities afforded by such institution;

(c) To pledge and assign to, or in trust for the benefit of, the holder or holders of the bonds issued hereunder an amount of the income and revenue derived

from (1) fees, rentals and other charges from students, faculty members and others using or being served by, or having the right to use, or having the right to be served, any project, and any existing buildings, stadia, and other structures, and (2) matriculation, hospital, laboratory, athletic, admission and other fees from students, faculty members and others matriculated, attending or employed at such institution, and from the public in general, for the facilities afforded by such institution, which shall be sufficient to pay when due the bonds issued hereunder to acquire such project, and interest thereon, and to create and maintain reasonable reserves therefor;

(d) To covenant with or for the benefit of the holder or holders of bonds issued hereunder to acquire any project that so long as any such bonds shall remain outstanding and unpaid, such institution will fix, maintain and collect in such installments as may be agreed upon (1) an amount of the fees, rentals and other charges from students, faculty members and others using or being served by, or having the right to use, or having the right to be served by, any project, and any existing buildings, stadia, and other structures which, together with (2) an amount of the matriculation, hospital, laboratory, athletic, admission and other fees from students, faculty members and others matriculated, attending or employed at such institution, and from the public in general, for the facilities afforded by such institution, together with any appropriation for any such purposes, shall be sufficient to pay when due the bonds issued hereunder to acquire such project, and interest thereon, and to create and maintain reasonable reserves therefor, and to pay the costs of operation and maintenance of such project, including, but not limited to, reserves for extraordinary repairs, insurance and maintenance, which costs of operation and maintenance shall be determined by the board in its absolute discretion;

(e) To make and enforce and agree to make and enforce parietal rules that shall insure the use of any project by all students in attendance at such institutions to the maximum extent to which such project is capable of serving such students, or if such project is designed for occupancy as living quarters for the faculty members, by as many faculty members as may be served thereby;

(f) To covenant that so long as any of the bonds issued hereunder shall remain outstanding and unpaid, it will not, except upon such terms and conditions as may be determined, (1) voluntarily create or cause to be created any debt, lien, pledge, assignment, encumbrance or other charge having priority to or being on a parity with the lien of the bonds issued hereunder upon any of the income and revenues derived from fees, rentals and other charges from students, faculty members and others using or being served by, or having the right to use, or having the right to be served by, any project and any existing buildings, stadia, and other structures, and

from matriculation, hospital, laboratory, athletic, admission and other fees from students, faculty members and others matriculated, attending or employed at such institution, and from the public in general, for the facilities afforded by such institution, or (2) convey or otherwise alienate the project to acquire which such bonds shall have been issued, or the real estate upon which such project shall be located, except at a price sufficient to pay all the bonds then outstanding issued hereunder to acquire such project and interest accrued thereon, and then only in accordance with any agreements with the holder or holders of such bonds, or (3) mortgage or otherwise voluntarily create or cause to be created any encumbrance on the project to acquire which such bonds shall have been issued or the real estate upon which it shall be located.

(g) To covenant as to the procedure by which the terms of any contract with a holder or holders of such bonds may be amended or abrogated, the amount or percentage of bonds the holder or holders of which must consent thereto, and the manner in which such consent may be given.

(h) To vest in a trustee or trustees the right to receive all or any part of the income and revenue pledged and assigned to, or for the benefit of, the holder or holders of bonds issued hereunder, and to hold, apply and dispose of the same and the right to enforce any covenant made to secure or pay or in relation to the bonds; to execute and deliver a trust agreement or trust agreements which may set forth the powers and duties and the remedies available to such trustee or trustees and limiting the liabilities thereof and describing what occurrences shall constitute events of default and prescribing the terms and conditions upon which such trustee or trustees or the holder or holders of bonds of any specified amount or percentage of such bonds may exercise such rights and enforce any and all such covenants and resort to such remedies as may be appropriate.

(i) To vest in a trustee or trustees or the holder or holders of any specified amount or percentage of bonds the right to apply to any court of competent jurisdiction for and have granted the appointment of a receiver or receivers of the income and revenue pledged and assigned to or for the benefit of the holder or holders of such bonds, which receiver or receivers may have and be granted such powers and duties as such court may order or decree for the protection of the bondholders.

(j) To make covenants with any federal agency to perform any and all acts and to do any and all such things as may be necessary or convenient or desirable in order to secure its bonds, or as may in the judgment of the board tend to make the bonds more marketable, notwithstanding that such acts or things may

not be enumerated herein, it being the intention hereof to give any institution issuing bonds pursuant to this Act power to make all covenants, to perform all acts and to do all things, not inconsistent with the Constitution of the State of Arizona, in the issuance of the bonds and for their security, including any and all powers granted to a private corporation under the laws of the State of Arizona.

Section 6. Moneys of Institutions. No moneys derived from the sale of bonds of any institution or otherwise borrowed by such institution under the provisions of this Act, shall be required to be paid into the State Treasury but shall be deposited by the treasurer or other fiscal officer of the institution in a separate bank account or accounts in such bank or banks or trust companies as may be designated by the board and all deposits of such moneys shall, if required by the board, be secured by obligations of the United States of America, of a market value equal at all times to the amount of the deposit; and all banks and trust companies are hereby authorized to give such security. Such money shall be disbursed as may be directed by the board and in accordance with the terms of any agreements with the holder or holders of any bonds. This section shall not be construed as limiting the power of the institution to agree in connection with the issuance of any of its bonds as to the custody and disposition of the moneys received from the sale of such bonds or the income and revenue of the institution pledged and assigned to or in trust for the benefit of the holder or holders thereof.

Section 7. Validity of Bonds. The bonds bearing the signatures of officers in office on the date of the signing thereof shall be valid and binding obligations, notwithstanding that before the delivery thereof any payment therefor any or all the persons whose signatures appear thereon shall have ceased to be officers of the institution issuing the same. The validity of the bonds shall not be dependent on nor affected by the validity or regularity of any proceedings to acquire the project financed by the bonds or taken in connection therewith.

Section 8. Prohibitions against obligating State of Arizona. Nothing in this Act contained shall be construed to authorize any institution to contract a debt on behalf of, or in any way to obligate, the State of Arizona or to pledge, assign or encumber in any way, or to permit the pledging, assigning or encumbering in any way of, appropriations made by the Legislature, or revenue derived from the investment of the proceeds of the sale, and from the rental of such lands as have been set aside by the Enabling Act approved June 20, 1910, or other legislative enactments of the United States, for the use and benefit of the respective State educational institutions.

Section 9. Bonds obligations of Institutions. All bonds issued pursuant to this Act shall be obligations

of the institution issuing such bonds payable only in accordance with the terms thereof and shall not be obligations general, special or otherwise of the State of Arizona. Such bonds shall not constitute a debt, legal or moral, of the State of Arizona, and shall not be enforceable against the State, nor shall payment thereof be enforceable out of any funds of the institution issuing said bonds other than the income and revenues pledged and assigned to, or in trust for the benefit of, the holder or holders of such bonds.

Section 10. Certification of bonds by Attorney General. Any institution may submit to the Attorney General of the State of Arizona any bonds to be issued hereunder after all proceedings for the issuance of such bonds have been taken. Upon the submission of such proceedings to the Attorney General, it shall be the duty of the Attorney General to examine into and pass upon the validity of such bonds and the regularity of all proceedings in connection therewith. If such proceedings conform to the provisions of this Act, and such bonds when delivered and paid for will constitute binding and legal obligations of such institution enforceable according to the terms thereof, the Attorney General shall certify in substance upon the back of each of said bonds that it is issued in accordance with the Constitution and Laws of the State of Arizona.

Section 11. Establishment of minimum rates of wages. All contracts involving the expenditures of such grants shall contain provisions establishing minimum rates of wages, to be predetermined by the Industrial Commission of Arizona, which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals for bids for the work.

Section 12. Excision of Unconstitutional or Ineffective parts of Act. It is hereby declared that the sections, clauses, sentences and parts of this Act are severable, are not matters of mutual essential inducement, and any of them may be excised by any court of competent jurisdiction if this Act would otherwise be unconstitutional or ineffective; it is the intention hereof to confer upon every institution the whole or any part of the powers in this Act provided for, and if any one or more sections, clauses, sentences and parts of this Act shall for any reason be questioned in any court of competent jurisdiction and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provision or provisions so held unconstitutional or invalid, and the inapplicability or invalidity of any section, clause, sentence or part of this Act in any one or more instances shall not be taken to affect or prejudice its applicability or invalidity in any other instance.

Section 13. **Supplemental nature of Act, Construction and purpose.** The powers conferred by this Act shall be in addition to and supplemental to the powers conferred by any other law, general or special, and bonds may be issued hereunder notwithstanding the provisions of any other such law and without regard to the procedure required by any other such law. Insofar as the provisions of the Act are inconsistent with the provisions of any other law, general or special, the provisions of this Act shall be controlling. Except in pursuance of any contract or agreement theretofore entered into by and between any institution and any Federal agency, no institution shall borrow any money or issue any bonds pursuant to the provisions of this Act after March 1, 1936.

Section 14. **Short title of Act.** This Act may be cited as 'The Educational Institutions Act of 1934'.

Section 15. **Declaration of emergency and time of taking effect.** To preserve the public peace, health and safety, it is necessary that this Act shall become immediately operative. It is therefore declared to be an emergency measure, and shall take effect upon its passage in the manner provided by law.'

And, as so amended, it do pass.

CONNER JOHNSON,
Chairman."

Without objection the report of the Committee of the Whole House was received.

Without objection Senate Bill No. 3, the educational institutions Act of 1934, as amended by the Committee of the Whole House, was referred to the Committee on Enrolling and Engrossing.

Motion by Mr. Ettleman, seconded by Mr. Richards, that the House stand at recess until 2:00 p. m.

Motion by Mrs. Bush, seconded by Mr. Goodson, that the motion by Mr. Ettleman be amended, and that the House stand at recess until 1:30 p. m. Lost.

The motion by Mr. Ettleman was then put and carried, and at 12:17 p. m., the House stood at recess.

AFTERNOON SESSION

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

Motion by Mrs. Bush, seconded by Mr. Babbitt, that the House resolve itself into a Committee of the Whole House for the consideration of the bills on the Calendar. Carried, and at 2:01 p. m., the House resolved itself into a Committee of the Whole House, Mr. Ettleman in the chair.

At 3:37 p. m., the Committee of the Whole House rose and submitted the following report:

“Mr. Speaker:

Your Committee of the Whole House reports that it has had under consideration House Bill No. 1, Senate Bill No. 1, House Bill No. 4, Senate Bill No. 4 and House Bill No. 8, and respectfully recommends:

That House Bill No. 1 retain its place on the Calendar;

That Senate Bill No. 1 be amended as follows: insert the following headings after each section number as follows:

- ‘Section 1. Definitions.
- ‘Section 2. Powers to contract with Federal Government.
- ‘Section 3. Contracts with Federal Government; Powers of district in connection therewith.
- ‘Section 4. Contracts with Federal Government; maintenance and operation of works.
- ‘Section 5. Contracts with Federal Government; Additional powers of districts.
- ‘Section 6. Issuance, Sale and Terms of bonds.
- ‘Section 7. Approval by State Certification Board.
- ‘Section 8. Approval of contract by real property taxpayers.
- ‘Section 9. Use of proceeds of loan and grant; money limited to purposes authorized by contract.
- ‘Section 10. Proceedings to test validity of contract and bonds issued thereunder.
- ‘Section 11. Attorney General to pass upon validity.
- ‘Section 12. Proceeding under act cumulative.
- ‘Section 13. Declaration of purposes of Act.
- ‘Section 14. Supplemental nature of Act; Construction.
- ‘Section 15. Excision of unconstitutional or ineffective parts of act.

'Section 16. Short title of act.

'Section 17. Declaration of emergency and time of taking effect.';

and, as so amended, it do pass;

That House Bill No. 4 retain its place on the Calendar;

That Senate Bill No. 4 be amended as follows: Page 1, line 10 of the engrossed bill, strike the words 'open accounts'; Page 1, line 10 of the engrossed bill, after the word 'existing', insert the word 'lawful'; and, as so amended, it do pass;

That House Bill No. 8 retain its place on the Calendar.

WALTER I. ETTLEMAN,
Chairman."

Without objection the report of the Committee of the Whole House was received.

While in the Committee of the Whole House, at 2:15 p. m., the Sergeant-at-Arms announced that members Nugent and Peggs had taken their seats.

Without objection House Bill No. 1 retained its place on the Calendar of the Committee of the Whole House.

Without objection Senate Bill No. 1, the district enabling act of 1934, as amended by the Committee of the Whole House, was referred to the Committee on Enrolling and Engrossing.

Without objection House Bill No. 4 retained its place on the Calendar of the Committee of the Whole House.

Without objection Senate Bill No. 4, amendment relating to refunding bonds, as amended by the Committee of the Whole House, was referred to the Committee on Enrolling and Engrossing.

Without objection House Bill No. 8 retained its place on the Calendar of the Committee of the Whole House.

Motion by Mrs. Bush, seconded by Mr. Oxsheer, that the House stand at recess subject to the call of the gavel. Carried, and at 3:40 p. m., the House stood at recess.

At 3:50 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:

“December 5, 1934.

Mr. Speaker:

Your Committee on Enrolling and Engrossing reports that it has engrossed the following:

Senate Bill No. 3, the educational institutions act of 1934.

E. F. VICKERS,
Chairman.”

Senate Bill No. 3 was placed under the Order of Business, Third Reading of Bills, for today.

BILLS AND OTHER BUSINESS FROM THE SENATE

A message from the Senate, by W. J. Graham, its Secretary, announcing the following Senate action:

“Senate Bill No. 6, cities and towns emergency act of 1934, passed by a vote of 18 ayes, 1 not voting.”

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

FIRST READING OF BILLS

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

SENATE BILL NO. 6, An Act, enabling cities and towns to secure the benefits of the national industrial recovery act, and any acts amendatory thereof and any acts supplemental thereto and revisions thereof, and any further acts of the Congress of the United States of America to reduce and relieve unemployment; authorizing cities and towns to construct, acquire, improve, extend, operate and maintain public works projects; prescribing the mode of procedure for and regulating the issuance of bonds to finance such projects, and providing for the payment thereof; authorizing agreements with the holders of such bonds; superseding inconsistent provisions of all other laws; and declaring an emergency. Placed under the Order of Business, Second Reading of Bills, for tomorrow.

On first reading of Senate Bill No. 6, motion by Mr. McQuillan, seconded by Mr. Eittleman, 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 Senate Bill No. 6, 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.

THIRD READING OF BILLS

SENATE BILL NO. 3, entitled, An Act, to constitute and confirm certain educational institutions of the State as separate legal entities; to confer powers upon such educational institutions, including

the powers to purchase, construct, better, and equip buildings and to make other improvements to their plants, and for such purposes to borrow money and accept grants from any federal agency; to issue bonds and limit the amounts thereof and to provide for the payment of such bonds and interest thereon and to secure such payment; to confer further powers for the making of agreements with the holders of such bonds; to limit the time within which bonds may be issued; to supersede inconsistent provisions of all other laws; and to declare an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bevan, Bohlinger, Bush, Colter, Davis, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Geo. A. Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Witt, Mr. Speaker—55.

Nays: Bennett, Christian, Combs, Curtis, Decker, Pratt, Sayers, Wisener—8.

Absent: Conner Johnson—1.

The following members asked that explanation of their vote on Senate Bill No. 3 be spread upon the Journal:

“Mr. Speaker:

I am voting aye because I am convinced that within the next few years the public institutions of learning, and especially the University of Arizona, will require funds for building purposes in order to maintain the educational standards we need and insist upon and this would mean a direct tax upon the taxpayers who cannot now pay their taxes. Thus, I think it good business to take this opportunity to provide for the repayment of our building program over a period of 20 years or more rather than force the taxpayers to pay it all in a few years. We need also to create all jobs possible to employ everyone possible during these trying times.

But I have learned something during this Special Session which I wish I had learned in 1921 when I first came to the State Legislature. We are now told by the President of the University that the necessary amount to care for the principal and interest, some \$38,000 or more per annum, can be met from the fees collected at the University without either raising the fees or coming to the Legislature for an additional appropriation to take the place of these fees pledged to amortize the University loan. Thus, in my opinion, something has been wrong with the management of our University during past years or the assertion of its President on this subject is questionable. And I'm not overlooking the item of new registrations in making this assertion for we have additional registrations each year—and each year all the fees have

been spent. Now we are told better than \$38,000 per annum can be saved.

I wish we could get dependable and reliable information on such subjects. It would help us, as a law-making body, to act intelligently and judiciously upon legislation presented to us.

NELLIE T. BUSH,
JOHN J. PHILLIPS."

"Mr. Speaker:

I wish to explain my vote on this bill, and have the same recorded in the Journal of the House.

When I came to the Eleventh Legislature, I had taken an oath to uphold the constitution of the State of Arizona, and that constitution grants us no power to create corporations but passes that power into the hands of the Corporation Commission, therefore I refuse to vote to create any corporations until the people give us that power by changing the Constitution of the State of Arizona.

I feel that if I did I would violate my oath, therefore, I vote 'No'.

G. L. CHRISTIAN."

"Mr. Speaker:

I wish to explain my vote on Senate Bill No. 3 and have the same recorded in the Journal of the House.

This Bill is one of the most important bills which will appear before us for action. My constituents and myself had hoped to get in close touch with all of these bills early enough so that we might have time to consider them intelligently and thoroughly thrash them out. For some reason or other this was denied us. Organized interests, it appears, were given this privilege. The first peep that the members of the legislature had, or at least myself, at this bill was Monday at 2:00 p. m., the first day of the session.

In referring this bill to the Committee, for some reason the Committee on State Institutions, of which I am a member, was ignored, but at a later date, (after protest), this Committee was included.

I have tried to get some knowledge of the Bill by listening in to other Committees. The heads of these various institutions appeared before these other Committees, yet gave us little information. Certain theories were advanced as to how these bonds would be paid, and we were assured that such would be done from sources outside of direct appropriation. An effort was also made to convince us that this would mean no increase in taxation.

In times past the State University has had quite an income independent of appropriation. This has been used to help out on the upkeep of the same. In future this is to be taken to pay the bonds which means a larger appropriation each year must be had for that institution.

Never has the State been as hard up or harder pressed for funds than at the present time, nor has there ever been a greater amount of delinquent taxes unpaid. Maricopa County today has close to \$6,000,000.00. We cannot borrow ourselves rich. The coming session of the Twelfth Legislature will find a heavy budget. The 'unfortunates' of the State, including the Industrial School pupils, the Penitentiary convicts and the insane will need attention. A new penitentiary must be had shortly. The Insane Asylum buildings need enlarging and the Industrial School at Ft. Grant is also in need of attention. The mines are closed, and will continue to be inoperative for some time, and this means the farmer and the business man, together with the railroads, must bear the burden of taxation. We cannot stand for an increase.

I have advocated having this question submitted to the voters of the State and it was turned down. I have asked that the labor employed should be at least ninety per cent Arizona citizens. This was denied. An effort has been made to cram the whole question down our throats without consideration. The great hue and cry has been 'Hurry up. Pass the Bill and go home. Economize.' I have insisted that we be given some opportunity to dig into the matter but in vain. I am in the hopeless minority, but the minority has been right many and many a time. I have done my best. I hope I am mistaken in the attitude I have taken, but the future alone will determine that. I have asked no one to follow me nor have I been connected with any bloc.

I vote 'No'.

M. V. DECKER."

"Mr. Speaker:

This bill upon which we are voting today is one of the most important bills which, up to this time, has come to the attention of this legislature either in the Regular or in the previous Special sessions.

It is my belief that education is one of the foremost undertakings, not only of our local, municipal, county and state government, but also is considered an important national factor. Today there is much discussion concerning the advisability of the President of the United States placing within his cabinet an additional member to be known as the Director of Public Education. If and when this is accomplished, it will permit of a better spirit of co-operation and administration between all of the various educational institutions of this country. One must realize that this move also would react, not

only to the better use of educational institutions now established, but would permit of their administration at a lower financial cost to the taxpayers of the nation. It will be a fine progressive step for our nation when this undertaking is realized, and I am reminded of the words of Lowell when he said, 'But it was in making education not only common to all but in some sense compulsory on all that the destiny of the free republics of America was practically settled.'

We all fully realize that with the requirements of the modern workaday world it is most compulsory, that if the youth of our day is to meet with success, they must be granted the benefits of college or university training. No college or other place of higher learning of itself ever made a successful man. It merely furnishes the environment, the theory, and the opportunity to broaden the vision of those subjected to its training. It is most mandatory that, if these facts be true and we want our youth to make use of these institutions of higher learning, that the costs of this education must be kept within the reach of all.

This bill which we have considered has, in my opinion, some points involved that will need wise discretion on the part of those who shall enforce its provisions. I have the utmost confidence in the integrity and ability of those who now compose the controlling bodies of these institutions. It is my sincere hope that they will use the provisions of this bill wisely and judiciously aiming at all times to keep the facilities of these institutions of higher learning within the reach of all the people and yet within the confines of the ability of the taxpayers, to meet the financial requirements. There are some provisions within the bill which do not meet with my own personal approval, however, the necessity of the building of these projects at this time is sufficient in scope to overcome any of these objections.

Horace Mann, in one of his lectures and reports on education, says, 'Finally, education alone can conduct us to that enjoyment which is, at once, best in quality and infinite in quantity.'

The progressive future of our state and nation rests with the education of our youth, and if this bill will have any part in the furtherance of this important undertaking, I am glad to have had a part in its enactment and am, therefor, voting 'YES'.

WALTER I. ETTLEMAN."

"Mr. Speaker:

I wish to explain my vote on Senate Bill No. 3 and have same recorded in the Journal of the House.

We have been called by the Governor in special session to pass certain bills which are primarily meant

for the relief of unemployment. My constituents, and I had hoped to get in touch with all of these bills early enough, so that we might have time to consider them intelligently, and thoroughly thrash them out.

For some reason we were unable to do so, but other interests, not the farmers, it appears, were given this privilege. The first peep that members of the Legislature had, or at least that I had, at this bill, was Monday noon, on the first day of the session. In referring this bill to committees, for some reason the committee on State Institutions, of which I am chairman was not so favored, but at a later date, after protest, this committee was included.

I have tried to get some knowledge of the bill by listening in to other committees, before calling a session of my own. The heads of these various Institutions appeared before these committees, yet gave little real information.

Certain theories were advanced as to how these bonds would be paid and we were assured that such would be done from sources other than direct appropriations. An effort was made to convince us that this would mean no increase in taxes, although close to three million dollars is to be spent for the University, the Deaf and Blind School, and the two Normals.

I understand Flagstaff and Tempe proposed to pay their bonds out of incomes secured from profits on board, room, et cetera, and the University from rentals of Public land, and other sources, while the Deaf and Blind School advocates, when questioned, explain that certain Indian children afflicted by those maladies would be sent there by the United States Government of Indian Service, and this would give them the necessary income to pay the bonds.

In times past, these separate funds received by each one of these institutions have been used for its support, and we understand was absolutely necessary or other appropriations which have had to be made.

We can only judge the future by the past, and if that be true, and these funds taken to pay the bonds and interest, a much larger sum will be required each year in way of appropriations to take their place.

This means, practically speaking, that the entire sum is paid indirectly by the tax-payers. We cannot borrow ourselves rich. The coming session of the 12th Legislature will find a heavy budget. A new penitentiary, for first offenders, is an absolute necessity. The Industrial School or Reformatory, is a travesty on the name for lack of funds, and the Insane Asylum is so crowded that costly improvements must be made, and this all takes money.

The mines are closed, and will be closed, and continue to be unoperated with little taxes from this source, and the entire burden of all taxes thrown upon the farmer, the home owner, the business man and the railroads.

Yuma County has close to a million dollars of unpaid taxes. Maricopa County over five million and other Counties are in almost as bad condition. Twelve pages of advertising property of Yuma County for sale, to pay taxes is this year's record.

Maricopa County is not observing the law, and if she would it would take much more space.

Water bills and taxes leave the farmer nothing to live on after the cost of production of crops is paid. The farmer, little home owner, each and all need large sums to make necessary repairs and improvements on the home.

Men and women in Maricopa County and Yuma County have been living, many of them, on two meager meals a day, in order that they could pay taxes. Many families lack the bare necessities of life, and have no luxuries, and very little hope for the future.

Why should an added burden be placed upon these? I have asked that this proposed law be submitted to the voters at a special election to be called at a time fixed by the Governor, but the amendment was voted down. I have also moved that ninety percent of labor employed for the construction and improvements to be made, should consist of Arizona citizens, who have resided within the State for at least a year; or six months, as the first might prove too long a period.

This was turned down. Should these improvements be made without restrictions, these contractors will bring in outside labor and it will not lessen unemployment of the workmen of our State. An effort has been made to cram the whole thing down our throats without consideration. The great cry is 'hurry up', 'Pass the bill, and get home, economize.'

I have insisted that we be given some opportunity to dig into the matter, where so much money is at stake, but in vain. I am in the hopeless minority, but the minority has been right many and many a time, and I can go back to my constituents and look them in the face, and tell them I have fought the fight. I have kept the faith, but I have lost. I believe I am right and will practically have the unanimous endorsement of the good men and women of my district, and my county, who do not believe that this is the proper time to lay an impossible burden upon the backs of the farmer, the small property owner, and others.

I vote 'No'.

WM. (BILL) WISENER."

Senate Bill No. 3 was signed in open session by the Speaker, and the clerk was instructed to record the action of the House on the bill and return it to the Senate.

Motion by Mr. Ettleman, seconded by Mr. Heron, that the House stand adjourned until 10:00 a. m., Thursday, December 6, 1934. Carried, and at 4:55 p. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

THURSDAY, DECEMBER 6

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

Roll call showed the following members present:

Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillen, Mincks, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—62.

Excused: Combs, Nugent—2.

Reverend Thomas C. Harris, Chaplain of the House offered prayer.

By unanimous consent the reading of the Journal of Wednesday, December 5, 1934, was dispensed with and the Journal of Tuesday, December 4, 1934, was approved.

At 10:05 a. m., the Sergeant-at-Arms announced that Mr. Combs had taken his seat.

REPORTS OF STANDING COMMITTEES

Standing committees submitted the following reports:

“December 6, 1934.

Mr. Speaker:

Your Committee on Printing reports that it has ordered printed House Bill No. 10.

THOS. D. TWAY,
Chairman.”

Placed on file.

"December 6, 1934.

Mr. Speaker:

Your Committee on Enrolling and Engrossing reports that it has engrossed the following:

Senate Bill No. 1, the district enabling act of 1934.

Senate Bill No. 4, amendment relating to refunding bonds.

E. F. VICKERS,
Chairman."

Senate Bills Nos. 1 and 4 were placed under the Order of Business, Third Reading of Bills, for today.

"December 6, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 7, perimtee application for government funds, and respectfully recommends, that in the opinion of your committee the bill is constitutional and in proper form.

JOHN H. RAPP,
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with the report of the Committee on Agriculture and Irrigation.

"December 6, 1934.

Mr. Speaker:

Your Committee on Appropriations reports that it has had under consideration House Bill No. 5, cities and towns emergency act of 1934, and respectfully returns same for the consideration of the House.

W. E. OXSHEER,
Chairman."

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

FIRST READING OF BILLS

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

HOUSE JOINT MEMORIAL NO. 4, by Messrs. Osborn, Pratt and Armstrong of Maricopa, and Messrs. Bennett and Wisener of Yuma, requesting Federal Power Commission to investigate Arizona

interstate public utilities corporations. Referred to the Committee on Printing.

Motion by Mr. Bennett, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that House Joint Memorial No. 4 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

On first reading of House Joint Memorial No. 4, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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 Memorial No. 4, 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 bills were read the second time by number and title only:

HOUSE BILL NO. 10, by the Committee on Appropriations, legislative appropriation for printing Revised Code. Referred to the Committees on Appropriations and Judiciary.

SENATE BILL NO. 6, cities and towns emergency act of 1934. Referred to the Committees on Reconstruction and Unemployment, Judiciary, and County and County Affairs.

The following bill was read the second time in full:

HOUSE JOINT MEMORIAL NO. 4, by Messrs. Osborn, Pratt and Armstrong of Maricopa, and Messrs. Bennett and Wisener of Yuma, requesting Federal Power Commission to investigate Arizona interstate public utilities corporations.

Motion by Mr. Bennett, seconded by Mr. Wisener, that the rules be suspended, an emergency declared, and that House Joint Memorial No. 4 be placed under the Order of Business, Third Reading of Bills, for today. Carried by a two-thirds vote.

On second reading of House Bill No. 10 and Senate Bill No. 6, motion by Mr. McQuillan, seconded by Mr. Ettleman, 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. 10 and Senate Bill No. 6, 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.

READING OF RESOLUTIONS

House Memorial No. 4, by Messrs. Phillips and Combs of Maricopa, Mr. Wisener of Yuma and Mrs. Bevan of Cochise, was read in full as follows:

HOUSE MEMORIAL NO. 4.

Your memorialist, the House of Representatives of the Legislature of the State of Arizona, respectfully represents:

We commend the earnest and sincere efforts of the administration to overcome the economic depression which for five years has held this nation in its grip; which has paralyzed industry, destroyed commerce, deprived citizens of their homes, left workers without employment, and reduced millions of producers from reasonable comfort and independence to penury and want.

But while we commend these efforts, and the vision that conceived them, we must respectfully direct attention to the distressing fact that a deserving section of the nation's citizenry which needs help most of all—the small farmer, the small dairyman, and the small stock raiser—has not been effectively aided.

Elaborate steps have been taken, through the medium of the agricultural adjustment act and the Bankhead cotton control bill, to relieve the distress occasioned by mortgaged farms, and to finance farming operations, to systematize production, effect orderly marketing, and raise the prices of farm products. These legislative devices have no doubt been effective, but either the laws themselves, or the rules and regulations under which they are administered, have proven impotent to bring within the scope of their beneficent influence the class to which reference is here made.

The terms under which the government extends help to the farmer appear to be well adapted to the needs of the man who farms on a large scale. He can furnish a financial statement, show low cost operation with modern equipment, often purchased out of the proceeds of his government loan, and otherwise comply with the requirements of the lending agency. But the small farmer cannot meet the conditions imposed. He is unable to make the financial and technical showing required of him. He cannot furnish what might be termed a bank set-up. He cannot show the low-cost production of the large operator. If he wishes to grow cotton, or to participate in the benefit or rental provisions of the Bankhead act, he is often unable to furnish the accurate records of production for previous years that are required of him. For these and other reasons beyond his control he is found to be ineligible for the assistance which goes to those who need it less.

What is here said of the small farmer is true of the small dairyman and the small hog raiser. They, too, find it difficult if not impossible to secure assistance, and continue to market their products at less than cost, while the prices of everything they buy has practically doubled.

As a consequence of this situation, hundreds of thousands of acres of fertile small farms are not being tilled. Many of their former owners, or tenants, unable to secure financial aid to continue their farming and maintain their homes, have perforce moved with their families to the cities, where they are living at the cost of the public welfare agencies. In numerous instances

they have been dispossessed of their land, which has been added to the holdings of the large operators who are able to get government aid.

It cannot be believed that such results were contemplated when the agricultural relief acts were written. It is believed that when the situation described is brought to the attention of the national administration and the nation's law-makers, corrective steps will be promptly taken.

Wherefore, your memorialist prays that steps may be speedily taken to afford urgently needed relief to the small farmer, dairyman and stock-raiser—steps which will enable him to enjoy a measure of the assistance accorded to the large operators; which will make it possible for him to refinance himself under a practical amortization plan such as is embodied in the Frazier-Lemke bill, and in addition, will enable the producer to realize at least cost on his product, while limiting the middleman, who to date is the chief beneficiary of the price-raising devices, to a reasonable profit, and afford protection to the consumer.

And your memorialist will ever pray.

Motion by Mr. Phillips, seconded by Mr. Wisener, that House Memorial No. 4 be adopted. Carried, and the Clerk was instructed to record the action of the House on the bill and convey it to the Governor.

THIRD READING OF BILLS

SENATE BILL NO. 1, entitled, An Act, authorizing irrigation districts, drainage districts, flood control districts, agricultural improvement districts, electrical districts, power districts and other districts as defined herein, to enter into contracts or agreements with the federal government or any officer, agency, corporation or instrumentality thereof; providing for the validation of such contracts heretofore entered into by any such districts and of all proceedings taken in connection therewith; providing for the approval of such contracts or agreements and the issuance of any bonds thereunder by the vote of real property taxpayers, and the validation thereof by actions in rem; further providing for the approval of the attorney general of such contracts and of bonds issued thereunder; and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—62.

Nays: Decker—1.

Excused: Nugent—1.

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

SENATE BILL NO. 4, entitled, An Act, to amend Section 6 of Chapter 98 of the Session Laws of the Regular Session of the Tenth Legislature, relating to refunding bonds; and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Curtis, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—60.

Nays: Combs, Decker—2.

Excused: Davis, Nugent—2.

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

HOUSE JOINT MEMORIAL NO. 4, requesting Federal Power Commission to investigate Arizona interstate public utilities corporations, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—61.

Absent: Tway—1.

Excused: Davis, Nugent—2.

Signed in open session by the Speaker, and 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, Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

The Committee on Judiciary submitted the following report:

“December 6, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 2, the municipali-

ties public works act of 1934, and respectfully recommends that it be amended as follows:

1. On page 6, strike beginning on line 3 at the words 'Section 11', and ending with the word 'cause' on line 11.
2. Strike the words 'Section 12', line 12, page 6, and insert in lieu thereof the words 'Section 11.'
3. Strike the words 'Section 13', line 18, page 6, and insert in lieu thereof the words 'Section 12'.
4. Strike the words 'Section 14', line 24, page 6, and insert in lieu thereof the words 'Section 13'.
5. Strike the words 'Section 15', line 29, page 6, and insert in lieu thereof the words 'Section 14'.
6. Strike the words 'Section 16', line 2, page 7, and insert in lieu thereof the words 'Section 15'.
7. Strike the words 'Section 17', line 4, page 7, and insert in lieu thereof the words 'Section 16'.
8. That said act be further amended at Section 5, page 4, line 21, by adding to the section the following: 'When the whole or any part of the cost of any public works project is ultimately to be paid by assessments to be levied upon property especially benefited, opportunity shall be given the owners of the property affected to protest the proposed public works project in the manner provided in Article 16, Chapter 12, Revised Code of Arizona, 1928, for protesting public improvements.'
9. That said act be further amended by inserting at the proper place preceeding each section thereof, the following sectional titles. (Numbered to conform with act with proposed amendments.)
 - Section 1. Definitions.
 - Section 2. Powers of Municipality.
 - Section 3. Awarding of contracts.
 - Section 4. Compliance with Federal laws, rules and regulations.
 - Section 5. Undertaking of public works projects by municipalities.

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- Section 6. Terms of bonds.
- Section 7. Disposition of proceeds.
- Section 8. Validity and negotiability of bonds.
- Section 9. Allowable costs.
- Section 10. Interim certificates.
- Section 11. Cumulative remedy. (Sec. 12 before amendment).
- Section 12. Purpose and construction.
- Section 13. Supplemental nature of act.
- Section 14. Excision of unconstitutional and ineffective parts of act.
- Section 15. Short title of act.
- Section 16. Declaring emergency and time of taking effect.

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

JOHN H. RAPP,
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on County and County Affairs.

At 11:10 a. m., the House stood at recess subject to the call of the gavel.

At 11:25 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 Rules submitted the following report:

"December 6, 1934.

Mr. Speaker:

Your Committee on Rules reports for the consideration of the House, in the order named: House Bill No. 7 and Senate Bill No. 5.

CONNER JOHNSON,
Vice-Chairman."

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

Motion by Mr. Wiggins, seconded by Mr. Goodson, that the debate on House Bill No. 7 be limited to twenty minutes for each Representative with the privilege of a ten minute rebuttal. Carried.

Motion by Mr. Ettleman, seconded by Mr. Sprouse, that the House resolve itself into a Committee of the Whole House for the consideration of the bills on the Calendar. Carried, and at 11:35 a. m., the House resolved itself into a Committee of the Whole House, Mr. Udall in the chair.

At 12:05 p. m., the Committee of the Whole House rose and submitted the following report:

“Mr. Speaker:

Your Committee of the Whole House reports progress and asks leave to sit again.

JESSE A. UDALL,
Chairman.”

Without objection the report of the Committee of the Whole House was received.

Motion by Mr. Ward, seconded by Mr. Christian, that the House stand at recess until 2:00 p. m. Carried, and at 12:07 p. 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 County and County Affairs submitted the following report:

“December 6, 1934.

Mr. Speaker:

Your Committee on County and County Affairs reports that it has had under consideration House Bill No. 2, the municipalities public works act of 1934, and respectfully returns same for the consideration of the House.

V. C. WIGGINS,
Chairman.”

Placed on the House Calendar of the Committee of the Whole House, to be considered with the reports of the Committees on Judiciary, Ways and Means, Appropriations and Labor.

BILLS AND OTHER BUSINESS FROM THE SENATE

A message from the Senate, by W. J. Graham, its Secretary, announcing the following Senate action:

“House Bill No. 9, legislative appropriation, passed by a vote of 15 ayes, 4 nays, with the following amendments:

In lines 5 and 6 of Section 1, strike the words ‘Nine Thousand Seven Hundred Fifty’ and the figures ‘\$9750’ and insert the words ‘Seven Thousand Seven Hundred Fifty’ and the figures ‘\$7750’; and strike paragraph 3 of Section 1.”

Motion by Mr. Oxsheer, seconded by Mr. Geo. A. Johnson, that the House concur in the Senate amendments to House Bill No. 9. Carried by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wiggins, Williams of Greenlee, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—58.

Absent: Hoyt, O’Neill, Osborn, Wieden, Williams of Cocomino—5.

Excused: Nugent—1.

House Bill No. 9 was signed in open session by the Speaker, and 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.

The privileges of the floor were extended to Mr. J. Lee Lovelless, former member of the House of Representatives.

Motion by Mr. McQuillan, seconded by Mr. Ettleman, that the House resolve itself into a Committee of the Whole House for the further consideration of the bills on the Calendar. Carried, and at 2:10 p. m., the House resolved itself into a Committee of the Whole House, Mr. Udall in the chair.

At 4:05 p. m., the Committee of the Whole House rose and submitted the following report:

“Mr. Speaker:

Your Committee of the Whole House reports that it has had under consideration House Bill No. 7 and Senate Bill No. 5, and respectfully recommends:

That House Bill No. 7 retain its place on the Calendar;

That Senate Bill No. 5 be amended as follows: after the section numbers insert titles as follows: 'Section 1. Definitions. Section 2. Extension of unexpired permits. Section 3. Declaration of emergency and time of taking effect.'; line 5, page 1, after 'electrical district' insert 'water conservation district,'; and, as so amended, it do pass.

JESSE A. UDALL,
Chairman."

Without objection the report of the Committee of the Whole House was received.

Without objection House Bill No. 7 retained its place on the Calendar of the Committee of the Whole House.

Without objection Senate Bill No. 5, permittee application for government funds, as amended by the Committee of the Whole House, was referred to the Committee on Enrolling and Engrossing.

At 4:07 p. m., the House stood at recess subject to the call of the gavel.

At 4:10 p. m., Mr. Speaker called the House to order.

Without objection the House referred to the Order of Business, Bills and Other Business from the Senate.

BILLS AND OTHER BUSINESS FROM THE SENATE

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

"Senate refused to concur in House amendments to Senate Bill No. 3, the educational institutions Act of 1934, and has appointed Senators Houston, Greer and Rienhardt as a conference committee, and requests the House to appoint a like committee to consider the matter of disagreement on the bill."

The clerk was instructed to record the action of the Senate.

Motion by Mr. Eittleman, seconded by Mr. Geo. A. Johnson, that a conference committee be appointed to meet with a like committee from the Senate in the matter of disagreement to House amendments to Senate Bill No. 3, the educational institutions Act of 1934. Carried, and Mr. Speaker appointed members Bush, Babbitt and Wieden as such a committee.

The clerk was instructed to record the action of the House and notify the Senate of such action.

"Senate refused to concur in House amendments to Senate Bill No. 1, the district enabling Act of 1934, and has appointed Senators Kelly, Farmer and Pomeroy as a conference committee, and requests the House to appoint a like committee to consider the matter of disagreement on the bill."

The clerk was instructed to record the action of the Senate.

Motion by Mr. Ettleman, seconded by Mr. Curtis, that a conference committee be appointed to meet with a like committee from the Senate in the matter of disagreement to House amendments to Senate Bill No. 1, the district enabling Act of 1934. Carried, and Mr. Speaker appointed members Dysart, Conner Johnson and Bennett as such a committee.

The clerk was instructed to record the action of the House and notify the Senate of such action.

Motion by Mr. Ettleman, seconded by Mr. Pryor, that the House stand adjourned until 10:00 a. m., Friday, December 7, 1934. Carried and at 4:22 p. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

FRIDAY, DECEMBER 7

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

Roll call showed the following members present:

Armstrong, Armstrong, Babbitt, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, O'Neill, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—60.

Absent: Bennett, Osborn, Randall—3.

Excused: Nugent—1.

Reverend Thomas C. Harris, Chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Thursday, December 6, 1934, was dispensed with and the Journal of Wednesday, December 5, 1934, was approved.

REPORTS OF STANDING COMMITTEES

Standing Committees submitted the following reports:

“December 7, 1934.

Mr. Speaker:

Your Committee on Printing reports that it has received from the printer House Bill No. 10 and House Concurrent Resolution No. 3.

THOS. D. TWAY,
Chairman.”

Placed on file.

"December 7, 1934.

Mr. Speaker:

Your Committee on Enrolling and Engrossing reports that it has engrossed the following:

Senate Bill No. 5, permittee application for government funds.

E. F. VICKERS,
Chairman."

Senate Bill No. 5 was placed under the Order of Business, Third Reading of Bills for today.

"December 7, 1934.

Mr. Speaker:

Your Committee on Efficient Government reports that it has had under consideration House Concurrent Resolution No. 2, constitutional amendment providing for limited exemption from taxation of homes, and respectfully recommends:

Majority report: it do not pass.

WALTER I. ETTLEMAN,
JOS. N. CURTIS,
ANNIE CAMPBELL JONES,
Chairman.

Minority report: it do pass.

HOWARD SPROUSE."

Placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Constitutional Amendments and Referendum, and Judiciary.

"December 7, 1934.

Mr. Speaker:

Your Committee on Ways and Means reports that it has had under consideration House Bill No. 5, cities and towns emergency Act of 1934, and respectfully returns same for the consideration of the House.

JAS. R. HERON,
Chairman."

Placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Reconstruction and Unemployment, Judiciary, and County and County Affairs.

"December 7, 1934.

Mr. Speaker:

Your Committee on Ways and Means reports that it has had under consideration House Bill No. 6, the

revenue bond Act of 1934, and respectfully returns same for the consideration of the House.

JAS. R. HERON,
Chairman."

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

"December 7, 1934.

Mr. Speaker:

Your Committee on Reconstruction and Unemployment reports that it has had under consideration Senate Bill No. 6, cities and towns emergency Act of 1934, and respectfully recommends, that it do pass.

WALTER I. ETTLEMAN,
Chairman."

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

"December 7, 1934.

Mr. Speaker:

Your Committee on Reconstruction and Unemployment reports that it has had under consideration House Bill No. 5, cities and towns emergency Act of 1934, and respectfully recommends, that it do pass.

WALTER I. ETTLEMAN,
Chairman."

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

"December 7, 1934.

Mr. Speaker:

Your Committee on Constitutional Amendments and Referendum reports that it has had under consideration House Concurrent Resolution No. 2, constitutional amendment providing for limited exemption from taxation of homes, and respectfully reports that:

As individual members of the Committee we feel very favorable toward exempting the small homes of the State from taxation, however, we feel that this resolution is not within the call and that this is no time to vote any tax exemptions without additional revenue in sight. Therefore, we recommend that this resolution do not pass.

NELLIE T. BUSH,
Chairman."

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

BILLS AND OTHER BUSINESS FROM THE SENATE

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

"Senate concurred in House amendments to Senate Bill No. 4, amendment relating to refunding bonds, by a vote of 18 ayes, 1 nay."

The clerk was instructed to record the action of the Senate.

"Senate indefinitely postponed House Joint Memorial No. 4, requesting Federal Power Commission to investigate Arizona interstate public utilities corporations, by a vote of 12 ayes, 7 nays.

The clerk was instructed to record the action of the Senate.

FIRST READING OF BILLS

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

HOUSE JOINT MEMORIAL NO. 5, by Mr. Ettleman of Maricopa, Mr. Peggs of Mohave and Mr. Heron of Gila, on immediate payment of world war veterans adjusted service certificates. Referred to the Committee on Printing.

Motion by Mr. Ettleman, seconded by Mr. Christian, that the rules be suspended, an emergency declared, and that House Joint Memorial No. 5 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

On first reading of House Joint Memorial No. 5, motion by Mrs. Bush, seconded by Mr. Ettleman, 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 Memorial No. 5, 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 JOINT MEMORIAL NO. 5, by Mr. Ettleman of Maricopa, Mr. Peggs of Mohave and Mr. Heron of Gila, on immediate payment of world war veterans adjusted service certificates.

Motion by Mr. Ettleman, seconded by Mr. Christian, that the rules be suspended, an emergency declared, and that House Joint Memorial No. 5 be placed under the Order of Business, Third Reading of Bills, for today. Carried by a two-thirds vote.

On second reading of House Joint Memorial No. 5, motion by Mrs. Bush, seconded by Mr. Eittleman, 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 Memorial No. 5, 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.

Mr. Wieden introduced Mr. C. W. Gardner, member-elect of the House, who was extended the privileges of the floor.

READING OF RESOLUTIONS

House Memorial No. 5, by Messrs. Decker, Combs, Christian, Mincks, Jennings, Phillips and Sayers of Maricopa, Mr. Colter of Apache, Mr. Wisener and Mrs. Bush of Yuma, was read in full as follows:

HOUSE MEMORIAL NO. 5

Your memorialist, the House of Representatives of the Legislature of the State of Arizona, respectfully represents:

Development of the vast resources of this nation's waterways, to the country's enrichment, is an outstanding feature of the national administration's policy which commands our unstinted praise, as a permanent policy no less than as an affective means of giving work in the existing emergency to many thousands of unemployed men.

The development of the lower Colorado river through the dredging of a deep-water channel from the head of the Gulf of California to the city of Yuma is a project which, since the earliest days of Arizona's existence as a Territory has commanded the interest and excited the imagination of engineers.

This mammoth project, which would give to Arizona a deep-sea port, would be of inestimable importance to the southwest and to the nation, giving life, as it would, to the industries and multiplying the commerce of one of the richest parts of the country, and during the period of its construction affording employment to an army of engineers, artisans, and laborers.

It would appear that there could be no more auspicious time than the present, when progressive policies distinguish the attitude of a liberal Mexican government, to approach the subject of an understanding by which that nation would consent to or cooperate in the construction of this waterway—an understanding which would be in full sympathy with the spirit of the Gadsden treaty, signed December 30, 1853, which declares that "the vessels and citizens of the United States shall, in all time, have free and uninterrupted passage through

the Gulf of California, to and from their possession situated north of the boundary line of the two countries, it being understood that this passage is to be by navigation in the Gulf of California and the river Colorado,"

Wherefore your memorialist prays that the subject of this mammoth development be given your earnest consideration, and that the Department of State be instructed to initiate negotiations with the government of the Republic of Mexico looking to the consent of the said government for the construction of the said project over Mexican territory, or to its actual cooperation in such construction.

And your memorialist will ever pray.

Motion by Mrs. Bush, seconded by Mr. Sayers, that House Memorial No. 5 be adopted. Carried, and the clerk was instructed to record the action of the House on the bill and convey it to the Governor.

At 10:25 a. m., the Sergeant-at-Arms announced that members Bennett, Nugent, Randall and Osborn had taken their seats.

THIRD READING OF BILLS

SENATE BILL NO. 5, entitled, An Act, extending the time for beginning construction under unexpired permits of State Water Commissioner where permittee is applicant for government funds; and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, Decker, Dysart, Eittleman, Francis, Goodson, Hoyt, Heron, Jennings, Conner Johnson, Jones, Kelley, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Rapp, Reichard, Richards, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wisdom, Wisener, Witt, Mr. Speaker—57.

Nays: DeSouza, Geo. A. Johnson, Kenworthy, Laird, Riggs, Wilson—6.

Absent: Randall—1.

The following members asked that explanation of their vote on Senate Bill No. 5 be spread upon the Journal:

"Mr. Speaker:

I do not feel there is need of anything more necessary to be said to pass this bill, but I would like to express a few thoughts to have recorded in the House Journal.

I feel the Federal government should construct, and at national cost, for the benefit and progress of the nation, every dam and power project in the nation. That would bring in additional acreage or additional power for the welfare of the nation.

Ere this old head of mine is cold I hope and trust the United States Congress will see fit to write off the books all construction cost of every reclamation project, not only in Arizona but in every state where an irrigation project may be. I feel this act would in a great measure right a wrong done the American people in the early development of our great nation. This wrong I speak of was the granting of great land grants which, I consider nothing short of a huge national steal. I vote 'aye'.

J. M. COMBS."

"Mr. Speaker:

In voting against this bill, I cannot refrain from condemning statements made in committee hearings and in open debate on this floor charging bad faith on the part of irrigation districts in opposing its passage. It is my conviction that the Salt River Valley Water Users' Association and others acted in the best of faith in their effort to protect the water supply of lands comprising almost the entire cultivated area of Maricopa county, and I believe their position is sound. The lands they defend support this county's population of over 150,000 people, one-third of the population of the entire state.

In view of the recent rejection of the Verde project loan by the Public Works Administration after an exhaustive investigation by the United States Reclamation Service, and their report that the costs would amount to \$472.00 per acre, I see no prospect of its resurrection under the present or any other set-up that can bring any benefits to the pioneers and bona fide settlers of the district. The indicated costs would ruin anyone attempting to stay upon the land and pay it out.

I fear that the passage of this bill will prove futile in accomplishing the purpose intended by this body, and further that it will be a serious obstacle in the path of the Salt River Valley Water Users' Association in obtaining a \$6,000,000 loan for new construction and repairs, and in securing approval of refinancing funds amounting to \$10,000,000.

As a member of a labor union, now and for more than twenty-five years in good standing, I must express the view that this bill will indefinitely delay providing employment for both skilled and unskilled labor, and that, you know, is a very serious matter in times as critical as these. I vote 'No'.

JAS. E. DESOUZA."

"Mr. Speaker:

As stated in Committee of the Whole, I question the financial feasibility of the Verde Project. However,

since the Verde district does hold rights on the river sufficient to prevent early construction of any project on the river without its consent, and since its desires time to reopen its case before the Public Works Administration, I am voting 'Aye'.

NAT. M. DYSART."

"Mr. Speaker:

It is my contention, and I feel the majority opinion of this body, that in voting on this measure the House is not acting on the feasibility or infeasibility of either the Verde Project or the Salt River Valley Water Users' Project. The question of whether or not the Verde project should be built, or whether it should be turned down and in its stead the Salt River Valley Water Users' Project built, or a project that might serve both the Verde and the Salt River Valley Water Users' is an engineering question that will have to be decided by the United States Department of the Interior, and this body, at this time, would materially err in endeavoring to endorse either of the projects.

This bill is intended merely to provide additional time to permit those interested to present their issues to the proper tribunals, where it is felt the issues will be decided on a fair, just, impartial basis, whereby the best interests of the nation, the state, and the landowners under the projects in issue will be taken into careful and deliberate consideration.

There has been reference made, not upon the floor of this House but indirectly, that as a result of this Legislature passing this bill, certain persons, including our Governor and our Representative in Congress, would be 'put on the spot'. I feel like I know these persons well enough to state that if and when the information and details are presented, in the proper manner, to them, I am of the opinion they will give such careful and impartial consideration to the data, that will insure the best interests of all of their constituents being served.

I feel certain, the authorities in Washington will be pleased to fairly and justly consider both sides of this question and not consider the passage of this bill as endorsing the issues of either side. I attach herewith a copy of a telegram received from the P. W. A. authorities in Washington, which is self-explanatory:

'December 4, 1934.

Hon. Walter I. Eittleman,
Member of the Arizona Legislature

Re telegram Verde project P. W. A. unable to answer direct question regarding likelihood of allotment again being made Verde District stop

no objection from this administration to Verde resubmitting revised application to be considered along with existing request from Salt River group stop whole situation involves many factors which cannot be determined at present time including definite knowledge as to funds available to PWA for future allotment.

PHILIP B. FLEMING, Acting
Deputy Administrator Public
Works Administration.

In the interest of fairness and justice to both sides of this controversy, I feel I should vote 'Yes'.

WALTER I. ETTLEMAN."

"Mr. Speaker:

In protesting the passage of this measure I have endeavored to weigh the evidence as presented for and against this bill, purely from the standpoint of good business.

If you, Mr. Speaker, or any member of this house, should feel inclined to invest in any sort of business, before doing so you would cast about for favorable data on which to base that investment, you would figure the locality in which the proposed investment was to be made, was there sufficient trade area to bring in a volume of business to justify the rentals you have to pay, was competition too keen, etc. And if you found that the excessive overhead did not justify the investment you would immediately abandon the idea of the enterprise. Now that is exactly what the Bureau of Reclamation has done with respect to the Verde Project.

The landowners under that project organized themselves as early as 1920, and asked the government for a permit that they might get irrigation water so that they could get in business by growing and producing crops.

About this time there were a series of wet years, and it appeared that there might be some little surplus of water from the Verde, and even though the Reclamation Bureau recommended against it Barton Payne, then Secretary of the Interior, because the Verde people assured him they had completed their financial arrangement, granted the permit.

This permit was extended from time to time until 1926 when Secretary Work cancelled it. Later in 1930 Secretary Wilbur renewed it, at which time the Verde made application for storage dams at Horseshoe and Camp Verde.

Contrary to the general impression the P. W. A. only tentatively allotted them the \$18,000,000, all of

which was subject to the approval of the Bureau of Reclamation. After an extensive study of many months and an expenditure of \$150,000 by the Bureau of Reclamation, the project was rejected on the basis of its infeasibility. Secretary Ickes said as much again in last week's issue of *Colliers Weekly*. Here are some of the figures on which its infeasibility was based, which figures were prepared by the Verde District itself:

Cost of Irrigation Works	\$13,608,000
Cost of Power Development	5,304,000
Total Cost of Project	<u>\$18,912,000</u>
Irrigable Area	85,000 acres
Cost per acre Irrigation works	\$160.00

Here are some figures evolved by the P. W. A.'s own research:

Cost of Irrigation works	\$25,468,000
Cost of Power Development	4,090,400
Total cost of Project	<u>\$29,558,400</u>
Irrigable Area	54,000 acres
Cost per acre Irrigation Works	\$472.00

A lot has been said of the unfortunate Verde homesteader. Why, then, increase his misfortune by saddling on him a bond issue of \$472.00 per acre that there is not the remotest hope of his ever being able to pay? Much of this land is unlevel, some has not even been cleared of its virgin growth, all of which, by the time he fences it, will add another \$100.00 per acre to its cost.

Irrigation projects all around us are dried up. The Roosevelt Irrigation District east of Mesa, the Beardsley and Buckeye Projects, in some instances, are hauling water in barrels to save their citrus trees. None of these projects ever had a fourth of this sized bond issue against their land and their only hope for relief lies in the passage of the irrigation bills now before this Third Special Session called by the Governor.

Our own Salt River Valley project has never been able down through the years to pay only partially its bonded indebtedness, still owing to different agencies some \$60.00 per acre, and has time and again been compelled to seek extensions of time.

As early as 1902 the Salt River Valley Project was promised the waters of the Verde, and notwithstanding for the last three years, through its canals at Granite Reef, it has been diverting the surplus waters of the

Verde, there is at the present time only 188,000 acre feet in the dams as compared with some 900,000 acre feet last year at this time.

Under the Salt River Valley projects you have one-third of the State's population, all dependent on agriculture. With the mines prostrate and the burden of taxation shifted to the farmers' shoulders, Mr. Speaker, how do you expect them to bear the burden, if the meagre supply of water they now have is divided, and they can raise only one crop instead of two?

The passage of this bill will clutter up the constructive program for at least two years as outlined by the Water Users, and the Verde Project as a result of the entanglement will get nowhere. I am convinced that this loan will never be granted. But by litigation it can and will prevent the Water Users from consummating the loan with the PWA for \$6,000,000 for a dam at Bartlett and repairing the dangers in the abutments of their present dams. It will also operate against the granting of a \$10,000,000 refunding application now before the Reconstruction Finance Corporation that they might refund their bonded indebtedness and thereby save to the farmers and shareholders from \$350,000 to \$850,000 per year, over a period of 12 years.

I submit to you, Mr. Speaker, when land under the Salt River Valley projects can in many instances be bought now for \$90.00 per acre and from that to the very choice parcels at \$150.00 per acre, is it good business to seek it in a wilderness with a bonded indebtedness of \$472.00 per acre? I submit to you, Mr. Speaker, and fellow members, that this is an infamous measure, designed to defeat the good, constructive proceedings of the Water Users' Association. If passed it will defeat unemployment by at least two years. It is visionary, speculative, infeasible and unsound.

I vote 'No'.

GEO. A. JOHNSON."

"Mr. Speaker:

The pioneers of 45 years ago in the Paradise-Verde District and their children have never, nor can ever harm those of the Salt River Valley for their water rights have long been established and the water used.

Labor is suffering now not by the acts of the Verde Project for it had some \$18,912,000 set aside for immediate use when the Salt River Valley Water Users' Association became so active that it completed the temporary loss of this vast sum for the relief of labor.

I do not believe that the granting of this loan for the Verde construction will in any way affect adversely the loans of the Salt River Valley Water Users' Association, for their requirements are logical and just. And if

there is any litigation it will have to be started by the Salt River Valley Water Users' Association or their sister projects who claim to be friends of labor.

Our government is throwing billions into doles to the detriment and undermining of the morale of our people, wasting like billions in useless and unproductive work. The expenditure for improvements on the Verde will not embarrass the government.

We need these dams for water storage, and all the districts can get what they need for legitimate improvements if they join hands and fight together rather than against each other.

I vote 'Yes'.

JOHN J. PHILLIPS."

"Mr. Speaker:

I wish to explain my vote on Senate Bill No. 5, and have the same recorded in the Journal of the House.

In this bill, we are not trying to settle the controversy between the Paradise Valley Project, and the Salt River Valley Water Users' Association. That is not before us, neither is the question of the advisability of a loan or the prospect of it's being granted. All that is being asked is an extension of time to enable the Paradise Valley to make efforts to secure what they so much need. Personally, I doubt very much the feasibility of the project, as the amount required will be such as to make the cost per acre prohibitive. Nor do I believe that the grant will be made, yet it is only fair that they be given the opportunity to work out a plan for irrigation on a project, which has been contemplated for some thirty years. I have always sought to be fair, and feel that it is only fair to give them another chance. I also recognize the dire need of the Salt River Project for more water.

Records of early irrigation show that the Zuni Indians had 250,000 acres of the same land of this valley under irrigation in pre-historic days, but lack of sufficient water caused them to migrate. The present occupants of this valley have spread out their water over a much too extended area, and they, too begin to see the failure of the project, and return of the land to the desert. I certainly fear that both of these dreaded catastrophies will happen in the near future; that is, that the Paradise Valley never has been or never will be Paradise for lack of water, no matter what efforts are made and the Salt River Valley will fail.

Moses led the children of Israel forty years in the wilderness. It seems these people have only wandered for thirty years, and I am trusting that they will

find a new Moses to lead them out into the promised land, the Yuma Valley, the Parker project, and the new Garden of Eden, and that in the near future.

I sought yesterday, in debate, to make them understand that we have the soil, the sunshine, the water and everything desirable which they have fought so long for in vain, in a real paradise, the Garden of Eden.

We also extend the invitation to those who, like the Zuni Indians of long ago, are finding their efforts unavailing, because of lack of water. I have many many friends in both sections, the equal of manhood and womanhood of the excellent class, that inhabit the Delta of the Colorado, and the wonderful Garden of Eden. These and others are asked to come.

Once again assuring these and others of a hearty welcome, when they have seen the error of their ways, and trusting that none will be offended by my vote, which is the result of mature deliberation.

I vote 'Yes'.

WILLIAM (BILL) WISENER."

Senate Bill No. 5 was signed in open session by the Speaker, and the clerk was instructed to record the action of the House on the bill and return it to the Senate.

HOUSE JOINT MEMORIAL NO. 5, on immediate payment of world war veterans adjusted service certificates, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong, Armstrong, Bennett, Bevan, Bohlinger, Christian, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Eittleman, Francis, Goodson, Hoyt, Heron, Jennings, Geo. A. Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, O'Neill, Osborn, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Sprouse, Tway, Udall, Vickers, Webb, Wieden, Wiggins, Wilson, Wisdom, Wisener, Mr. Speaker—54.

Nays: Babbitt, Bush, Conner Johnson, Spaid, Williams, Williams, Witt—7.

Excused: Nugent, Oxsheer, Ward—3.

The following members asked that explanation of their vote on House Joint Memorial No. 5 be spread upon the Journal:

"Mr. Speaker:

In voting 'No' on House Joint Memorial No. 5 I do not mean that our soldiers should not have and have not earned more than we can ever give them, but I feel sure Washington authorities have the knowledge we lack and are perfectly sympathetic to the cause and all the resolutions we could pass would do no good. I vote 'No'.

NELLIE T. BUSH."

"Mr. Speaker:

To thousands of World War Veterans, now residents of our fair state, and to the many who are in ill health and destitute circumstances, this measure will be looked upon as one of the most important pieces of legislation.

There are hundreds of my comrades who now are the heads of families. Many of their children are now entering our institutions of higher learning and this money will permit them to give their children a better education than if paid at a later date.

Countless numbers of veterans find the burdens of their debts very heavy, and the payment of the bonus at this time will give them and their dependents a new start in life.

Our ranks are very rapidly being depleted by the Grim Reaper. Our steps are not so active as in the years gone by. Slowly but surely we are entering into the background of the picture and approaching the sunset of our lives. Soon activity must cease and memories alone remain.

If, by my efforts here in the Arizona State Legislature, I was able to be of any assistance to my comrades, I shall feel that my service was not in vain.

As, in all measures, that have come before this body, that were for the welfare of my soldier comrades or their dependents, I vote 'Yes'.

WALTER I. ETTLEMAN."

House Joint Memorial No. 5 was signed in open session by the Speaker, and the clerk was instructed to record the action of the House on the bill and convey it to the Senate.

At 11:10 a. m., the House stood at recess subject to the call of the gavel.

At 11:40 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 Rules submitted the following report:

"December 7, 1934.

Mr. Speaker:

Your Committee on Rules reports for the consideration of the House, in the order named, House Bill No. 2 and Senate Bill No. 2.

CONNER JOHNSON,
Vice-Chairman."

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

Motion by Mr. Babbitt, seconded by Mr. Oxsheer, that the House stand at recess until 2:00 p. m. Carried, and at 11:45 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:

"December 7, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 10, legislative appropriation for printing revised code, and respectfully recommends that it be amended as follows:

Amend by striking, beginning with the word 'claim' in line 4, Section 1, page 1, to and including the word 'Senate', and inserting in lieu thereof the following:

'Claims submitted under the authority of this act shall be honored by the state auditor upon the presentation of a certificate signed by the Speaker of the House of Representatives or the President of the Senate, whereupon said state auditor shall issue his warrant upon the state treasurer for the payment of the same, and said treasurer, upon presentation, shall pay the same out of the appropriation herein provided for and from the general fund of the State of Arizona.'

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

JOHN H. RAPP,
Chairman."

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

"December 7, 1934.

Mr. Speaker:

Your Committee on Appropriations reports that it has had under consideration House Bill No. 10, legislative appropriation for printing Revised Code, and respectfully recommends that it be amended as follows:

Amend the title by striking the period after the figures '1928' in line 2 of the title and insert a comma and add the words 'and declaring an emergency'; strike the words 'one thousand six hundred' in line 1, section 1, and insert the words 'seven hundred and fifty', and after the word 'dollars' strike the comma and insert the numerals '(\$750.00)', and as so amended, it do pass.

W. E. OXSHEER,
Chairman."

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

"December 7, 1934.

Mr. Speaker:

Your Committee on Highways and Bridges reports that it has had under consideration House Concurrent Resolution No. 3, appointing members to western bus and truck conference, and respectfully recommends, that it do pass.

HUGH E. LAIRD,
Chairman."

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

"December 7, 1934.

Mr. Speaker:

Your Committee on Petitions and Memorials reports that it has had under consideration House Concurrent Resolution No. 3, appointing members to western bus and truck conference, and respectfully recommends, that it do pass.

CHAS. E. JENNINGS,
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with the report of the Committee on Highways and Bridges.

"December 7, 1934.

Mr. Speaker:

Your Committee on County and County Affairs reports that it has had under consideration House Bill No. 6, the revenue bond act of 1934, and respectfully recommends that: the House consider the companion measure, Senate Bill No. 7, which the Senate has rewrit-

ten, and that House Bill No. 6 in its present form, do not pass.

V. C. WIGGINS,
Chairman."

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

"December 7, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 6, the revenue bond act of 1934, and respectfully reports, that it is informed that the Senate Bill No. 7, identical with House Bill No. 6, is today passing the Senate with several amendments.

Your committee requests that as soon as said bill is received from the Senate, mimeographed copies be immediately made and distributed to the members of the House.

JOHN H. RAPP,
Chairman."

Placed on file.

BUSINESS ON THE SPEAKER'S DESK

A communication from the Governor, B. B. Mouer, was read, giving notice that he had transmitted to the Secretary of State with his approval the following:

House Bill No. 9, legislative appropriation.

House Memorial No. 4, requesting Congress to revise agricultural recovery legislation in behalf of small farmer, dairyman and stock raiser.

House Memorial No. 1, relating to Townsend old age revolving pension plan.

House Memorial No. 3, an extension of activities of home owners loan corporations .

READING OF RESOLUTIONS

House Resolution No. 4, by Miss Jones and Mr. Wiggins of Yavapai, was read in full as follows:

HOUSE RESOLUTION NO. 4

Whereas, that certain highway known as the Black Canyon road, commencing at Grand Avenue and Lateral sixteen, adjacent to the city of Phoenix, and running northward through the towns of Canyon, Bumblebee,

Mayer, Humboldt, and Dewey to an intersection with state highway number 79, about twenty-four miles north-east of the city of Prescott, is and for many years has been one of the most important thoroughfares in the state; and

Whereas, this highway, with its favorable gradient and scenic route, and leading as it does into and through many natural playgrounds and rich mineral districts, is a potential asset to the State of the first magnitude, now, therefore, be it

Resolved by the House of Representatives of the Eleventh legislature, that it is the sense of this body that the said Black Canyon road should be designated as a state highway, and improved as such as rapidly as financial conditions will permit and be it further

Resolved, that the State Highway Department is hereby requested to designate the said Black Canyon road as a State highway, and to set aside and budget, as conditions permit, funds for the improvement thereof.

House Resolution No. 4 was referred to the Committee on Printing.

Motion by Miss Jones, seconded by Mr. Sprouse, that House Resolution No. 4 be adopted. Carried, and the clerk was instructed to record the action of the House on the bill and convey it to the Governor.

Motion by Mr. Babbitt, seconded by Mr. Geo. A. Johnson, that the House resolve itself into a Committee of the Whole House for the consideration of the bills on the Calendar. Carried, and at 2:08 p. m., the House resolved itself into a Committee of the Whole House, Mr. Dysart in the chair.

At 3:15 p. m., the Committee of the Whole House rose and submitted the following report:

“Mr. Speaker:

Your Committee of the Whole House reports that it has had under consideration House Bill No. 2 and Senate Bill No. 2, and respectfully recommends:

That House Bill No. 2 retain its place on the Calendar;

That Senate Bill No. 2 retain its place on the Calendar.

NAT M. DYSART,
Chairman.”

Without objection the report of the Committee of the Whole House was received.

Without objection House Bill No. 2, retained its place on the Calendar of the Committee of the Whole House.

Without objection Senate Bill No. 2, retained its place on the Calendar of the Committee of the Whole House.

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

REPORTS OF STANDING COMMITTEES

The Committee on Rules submitted the following report:

"December 7, 1934.

Mr. Speaker:

Your Committee on Rules reports for the consideration of the House in the order named, House Bill No. 10 and House Concurrent Resolution No. 3.

CONNER JOHNSON,
Vice-Chairman."

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

REPORTS OF SELECT COMMITTEES

Select Committees submitted the following reports:

"December 7, 1934

Mr. Speaker:

Your Conferees in the matter of the disagreement to House amendments to Senate Bill No. 1 respectfully recommends:

That the Senate recedes from its disagreement and accepts the amendments of the House with respect to titles to the Sections of the bill.

That the House recedes and concurs with the Senate in amending what appears to be a typographical error in the second to the last line of Section 6, by striking the word 'faces' and inserting in lieu thereof the word 'face'.

W. B. KELLY,
Chairman of Senate

NAT M. DYSART,
Chairman of House

Conferees.

Conferees.

HUGO B. FARMER,
FRANK T. POMEROY.

CONNER JOHNSON,
R. C. BENNETT."

Motion by Mr. Conner Johnson, seconded by Mr. Ettlemen, that the House adopt the report of the Joint Conference Committee. Carried by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, Mc-

Quillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—63.

Excused: Ward—1.

Senate Bill No. 1 was signed in open session by the Speaker, and the clerk was instructed to record the action of the House on the bill, notify the Senate of such action, and return it to the Senate.

“December 7, 1934.

Mr. Speaker:

Your Conferees in the matter of the disagreement to House amendments to Senate Bill No. 3 respectfully recommends:

That the Senate concurs in the House amendments to the title as follows: in line 10 of the printed bill, after the word ‘bonds’ insert ‘and limit the amount thereof’; in the title, line 13, after the word ‘bonds’ insert ‘to limit the time in which bonds may be issued’.

That the Senate concurs in the House amendments which include the headings of each section throughout the bill.

That the Senate concurs in the House amendment on page 4, line 6, inserting the word ‘and’ after the words ‘federal agency’; on page 6, line 10, after the words ‘will not’ insert a comma, and in line 11, after the word ‘determined’ insert a comma; on page 7, line 20, strike all of lines 20, 21, 22, 23 and 24 and insert in lieu thereof ‘for the protection of bondholders’.

That the House recedes from the amendment whereby it inserts the minimum wage law, numbered as Section 11, on page 9, preceding line 24.

That the House concurs in the Senate amendment on page 10, line 5, after the word ‘controlling’, wherein the Senate places the limitation of this Act to March 1, 1937 instead of 1936.

E. T. HOUSTON, Chairman of Senate Conferees.	NELLIE T. BUSH, Chairman of House Conferees.
D. E. RIENHARDT, DODD L. GREER.	AUGUST WIEDEN, JAMES E. BABBITT.”

Motion by Mrs. Bush, seconded by Mr. Geo. A. Johnson, that the House adopt the report of the Joint Conference Committee. Carried by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bevan, Bohlinger, Bush, Colter, Combs, Curtis, Davis, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Ken-

worthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Palmer, Peggs, Phillips, Pratt, Priser, Pryor, Randall, Rapp Reichard, Richards, Riggs, Spaid, Sprouse, Tway, Udall, Vickers, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Witt, Mr. Speaker—55.

Nays: Bennett, Christian, Decker, Osborn, Oxsheer, Porter, Sayers, Wisener—8.

Excused: Ward—1.

Mrs. Porter explained her vote on the adoption of the Conference Committee report on Senate Bill No. 3 as follows, and asked that it be spread upon the Journal:

Mr. Speaker:

When this bill came up for third reading I voted for it because it contained provisions for paying the minimum wage to the workmen. Now we find that our Conference Committee has concurred with the Senate in deleting this provision from the bill, and I cannot now support it.

Friends, this is a fight for the working man, and it seems that some of you are failing him by supporting this amendment. It would be quite a different story if this was something affecting the big interests, the halls would be filled with lobbyists, patting us on the shoulder and working against the measure, but because it is something affecting the working man no one is interested.

I vote 'No'.

BRIDGIE M. PORTER."

Senate Bill No. 3 was signed in open session by the Speaker, and the clerk was instructed to record the action of the House on the bill, notify the Senate of such action, and return it to the Senate.

Without objection at 3:17 p. m., the House resolved itself into a Committee of the Whole House for the consideration of the bills on the Calendar, Mr. Dysart in the chair.

At 3:40 p. m., the Committee of the Whole House rose and submitted the following report:

"Mr. Speaker:

Your Committee of the Whole House reports that it has had under consideration House Bill No. 2, Senate Bill No. 2, House Bill No. 10 and House Concurrent Resolution No. 3, and respectfully recommends:

That House Bill No. 2 retain its place on the Calendar;

That Senate Bill No. 2 be amended as follows: On page 5, line 4 of the engrossed bill, at the end of the line, after the word 'thereon', insert:

'When the whole or any part of the cost of any public works project is ultimately to be paid by assessments to be levied upon property especially benefited, opportunity shall be given the owners of the property affected to protest the proposed public works project in the manner provided in Article 16, Chapter 12, Revised Code of Arizona, 1928, for protesting public improvements.';

After each section number insert the headings as follows:

- 'Section 1. Definitions.
- 'Section 2. Powers of Municipality.
- 'Section 3. Awarding of contracts.
- 'Section 4. Compliance with federal laws, rules and regulations.
- 'Section 5. Undertaking of public works projects by municipalities.
- 'Section 6. Terms of bonds.
- 'Section 7. Disposition of proceeds.
- 'Section 8. Validity and negotiability of bonds.
- 'Section 9. Allowable costs.
- 'Section 10. Interim certificates.
- 'Section 11. Cumulative remedy.
- 'Section 12. Purpose and construction.
- 'Section 13. Supplemental nature of act.
- 'Section 14. Excision of unconstitutional and ineffective parts of act.
- 'Section 15. Short title of act.
- 'Section 16. Declaring emergency and time of taking effect.';

On page 6, Section 9, engrossed bill, 8th line from bottom of page, after the word 'items' insert 'in such sums as are now allowed by law'; and as so amended, it do pass;

That House Bill No. 10 do pass as amended by the Committees on Judiciary and Appropriations;
That House Concurrent Resolution No. 3 do pass.

NAT M. DYSART,
Chairman."

Without objection the report of the Committee of the Whole House was received.

Without objection House Bill No. 2, retained its place on the Calendar of the Committee of the Whole House.

Without objection Senate Bill No. 2, the municipalities public works Act of 1934, as amended by the Committee of the Whole House, was referred to the Committee on Enrolling and Engrossing.

Without objection House Bill No. 10, legislative appropriation for printing revised code, as amended by the Committees on Judiciary and Appropriations, was referred to the Committee on Enrolling and Engrossing.

Without objection House Concurrent Resolution No. 3, appointing members to western bus and truck conference, was referred to the Committee on Enrolling and Engrossing.

Motion by Mr. Babbitt, seconded by Mr. Ettleman, that the House stand adjourned until 10:00 a. m., Saturday, December 8, 1934. Carried, and at 3:45 p. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTES: LALLAH RUTH,
Chief Clerk.

SATURDAY, DECEMBER 8

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

Roll call showed the following members present:

Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Geo. A. Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—59.

Absent: Colter, Combs, Conner Johnson, Mincks—4.

Excused: Sprouse—1.

Reverend Thomas C. Harris, Chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Friday, December 7, 1934, was dispensed with and the Journal of Thursday, December 6, 1934, was approved.

UNFINISHED BUSINESS

Motion by Mr. McQuillan, seconded by Mr. Armstrong of Maricopa, that the rules be suspended, an emergency declared, and that Senate Bill No. 2, the municipalities public works act of 1934, be withdrawn from the committee on Enrolling and Engrossing, and be referred to the House Calendar of the Committee of the Whole House. Carried by a two-thirds vote.

Mr. Wiggins introduced Mr. Philemon G. Steinel, member-elect of the House, who was extended the privileges of the floor.

At 10:10 a. m., the Sergeant-at-Arms announced that members Colter and Mincks had taken their seats.

Without objection the House referred to the Order of Business,

REPORTS OF STANDING COMMITTEES

Standing committees submitted the following reports:

“December 8, 1934.

Mr. Speaker:

Your Committee on Printing reports:

That it has ordered printed House Joint Memorials Nos. 4, 5 and House Resolution No. 4.

That it has received from the printer House Joint Memorials Nos. 4, 5 and House Resolution No. 4.

THOS. D. TWAY,
Chairman.”

Placed on file.

“December 8, 1934.

Mr. Speaker:

Your Committee on Enrolling and Engrossing reports that it has engrossed the following:

House Bill No. 10, legislative appropriation for printing Revised Code.

House Concurrent Resolution No. 3, appointing members to western bus and truck conference.

E. F. VICKERS,
Chairman.”

placed today. House Bill No. 10 and House Concurrent Resolution No. 3 were under the Order of Business, Third Reading of Bills, for today.

“December 8, 1934.

Mr. Speaker:

Your Committee on Mines and Mining reports that it has had under consideration House Joint Memorial

No. 2, urging Congress to cancel indebtedness against construction of Arizona reclamation projects, and respectfully returns same without recommendation.

B. J. O'NEILL,
Chairman."

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

BILLS AND OTHER BUSINESS FROM THE SENATE

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

"Adopted Joint Conference Committee Report on Senate Bill No. 1, the district enabling act of 1934, by a vote of 19 ayes."

The clerk was instructed to record the action of the Senate.

"Adopted Joint Conference Committee Report on Senate Bill No. 3, the educational institutions act of 1934, by a vote of 18 ayes, 1 nay."

The clerk was instructed to record the action of the Senate.

"Senate concurred in House amendments to Senate Bill No. 5, permittee application for government funds, by a vote of 18 ayes, 1 not voting."

The clerk was instructed to record the action of the Senate.

"Senate Bill No. 7, the revenue bond act of 1934, passed by a vote of 18 ayes, 1 nay."

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

FIRST READING OF BILLS

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

SENATE BILL NO. 7, An Act, providing for the construction, acquisition, reconstruction, improvement, betterment, extension, operation and maintenance of revenue-producing undertakings; authorizing and regulating the issuance of bonds by any city or town for financing such revenue-producing undertakings and providing for the payment of such bonds; and declaring an emergency.

Motion by Mr. McQuillan, seconded by Mr. Eittleman, that the rules be suspended, an emergency declared, and that Senate Bill No. 7 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

On first reading of Senate Bill No. 7, motion by Mrs. Bush, seconded by Mr. Ettleman, 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 Senate Bill No. 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 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:

SENATE BILL NO. 7, the revenue bond act of 1934. Referred to the Committees on Judiciary, and County and County Affairs.

On second reading of Senate Bill No. 7, motion by Mrs. Bush, seconded by Mr. Ettleman, 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 Senate Bill No. 7, 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.

At 10:20 a. m., the Sergeant-at-Arms announced that Mr. Sprouse had taken his seat.

THIRD READING OF BILLS

HOUSE CONCURRENT RESOLUTION NO. 3, appointing members to western bus and truck conference, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Geo. A. Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—60.

Absent: Combs, Conner Johnson, Riggs, Wieden—4.

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

At 10:23 a. m., the Sergeant-at-Arms announced that Mr. Conner Johnson had taken his seat.

HOUSE BILL NO. 10, entitled, An Act, to provide an appropriation for the purchase of copies of the Revised Code of 1928, and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Curtis, Davis, Decker, DeSouza, Dysart,

Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—63.

Absent: Combs—1.

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

At 10:28 a. m., Mr. Speaker called Mr. Wilson to the chair.

Motion by Mr. Ettleman, seconded by Mr. Sayers, that the Acting Speaker appoint a Committee to arrange for a portrait of the Speaker, Mr. W. G. Rosenbaum, the expense thereof to be taken from the contingent fund of the House. Carried, and the Acting Speaker appointed members Tway, Kelley and Witt, as such a committee.

At 10:35 a. m., Mr. Speaker returned to the chair.

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

BUSINESS ON THE SPEAKER'S DESK

Telegrams in reference to the proposed minimum wage amendment made by the House to Senate Bill No. 3, the educational institutions Act of 1934, were read in full as follows:

"December 5, 1934

Hon. August Wieden,
Arizona State Legislature, Phoenix, Arizona.

Your telegram received. Have wired Charles Strouss, Chief Assistant Attorney General. Following telegram received from August Wieden, Arizona State Legislature. 'The Arizona Legislature had included provision that is identical with Section two naught four dash c of National Industrial Recovery Act to P. W. two naught six six eight. Have you any serious objection to this inclusion?' Reference seems to be to State Institutions Act. Insertion of Section two naught four dash c in that Act or any other pending Act might prevent making of loans and grants because under Section two naught six of National Industrial Recovery Act Federal Emergency Administrator of Public Works prescribes labor regulations including minimum wages for all work done on non-Federal P W A projects. Minimum rates fixed by State Highway Commission might be inconsistent with minimum rates fixed by administrator. At present time minimum rate for unskilled labor in Arizona is forty cents per hour and for skilled labor one dollar per hour. These minimum wages must be set forth in

all construction contracts between borrowers and contractors as required by regulations of administrator bulletin number two and all loan and grant agreements. Suggest that no provision similar to Section two naught four dash c be inserted but if any is inserted would advise deletion from Section two naught four dash c words 'State Highway Department' and insert in lieu thereof words "any Federal Agency pursuant to recovery act'. Please continue giving us opportunity of passing on any other amendments proposed in Legislature'. Greatly appreciate your advising us of proposed amendment.

E. H. FOLEY Jr DIRECTOR LEGAL DIVISION FOR THE ADMINISTRATOR."

"December 4, 1934.
Phoenix, Arizona.

Mr. E. H. Foley
Legal Department
Public Works Administration
Interior Bldg.
Washington, D. C.

The Arizona Legislature has included provision that is identical with section 204-C of national recovery act to P. W. 20668. Have you any serious objection to this inclusion?

August Wieden
Arizona State Legislature"

"December 6, 1934.
Phoenix, Arizona.

Mr. E. H. Foley,
Legal Department,
Public Works Administration,
Interior Bldg.
Washington, D. C.

Re tel August Wieden December fifth. Arizona Legislature insists upon payment of Arizona minimum wages in expenditure of grants to P W. Two naught six six eight. This scale ranges from fifty cents per hour for unskilled labor to a maximum of a dollar and a quarter per hour for a few skilled crafts. Arizona has always resented its inclusion into the southern zone and its scale minimum of forty cents to one dollar. What will be the result if Arizona insists upon inclusion of this minimum wage section. A prompt reply will be greatly appreciated.

Committee of House and Senate Conferees
upon Institutional bill."

"December 7, 1934.

Committee of House and Senate.

Conferees upon institutions bill Arizona Legislature, Phoenix, Arizona re tel have no objection to inclusion in institutions bill section two naught four dash C national industrial recovery act but suggest addition of following proviso 'provided however, that on any project financed in whole or in part by any Federal agency under the recovery act the minimum rates of wages prescribed by such federal agency if higher than those prescribed by the State Highway Department shall prevail.'

E. H. Foley Jr Director Legal
Division for the administration."

Placed on file.

A communication and a resolution from the Democratic Central Committee of Maricopa County, requesting the investigation of certain campaign expenses, was read.

Motion by Mrs. Bush, seconded by Mr. Richards, that the communication and resolution be placed on file.

Motion by Mr. Sayers, seconded by Mr. Wisener, that the motion by Mrs. Bush be amended, and that the communication and resolution be laid on the table. Carried.

READING OF RESOLUTIONS

House Memorial No. 6, by Messrs. Osborn, Pratt and Armstrong of Maricopa, and Messrs. Bennett and Wisener of Yuma, was read in full as follows:

HOUSE MEMORIAL NO. 6

Your memorialist, the Legislature of the State of Arizona, respectfully represents:

The rates charged consumers for electricity, gas, and water for domestic purposes in most Arizona cities and towns are generally considered to be excessive, and all efforts to bring about a material reduction in such rates have thus far been unavailing.

Most of these utilities are in the hands of corporations operating on an interstate basis, or which are owned and controlled by holding companies having plants in many states.

It is exceedingly difficult, because of the great cost, the handicaps connected with the securing of the highest-class engineering, accounting, and other technical services, and for other reasons, to secure, through municipal or state agencies, an adequate investigation of the business of these corporations.

It is extremely important, both from the local and the national point of view, that authentic facts with respect to public utility charges in Arizona be ascertained.

The Federal Power Commission, with resources, both of funds and personnel, at its disposal, is the best equipped public agency for such purpose.

WHEREFORE, your memorialist prays that your honorable body make a thorough investigation of interstate or holding company owned public utility corporations and plants in Arizona, with a view to determine the legitimate cost of the services rendered by them to the consuming public of this State.

And your memorialist will ever pray.

Motion by Mr. Armstrong of Maricopa, seconded by Mr. Wisener, that House Memorial No. 6 be adopted. Carried, and the clerk was instructed to record the action of the House on the bill, and convey it to the Governor.

Motion by Mr. Babbitt, seconded by Mr. Wisener, that the House stand adjourned until 10:00 a. m., Monday, December 10, 1934. Carried, and at 10:55 a. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

MONDAY, DECEMBER 10

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

Roll call showed the following members present:

Armstrong, Armstrong, Bennett, Bevan, Bohlinger, Bush, Christian, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Heron, Jennings, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wiggins, Williams of Greenlee, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—55.

Absent: Colter, Hoyt, Johnson, Johnson, Nugent, Sayers, Williams of Coconino—7.

Excused: Babbitt, Wieden—2.

Reverend Thomas C. Harris, Chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Saturday, December 8, 1934, was dispensed with and the Journal of Friday, December 7, 1934, was approved.

At 10:10 a. m., the Sergeant-at-Arms announced that members Babbitt and Sayers had taken their seats.

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. 3, appointing members to western bus and truck conference, passed by a vote of 19 ayes.”

The clerk was instructed to record the action of the Senate on the bill, and convey it to the Governor.

“Senate Joint Memorial No. 1, relating to hit and run drivers, passed by a vote of 19 ayes.”

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

FIRST READING OF BILLS

The following bill was read the first time in full.

SENATE JOINT MEMORIAL NO. 1, relating to hit and run drivers.

Motion by Mrs. Bush, seconded by Mr. Osborn, that Senate Joint Memorial No. 1, relating to hit and run drivers, not being a true joint memorial, the House could not act upon it, and that it be returned to the Senate. Carried, and Senate Joint Memorial No. 1 was returned to the Senate.

At 10:17, a. m., the Sergeant-at-Arms announced that members Geo. A. Johnson, and Williams of Coconino had taken their seats.

Motion by Mrs. Bush, seconded by Mr. Bennett, that the House stand at recess until 11:00 a. m. Carried, and at 10:25 a. m., the House stood at recess.

At 11:00 a. m., Mr. Speaker called the House to order.

At 11:01 a. m., the Sergeant-at-Arms announced that Mr. Conner Johnson and Mr. Hoyt had taken their seats.

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

REPORTS OF STANDING COMMITTEES

The Committee on Rules submitted the following report:

"December 10, 1934.

Mr. Speaker:

Your Committee on Rules reports for the consideration of the House Senate Bill No. 2.

CONNER JOHNSON,
Vice-Chairman."

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

Motion by Mrs. Bush, seconded by Mr. Wisener, that the House resolve itself into a Committee of the Whole House for the consideration of the bills on the Calendar. Carried, and at 11:05 a. m., the House resolved itself into a Committee of the Whole House, Mr. McQuillan in the chair.

At 12:15 p. m., the Committee of the Whole House rose and submitted the following report:

"Mr. Speaker:

Your Committee of the Whole House reports progress and asks leave to sit again.

CHARLES J. McQUILLAN,
Chairman."

Without objection the report of the Committee of the Whole House was received.

At 11:25 a. m., while in the Committee of the Whole House, the Sergeant-at-Arms announced that Mr. Wieden had taken his seat.

Motion by Mr. Sprouse, seconded by Mr. Ettleman, that the House stand at recess until 2:00 p. m. Carried, and at 12:18 p. 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, Bills and Other Business from the Senate.

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. 10, legislative appropriation for printing revised code, passed by a vote of 14 ayes, 5 nays."

The clerk was instructed to record the action of the Senate on the bill and convey it to the Governor.

"House Joint Memorial No. 5, on immediate payment of world war veterans adjusted service certificates,

passed by a vote of 17 ayes, 2 not voting, with the following amendments: strike the following: 'also, in the minds of capable economists, there is a conviction that instead of the immediate payment of the 'bonus' working a hardship upon the taxpayers and preventing the balancing of the national budget, the addition to circulation of this amount of currency will so add to the purchasing power of the consuming public that economic recovery will be accelerated and the return of prosperity hastened'."

Motion by Mr. Ettleman, seconded by Mr. Wisener, that the House concur in the Senate amendments to House Joint Memorial No. 5. Carried by the following vote:

Ayes: Babbitt, Bennett, Bevan, Bohlinger, Christian, Combs, Curtis, Davis, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, O'Neill, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—56.

Absent: Armstrong, Armstrong, Bush, Colter, Decker, Mincks, Nugent, Osborn—8.

House Joint Memorial No. 1, was signed in open session by the Speaker, and 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.

Without objection at 2:10 p. m., the House resolved itself into a Committee of the Whole House, for the further consideration of the bills on the Calendar, Mr. McQuillan in the chair.

At 2:15 p. m., the Committee of the Whole House rose and submitted the following report:

"Mr. Speaker:

Your Committee of the Whole House reports that it has had under consideration Senate Bill No. 2, and respectfully recommends:

That Senate Bill No. 2 be amended as follows:

In the last line of the title after the word 'projects' insert the words 'limiting the time within which such bonds may be issued, fixing minimum wages';

After old section 4 insert new section 5 to read as follows:

'Section 5. **Establishment of minimum rates of wages.** All contracts involving the expenditures of such grants shall contain provisions establishing minimum rates of wages, to be predetermined by the Industrial Commission of Arizona, which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated

in the invitation for bids and shall be included in proposals for bids for the work, provided however, that on any project financed in whole or in part by any Federal Agency under the Recovery Act, the minimum rates of wages prescribed by such Federal Agency, if higher than those prescribed by the State Industrial Commission shall prevail.';

Page 6, Section 7, line 16, after the words 'State of Arizona' insert the words 'or State of Arizona registered warrants';

Following old Section 10 insert a new section to read as follows:

'Section 12. Procedure for election to authorize bonds. The governing body of the municipality shall adopt a resolution calling an election upon the question of the issuance of bonds under this act. Such resolution shall state in substance (a) the amount or maximum amount of bonds to be issued; (b) the purpose or purposes for which such bonds are to be issued; (c) the rate or maximum rate of interest which such bonds are to bear; (d) a brief concise statement (which need not go into any detail other than the mere statement of the fact) showing such bonds will be payable solely from revenues; (e) the date on which such election will be held; (f) the place or places where votes may be cast; and (g) the hours between which such voting places will be open. Such resolution shall be published in full at least once, not less than fifteen days nor more than thirty days prior to the date fixed for such election, in a newspaper published in the county and circulating in the municipality, or, if there be no such newspaper, such resolution shall be printed in full and posted in five conspicuous places in such municipalities not less than fifteen days nor more than thirty days prior to the date fixed for such election. The governing body of the municipality may require in such resolution a registration of all persons who desire to vote at such election, in which case, the resolution shall further state the date or dates, time or times, and place or places when and where such persons may register. Such registration shall begin at least ten days prior to the date fixed for such election and shall close at least five days prior to the date fixed for such election. At such election the ballot shall contain the words 'For the Bonds' and 'Against the Bonds'. At the right of and opposite each of said phrases shall be placed a square of the approximate size of squares placed opposite the names of candidates on ballots. The voter shall indicate his vote 'For the Bonds' or 'Against the Bonds' by inserting the mark "X" in the square opposite such phrase. It shall not be necessary to print any question or any other words or figures on any ballot, nor need the ballot be of any particular size, nor need sample ballots be printed, posted, or distributed. There shall be printed for and furnished to each polling place, a number of ballots

exceeding by at least ten per cent the number of registered voters whose names appear on the register of the county, village, school district, high school district, union high school district, town, or city for which they are printed. Voting machines shall not be used at any election held hereunder. The governing body of the municipality shall canvass the returns and determine and declare the results of the election. If it shall appear to the governing body that a majority of the qualified real property taxpayers voting at such election assent to the issuance of the bonds, the governing body shall proceed to provide for the issuance of such bonds. The determination of the governing body of the municipality that a majority of the qualified real property taxpayers voting at such election have assented to the issuance of the bonds shall be conclusive in any suit, action, or proceeding involving the validity of such election or the determination or declaration of the result thereof instituted after the date of the delivery of and payment for such bonds. Except as herein otherwise provided, the manner of conducting such registration and such election, keeping the poll lists, counting and canvassing the votes, certifying the returns declaring the results, and doing all acts relating to such election shall conform to the mode or method of procedure provided by Chapter 12 of the Revised Code of Arizona, 1928, for the registration and qualification of voters and the holding of special elections wherein the question of the issuance of the bonds of municipal corporations is submitted to an election.';

Just before the last section of the bill insert a new section to read as follows:

'Section 18. **Termination of powers.** Except in pursuance of any contract or agreement theretofore entered into by and between any municipality and any Federal Agency, no municipality shall borrow any money or issue any bonds pursuant to the provisions of this Act after March 1, 1937.';

Renumber all sections to conform with insertions; and, as amended, it do pass.

CHARLES J. McQUILLAN,
Chairman."

Without objection the report of the Committee of the Whole House was received.

Without objection Senate Bill No. 2, the municipalities public works Act of 1934, was referred to the Committee on Enrolling and Engrossing.

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

REPORTS OF STANDING COMMITTEES

Standing committees submitted the following reports:

"December 10, 1934.

Mr. Speaker:

Your Committee on County and County Affairs reports that it has had under consideration Senate Bill No. 6, cities and towns emergency act of 1934, and respectfully returns same for the consideration of the House.

V. C. WIGGINS,
Chairman."

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

"December 10, 1934.

Mr. Speaker:

Your Committee on County and County Affairs reports that it has had under consideration House Bill No. 5, cities and towns emergency act of 1934, and respectfully returns same for the consideration of the House.

V. C. WIGGINS,
Chairman."

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

"December 10, 1934.

Mr. Speaker:

Your Committee on County and County Affairs reports that it has had under consideration Senate Bill No. 7, the revenue bond act of 1934, and respectfully returns same for the consideration of the House.

V. C. WIGGINS,
Chairman."

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

"December 10, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration Senate Bill No. 6, cities and towns emergency act of 1934, and respectfully recommends that it be amended as follows:

Section 5, line 2, page 6, beginning with the words 'it shall', strike the following words 'it shall appear to the governing body that';

Section 5, line 25, page 5, strike the words 'at least ten', and insert in lieu thereof 'not less than fifteen';

Section 6, lines 38 to 42, inclusive, page 6, strike all the sentence beginning with line 38, 'the bonds', and ending on line 42 with 'less than par', and substitute in lieu thereof 'The bonds may be sold at private sale only to a federal agency and at not less than par, in such blocks as the governing body may by resolution provide';

Section 9, line 4, page 9, beginning with the word 'any' strike all of lines 4, 5 and 6, to and including the word 'bonds', and insert in lieu thereof 'any municipality shall have power by resolution of its governing body adopted prior to the issuance of bonds to confer upon any holder, or holders, a specified amount or percentage of such bonds';

Amend by inserting a new section 10, as follows: 'Sec. 10. TERMINATION OF POWERS. Except in pursuance of any contract or agreement theretofore entered into by and between any municipality and any federal agency, no municipality shall borrow any money or issue any bonds pursuant to the provisions of this act after March 1, 1937; and renumber sections to conform;

Amend Section 1, Subsection (e), by striking the entire sub-section, lines 13 to 19, inclusive, and inserting in lieu thereof the following: 'The term 'public works project' shall mean and include public buildings, parks, playgrounds, streets or ways, museums, hospitals, swimming pools, fire prevention and fire fighting systems, stadia, auditorium, quarantine stations, and water, sewer, garbage or rubbish plants and systems, together with all parts thereof and appurtenances thereto, including, but not limited to incinerators, disposal, treatment and reduction plants, dams and reservoirs.'

And, as so amended, it do pass.

JOHN H. RAPP,
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with the reports of the Committees on Reconstruction and Unemployment, and County and County Affairs.

"December 10, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 5, cities and towns emergency act of 1934, and respectfully returns same for the consideration of the House, having submitted amendments to its companion bill, Senate Bill No. 6.

JOHN H. RAPP,
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with the reports of the Committees on Reconstruction and Unemployment, Appropriations, Ways and Means, and County and County Affairs.

At 2:20 p. m., the House stood at recess, subject to the call of the gavel.

At 2:35 p. m., Mr. Speaker called the House to order.

REPORTS OF STANDING COMMITTEES

The Committee on Rules submitted the following report:

“December 10, 1934.

Mr. Speaker:

Your Committee on Rules reports for the consideration of the House, in the order named, House Bill No. 5, and Senate Bill No. 6.

CONNER JOHNSON,
Vice-Chairman.”

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

FIRST READING OF BILLS

The following bill was read the first time in full:

HOUSE BILL NO. 11, by the Committee on Appropriations, An Act, relating to the duties of the Secretary of State; making an appropriation for the Secretary of State for the purpose of printing and publishing the laws of the State of Arizona enacted by the Eleventh Legislature at its First, Second and Third Special Sessions, and declaring an emergency.

Motion by Mr. Oxsheer, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that House Bill No. 11 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

SECOND READING OF BILLS

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

HOUSE BILL NO. 11, by the Committee on Appropriations, making an appropriation for printing Session Laws of the Special Sessions of the Eleventh Legislature.

Motion by Mr. Oxsheer, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that House Bill No. 11 be placed under the Order of Business, Third Reading of Bills, for today. Carried by a two-thirds vote.

On second reading of House Bill No. 11, motion by Mrs. Bush, seconded by Mr. Ettleman, that the requirement of the Constitution, Article IV, Section 12, that bills and joint resolutions be read by sec-

tions on different days, was dispensed with in the matter of reading House Bill No. 11, 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.

THIRD READING OF BILLS

HOUSE BILL NO. 11, entitled, An Act, relating to the duties of the Secretary of State; making an appropriation for the Secretary of State for the purpose of printing and publishing the laws of the State of Arizona, enacted by the Eleventh Legislature at its First, Second and Third Special Sessions, and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong of Maricopa, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Geo. A. Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—58.

Absent: Armstrong of Cochise, Colter, Conner Johnson, Mincks, Nugent, Pryor—6.

Signed in open session by the Speaker, and 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, Bills and Other Business from the Senate.

BILLS AND OTHER BUSINESS FROM THE SENATE

A message from the Senate, by W. J. Graham, its Secretary, announcing the following Senate action:

“Senate Joint Memorial No. 1, relating to hit and run drivers, passed by a vote of 19 ayes.”

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

FIRST READING OF BILLS

The following bill was read the first time in full:

SENATE JOINT MEMORIAL NO. 1, relating to hit and run drivers.

Motion by Mr. Ettleman, seconded by Mr. Richards, that the rules be suspended, an emergency declared, and that Senate Joint Memorial No. 1 be placed under the Order of Business, Second Reading of Bills, for today.

Motion by Mr. Bennett, seconded by Mr. Wisener, that in lieu of the motion by Mr. Ettleman, the rules be suspended, an emergency declared, and that Senate Joint Memorial No. 1 be referred to the Committee on Public Institutions. Lost.

The motion by Mr. Ettleman was then put and lost.

Senate Joint Memorial No. 1 was placed under the Order of Business, Second Reading of Bills, for tomorrow.

Motion by Mr. Ettleman, seconded by Mr. Richards, that the House resolve itself into a Committee of the Whole House for the consideration of the bills on the Calendar. Carried, and at 3:00 p. m., the House resolved itself into a Committee of the Whole House, Mr. McQuillan in the chair.

At 4:42 p. m., the Committee of the Whole House rose and submitted the following report:

“Mr. Speaker:

Your Committee of the Whole House reports that it has had under consideration House Bill No. 5 and Senate Bill No. 6, and respectfully recommends:

That House Bill No. 5, retain its place on the Calendar of the Committee of the Whole House;

That Senate Bill No. 6, be amended as follows: in Section 5 of the engrossed bill, fourth line from end of section after the numerals ‘1928’ insert ‘and amendments thereto’; in Section 3, third line from end of section after the word ‘Arizona’ insert the words ‘or State of Arizona registered warrants’; amend the title in last line after the word ‘laws’ insert ‘limiting the time within which such bonds may be issued; and, as so amended, and as amended by the first five amendments of the Committee on Judiciary, it do pass.

CHARLES J. McQUILLAN,
Chairman.”

Without objection the report of the Committee of the Whole House was received.

Without objection House Bill No. 5 retained its place on the Calendar of the Committee of the Whole House.

Without objection Senate Bill No. 6, cities and towns emergency Act of 1934, as amended by the Committee of the Whole House and by the Committee on Judiciary, was referred to the Committee on Enrolling and Engrossing.

Motion by Mr. McQuillan, seconded by Mr. Rapp, that the House stand adjourned until 10:00 a. m., Tuesday, December 11, 1934. Carried, and at 4:45 p. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

TUESDAY, DECEMBER 11

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

Roll call showed the following members present:

Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams of Greenlee, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—60.

Absent: Decker, Heron, Osborn, Williams of Coconino—4.

Reverend Thomas C. Harris, Chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Monday, December 10, 1934, was dispensed with, and the Journal of Saturday, December 8, 1934, was approved.

REPORTS OF STANDING COMMITTEES

Standing Committees submitted the following reports:

“December 11, 1934

Mr. Speaker:

Your Committee on Printing reports that it has received from the Printer House Joint Memorials Nos. 4 and 5, and House Resolution No. 4.

THOS. D. TWAY,
Chairman.”

Placed on file.

“December 11, 1934

Mr. Speaker:

Your Committee on Enrolling and Engrossing reports that it has engrossed the following:

Senate Bill No. 2, the municipalities public works Act of 1934.

Senate Bill No. 6, cities and towns emergency Act of 1934.

E. F. VICKERS,
Chairman.”

Senate Bills Nos. 2 and 6 were placed under the Order of Business, Third Reading of Bills, for today.

“December 11, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Concurrent Resolution No. 1, urging state legislature to petition congress relative to Frazier-Lemke agricultural refinancing measure, and respectfully recommends that it be amended as follows:

Strike all of the title and insert in lieu thereof ‘Urging state legislature to petition congress to refinance, by appropriate legislation, existing agricultural, ranch and livestock indebtedness.’; strike all of lines 6 to 17 inclusive, page 2, printed bill, and insert in lieu thereof ‘many state legislatures have petitioned congress to refinance existing farm indebtedness in the passage of the Frazier-Lemke bill or other appropriate legislation.’; strike all of line 22, page 2, and the words ‘include ranches, ranges and livestock’ in line 23, and insert in lieu thereof ‘provide for the refinancing of existing agricultural ranch and livestock indebtedness through appropriate legislation, including therein such provisions of the Frazier-Lemke bill as it may deem appropriate.’

JOHN H. RAPP,

Chairman.”

Placed on the House Calendar of the Committee of the Whole House, to be considered with the report of the Committee on Petitions and Memorials:

At 10:10 a. m., the Sergeant-at-Arms announced that Mr. Heron had taken his seat.

“December 11, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Concurrent Resolution No. 2, constitutional amendment providing for limited exemption from taxation of homes, and respectfully recommends:

Your Committee is of the opinion that there is a question as to whether or not this resolution comes within the Governor’s call.

JOHN H. RAPP,

Chairman.”

Placed on the House Calendar of the Committee of the Whole House, to be considered with the reports of the Committees on Efficient Government, and Constitutional Amendments and Referendum.

"December 11, 1934.

Mr. Speaker:

Your Committee on Appropriations reports that it has had under consideration House Bill No. 6, the revenue bond Act of 1934, and respectfully returns same for the consideration of the House.

W. E. OXSHEER,
Chairman."

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

SECOND READING OF BILLS

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

SENATE JOINT MEMORIAL NO. 1, relating to hit and run drivers. Referred to the Committees on Highways and Bridges, and Petitions and Memorials.

On second reading of Senate Joint Memorial No. 1, motion by Mrs. Bush, seconded by Mr. Ettlman, 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 Senate Joint Memorial 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 bill was read the second time by number and title only.

At 10:22 a. m., the Sergeant-at-Arms announced that members Decker and Williams of Coconino had taken their seats.

THIRD READING OF BILLS

SENATE BILL NO. 2, entitled, An Act, concerning the construction of public works projects, the acceptance of grants, and the borrowing of money by counties, cities, towns, villages, school districts, high school districts, union high school districts from the United States of America, or any federal agency, and the issuance of bonds to finance such public works projects; limiting the time within which such bonds may be issued, fixing minimum wages; and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Colter, Curtis, Davis, DeSouza, Dysart, Ettlman, Francis, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Oxsheer, Phillips, Priser, Randall, Rapp, Reichard, Richards, Riggs, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Witt, Mr. Speaker—50.

Nays: Bush, Christian, Combs, Decker, Goodson, Kelley, Palmer, Peggs, Porter, Pratt, Pryor, Sayers, Wisener—13.

Absent: Osborn—1.

The following members asked that explanation of their vote on Senate Bill No. 2 be spread upon the Journal:

“Mr. Speaker:

In Section No. 11, the governing body is given authority to call an election upon the issuance of bonds by resolution. Among other things they are to set forth in the resolution is the maximum amount of bonds, rate of interest and the statement that such bonds will be paid from revenue. From this statement the voters are led to believe that all they need to do is to vote the bonds and the revenue will amortize the issue. When as a matter of fact the bill gives this same governing body power to levy taxes against their property without limit as to rate or amount, to pay bonds that they have been led to believe would be paid from the revenue of such project.

I vote ‘No’.

W. R. PALMER.
BRIDGIE PORTER.”

“Mr. Speaker:

I wish to explain my vote on Senate Bill No. 2 and ask to have the same recorded in the Journal of the House.

This bill, as amended, has been much improved but it still is a dangerous measure. It is seeking to repeal the statute limiting the bonded indebtedness of counties. This law was passed by the people and cannot be repealed or set aside by legislative action. It might be of considerable value to some counties and municipalities, but to many others, highly dangerous. We cannot borrow ourselves rich, nor can counties and municipalities, and a spasm of spending and extravagance is sure to result.

Sufficient votes have been received to pass it. My opposition will be of no avail.

I vote ‘No’.

WM. WISENER.”

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

At 11:10 a. m., the Sergeant-at-Arms announced that Mr. Osborn had taken his seat.

SENATE BILL NO. 6, entitled, An Act, enabling cities and towns to secure the benefits of the national industrial recovery act, and any acts amendatory thereof and any acts supplemental thereto and revisions thereof, and any further acts of the Congress of the United States of America to reduce and relieve unemployment; authorizing cities and towns to construct, acquire, improve, extend, oper-

ate and maintain public works projects; prescribing the mode of procedure for and regulating the issuance of bonds to finance such projects, and providing for the payment thereof; authorizing agreements with the holders of such bonds; superseding inconsistent provisions of all other laws; limiting the time within which such bonds may be issued; and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Colter, Curtis, Davis, DeSouza, Dysart, Ettleman, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Laird, Lyke, Mader, McQuillan, Nugent, O'Neill, Osborn, Oxsheer, Priser, Randall, Rapp, Reichard, Richards, Riggs, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Witt, Mr. Speaker—47.

Nays: Bush, Christian, Combs, Decker, Francis, Goodson, Kelley, Kenworthy, Mincks, Palmer, Peggs, Phillips, Porter, Pratt, Pryor, Sayers, Wisener—17.

The following member asked that explanation of his vote on Senate Bill No. 6 be spread upon the Journal:

“Mr. Speaker:

I wish to explain my vote on Senate Bill No. 6 and ask to have the same recorded in the Journal of the House.

This bill has practically all the earmarks of Senate Bill No. 2 and if possible, is more dangerous and objectionable. It will throw down the bar and open a wide field for extravagance and graft, advantage of which will be taken over the already over burdened taxpayers, the business man and home owners will have to bear the burden. The load has been all too heavy and has caused a hump on the backs of most of them so that they resemble much, a camel. Will not this be ‘the last straw?’ I vote ‘No’.

WILLIAM WISENER.”

Senate Bill No. 6 was signed in open session by the Speaker, and 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, Reports of Standing Committees.

REPORTS OF STANDING COMMITTEES

The Committee on Judiciary submitted the following reports:

“December 11, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration House Bill No. 6, the revenue bond act of 1934, and respectfully recommends that it be amended as follows:

1. In Section 6, page 3, line 27, printed bill, amend by striking the word 'authorizing' and insert in lieu thereof the words 'pertaining to'.

2. In Section 2, sub-division 'd' page 2, line 1, your committee recommends that the word 'government' be not written in capital letters.

3. The Sections be titled.

4. Section 3, page 2, line 35, insert after the comma following the word 'expenses', the following: 'as allowed by law'.

5. Section 14, page 6, line 33, insert the following: 'Except in pursuance of any contract or agreement theretofore entered into by and between any municipality and any federal agency, no municipality shall borrow any money or issue any bonds pursuant to the provisions of this Act after March 1, 1937'.

6. In line 8 of the title, following the word 'bonds', insert the following: 'Limiting the time within which such bonds may be issued.'

In the opinion of your committee, House Bill No. 6, as so amended, is constitutional and in proper form.

JOHN H. RAPP,
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with the reports of the Committees on County and County Affairs, Ways and Means, and Appropriations.

"December 11, 1934.

Mr. Speaker:

Your Committee on Judiciary reports that it has had under consideration Senate Bill No. 7, the revenue bond act of 1934, and respectfully returns same for the consideration of the House, having submitted amendments to its companion bill, House Bill No. 6.

JOHN H. RAPP,
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with the report of the Committee on County and County Affairs.

Motion by Mr. Udall, seconded by Mr. Pryor, that the House stand at recess until 1:30 p. m. Carried, and at 11:30 a. m., the House stood at recess.

AFTERNOON SESSION

At 1:30 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:

“December 11, 1934.

Mr. Speaker:

Your Committee on Rules reports for the consideration of the House, in the order named, House Bill No. 6 and Senate Bill No. 7.

CONNER JOHNSON,
Vice-Chairman.”

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

“December 11, 1934.

Mr. Speaker:

Your Committee on Petitions and Memorials reports that it has had under consideration Senate Joint Memorial No. 1, relating to hit and run drivers, and respectfully recommends, that it do pass.

CHAS. E. JENNINGS,
Chairman.”

Placed on the House Calendar of the Committee of the Whole House, awaiting report of the Committee on Highways and Bridges.

BUSINESS ON THE SPEAKER'S DESK

Communications from the Governor, B. B. Moeur, were read, giving notice that he had transmitted to the Secretary of State with his approval the following:

House Bill No. 10, legislative appropriation for printing Revised Code.

House Bill No. 11, making an appropriation for printing session laws of the special sessions of the Eleventh Legislature.

House Memorial No. 5, on construction of deep waterway from Gulf of California to Yuma.

House Memorial No. 6, requesting federal power commission to investigate Arizona interstate public utilities corporations.

House Concurrent Resolution No. 3, appointing members to western bus and truck conference.

House Joint Memorial No. 5, on immediate payment of world war veterans adjusted service certificates.

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. 11, making an appropriation for printing session laws of the special sessions of the Eleventh Legislature, passed by a vote of 16 ayes, 2 nays, 1 not voting.”

The clerk was instructed to record the action of the Senate on the bill and convey it to the Governor.

“House Joint Memorial No. 3, requesting investigation of federal bureau of public roads on Steins Pass-Benson Highway, was indefinitely postponed by a vote of 12 ayes, 7 nays.”

The clerk was instructed to record the action of the Senate.

READING OF RESOLUTIONS

House Memorial No. 7, by Mr. Davis of Cochise, was read in full as follows:

HOUSE MEMORIAL NO. 7

Your memorialist, the Eleventh Legislature of the State of Arizona, in Third Special Session, respectfully represents:

That certain highway, locally known as the Sunset route, which extends across Cochise County, Arizona, from Stein's Pass, near the New Mexican boundary, through the towns of San Simon, Bowie, Willcox, Cochise, and Dragoon, to Benson, is one of the principally traveled thoroughfares in the State of Arizona.

Although this highway, over most of its length, is only a county highway, and has not been permanently improved, the desirability of its location and its other natural advantages are such that a large part of its heavy traffic is represented by interstate tourists, who prefer it to better improved but less desirably located highways.

Wherefore, your memorialist suggests the advisability of a thorough investigation by engineers of the Bureau of Public Roads, of the advantages possessed by this route, with a view to determining its feasibility as a military highway, and otherwise as a permanent federal route across the eastern part of Arizona, and earnestly requests that such investigation be made at the earliest practicable time.

And your memorialist will ever pray.

Motion by Mr. Davis, seconded by Mr. Sprouse, that House Memorial No. 7 be adopted. Carried, and the clerk was instructed to record the action of the House on the bill and convey it to the Governor.

Motion by Mr. Udall, seconded by Mrs. Bush, that the House resolve itself into a Committee of the Whole House for the consideration of the bills on the Calendar. Carried, and at 1:40 p. m., the House resolved itself into a Committee of the Whole House, Mr. Wilson in the chair.

At 2:30 p. m., the Committee of the Whole House rose and submitted the following report:

“Mr. Speaker:

Your Committee of the Whole House reports progress and asks leave to sit again.

J. C. WILSON,
Chairman.”

Without objection the report of the Committee of the Whole House was received.

Without objection the House referred to the Order of Business, Bills and Other Business from the Senate.

BILLS AND OTHER BUSINESS FROM THE SENATE

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

“Senate refused to concur in House amendments to Senate Bill No. 2, the municipalities public works act of 1934, and has appointed Senators Greer, Keefe and Kelly as a conference committee, and requests the House to appoint a like committee to consider the matter of disagreement on the bill.”

The clerk was instructed to record the action of the Senate.

Motion by Mr. Ettleman, seconded by Mr. Sayers, that a conference committee be appointed to meet with a like committee from the Senate in the matter of disagreement to House amendments to Senate Bill No. 2, the municipalities public works act of 1934. Carried, and Mr. Speaker appointed members Bush, Goodson and Wiggins as such a committee. The clerk was instructed to record the action of the House and notify the Senate of such action.

“Senate refused to concur in House amendments to Senate Bill No. 6, cities and towns emergency act of 1934, and has appointed Senators Minotto, Siegmund and Houston as a conference committee, and requests the House to appoint a like committee to consider the matter of disagreement on the bill.”

The clerk was instructed to record the action of the Senate.

Motion by Mr. Ettleman, seconded by Mr. Pryor, that a conference committee be appointed to meet with a like committee from

the Senate in the matter of disagreement to House amendments to Senate Bill No. 6, cities and towns emergency act of 1934. Carried, and Mr. Speaker appointed members McQuillan, Wieden and Porter as such a committee. The clerk was instructed to record the action of the House and notify the Senate of such action.

At 2:35 p. m., the House stood at recess subject to the call of the gavel.

At 2:55 p. m., Mr. Speaker called the House to order.

Without objection at 2:57 p. m., the House resolved itself into a Committee of the Whole House for the further consideration of the bills on the Calendar, Mr. Wilson in the chair.

At 4:10 p. m., the Committee of the Whole House rose and submitted the following report:

“Mr. Speaker:

Your Committee of the Whole House reports that it has had under consideration House Bill No. 6 and Senate Bill No. 7, and respectfully recommends:

That House Bill No. 6 retain its place on the Calendar;

That Senate Bill No. 7 be amended as follows:

In section 8, page 6, line 3, Senate engrossed bill, amend by striking the word ‘authorizing’ and insert in lieu thereof the words ‘pertaining to’;

In section 2, sub-division ‘d’ page 2, line 1, Senate engrossed bill, do not capitalize the word ‘government’;

In section 3, page 2, 3rd line from the bottom, insert after the comma, following the word ‘expenses’ the following ‘as allowed by law’;

Section 16, pages 9 and 10, last line on 9 and lines 1 and 2 on page 10, strike ‘No bonds shall be issued or sold by any municipality pursuant to the terms of this act after March 1, 1938.’ and insert ‘Except in pursuance of any contract or agreement theretofore entered into by and between any municipality and any federal agency, no municipality shall borrow any money or issue any bonds pursuant to the provisions of this act after March 1, 1937.’;

In line 8 of the title, following the word ‘bonds’ insert the following ‘limiting the time within which such bonds may be issued.’;

Amend by inserting titles to the sections as follows:

‘Section 1. Short title of act. Section 2. Definitions. Section 3. Additional powers of municipalities. Section 4. Bond issues to be submitted to vote

of people. Section 6. Form and contents of bonds. Section 7. Governing body to prescribe charges necessary. Section 8. Resolution pertaining to issuance of bonds may contain covenants. Section 9. Disposition of proceeds received from sale of bonds. Section 10. Validity of bonds. Section 11. Attorney General to pass upon the validity of bonds. Section 12. Bonds to be prior lien on revenue and to be equally secured. Section 13. Bonds to be payable solely from revenue pledged. Section 14. Excision of unconstitutional or ineffective parts of act. Section 15. Construction and supplemental nature of act. Section 16. Bonds not to be debt of municipality; time of termination. Section 17. Declaration of emergency and time of taking effect.';

In section 15, page 9, line 17 of the engrossed bill, strike the word 'local';

In section 5, page 5, line 4, after the numerals '1928' insert 'and amendments thereto';

In section 15, engrossed bill, strike the last 3 lines of that section;

Page 7, Section 9, line 3, engrossed bill, change the word 'shall' to 'may', and in line 7 strike the word 'shall';

And, as so amended, it do pass.

J. C. WILSON,
Chairman."

Without objection the report of the Committee of the Whole House was received.

Without objection House Bill No. 6, retained its place on the Calendar of the Committee of the Whole House.

Without objection Senate Bill No. 7, the revenue bond Act of 1934, as amended by the Committee of the Whole House, was referred to the Committee on Enrolling and Engrossing.

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

READING OF RESOLUTIONS

House Resolution No. 5, by Mr. Colter of Apache, was read in full as follows:

HOUSE RESOLUTION NO. 5

INFORMING THE TWELFTH ARIZONA LEGISLATURE THAT THE STATE COLORADO RIVER COMMISSION IS OBSOLESCEANT AND SHOULD BE ABOLISHED, AS HAS BEEN DONE IN CALIFORNIA; THAT SUCH COMMISSIONS WERE CREATED TO TREAT UPON THE SANTA FE

COMPACT AND THEIR FUNCTIONS CEASED UPON PASSAGE OF THE BOULDER CANYON PROJECT ACT, AND THE SUBSEQUENT DECISION OF THE UNITED STATES SUPREME COURT THAT ARIZONA IS NOT BOUND BY THE SANTA FE COMPACT ANNULLED THE PURPOSE OF THE ACT CREATING THE ARIZONA COLORADO RIVER COMMISSION; THAT THE PROTECTION OF THE COLORADO RIVER WATER FILINGS, WATER RIGHTS AND PROJECTS OF AND FOR ARIZONA AND ITS PEOPLE IS THE DUTY OF THE STATE ATTORNEY GENERAL, AND ESPECIALLY SINCE THE PASSAGE OF SAID BOULDER ACT, DUE TO THE FACT THAT WATER RIGHTS ARE FINALLY DETERMINED BY THE COURTS ALONE; THAT THE LEGISLATURE FOR THIS REASON HAS ALREADY ATTEMPTED TO ABOLISH THE COMMISSION; THAT THE OBSOLETE COMMISSION NEVERTHELESS HAS PROCEEDED TO ATTEMPT TO SUPERSEDE AND OVERTHROW THE WILL OF THE LEGISLATURE AND THE ARIZONA vs. CALIFORNIA U. S. SUPREME COURT DECISION THAT PROTECTED ARIZONA BY RULING SHE IS NOT BOUND BY THE SANTA FE COMPACT, AND HAS ATTEMPTED TO IMPOSE THE RUINOUS SANTA FE-TRISTATE COMPACT ON ARIZONA AND IS NOW SO ATTEMPTING BY MEANS OF ITS PROPOSED CONTRACT WITH SECRETARY OF THE INTERIOR, HAROLD L. ICKES, WHICH CONTRACT IS SUBJECT TO AND IS AN EQUIVALENT OF THE SANTA FE COMPACT; THAT SIMILAR DISASTROUS COMPACT PROPOSALS HAVE BEEN MADE IN THE PAST BY THE COMMISSION; THAT THE REGULAR SESSION OF THE TWELFTH LEGISLATURE SHOULD ABOLISH THE ARIZONA COLORADO RIVER COMMISSION, AND IT IS HEREBY SO RECOMMENDED; THAT APPROPRIATIONS SHOULD BE MADE FOR THE ATTORNEY GENERAL FOR MAKING COLORADO RIVER SURVEYS AND OBTAINING OTHER COLORADO RIVER DATA AND BRINGING AND DEFENDING LAW SUITS IN DEFENSE OF THE WATER FILINGS AND WATER RIGHTS OF ARIZONA, WHICH DATA IS ESSENTIAL TO THE ATTORNEY GENERAL SINCE THE ARIZONA vs. CALIFORNIA SUPREME COURT DECISION THAT PRESERVED THE WATER RIGHTS OF ARIZONA IS BEING DISREGARDED BY CERTAIN ADVERSE WATER CONTENDERS AND PARTICULARLY BY CALIFORNIA; THAT ADDITIONAL SURVEYS OF THE GLEN BRIDGE-VERDE-HIGHLINE PROJECTS AND DILIGENCE TO THE FILINGS MADE THEREON ARE INDISPENSABLE TO THE ATTORNEY GENERAL FOR DEFENDING WATER FILINGS AND WATER RIGHTS OF ARIZONA WHICH WAS PLEDGED

IN THE PLATFORMS OF BOTH MAJOR POLITICAL PARTIES IN ARIZONA.

Whereas, the State Colorado River Commission is obsolescent and should be abolished, as has been done in California, because such commissions were created by the basin states for treating upon the Santa Fe Compact and their functions ceased upon passage of the Boulder Canyon Project Act; and

Whereas, the decision of the United States Supreme Court that Arizona is not bound by the Santa Fe Compact annulled the purpose of the act creating the Arizona Colorado River Commission; and

Whereas, the protection of the Colorado River Water filings, water rights and projects of and for Arizona and its people is the duty of the Attorney General because water rights are finally determined by the courts alone, and such protection by the Attorney General is imperative now due to the passage of said Boulder Act, the near completion of Boulder Dam, the threatened erection of the proposed Parker and Imperial Dams and similar actions of adverse water contenders or initiators, particularly California, who have not seen fit to heed the U. S. Supreme Court decision which gave them no irrigation and domestic water and power rights that would impair Arizona's present or future water rights; and

Whereas, the Arizona legislature, after passage of said Boulder Act, attempted to abolish the commission by appropriating no funds to it, while appropriating to the Attorney General \$200,000 for securing necessary Colorado River data and bringing and defending suits on the basis thereof, but a compromise was effected by which the commission and the attorney general were appropriated \$100,000 each, it being the plain will of the legislature that the Colorado River rights of Arizona thenceforth properly should be protected by the Attorney General; and

Whereas, no function remained for the commission except to make surveys and gather data, which was done in the Survey Report of the Arizona Colorado River Commission for 1931-1932, which exhaustively investigated and found feasible and practicable the Colorado River-Verde Tunnel alternate route of the Glen Bridge-Verde-Highline Projects filed upon for Arizona by Fred T. Colter; and

Whereas, Attorney General K. Berry Peterson accordingly sued and won the Arizona vs. California U. S. Supreme Court decision which validated the water filings and water rights of Arizona, including the Colter filings for Arizona and authorized the preparation and submission of a three-volume report by Fred T. Colter, now on file in the office of the Attorney General and the Arizona Water Commissioner, on diligence exerted, by the State of Arizona and its people and Colter as trustee, to

the Colter filings for Arizona on the Glen Bridge-Verde-Highline Projects for reclaiming 6,000,000 acres in Arizona and furnishing supplemental water to our existing irrigation projects throughout Arizona all gravely short of water, which data and other of similar nature are essential for preparing the Attorney General with all necessary engineering facts, accounts of water rights and due negligence and other data such as is necessary and all-important for proper legal defense and adjudication of the water filings, water rights and projects of Arizona and those claiming under them, and for continued maintenance of due and reasonable diligence thereto; and

Whereas, the present and obsolete Colorado River Commission attempted to supersede and overthrow the will of the legislature and the favorable Arizona vs. California U. S. Supreme Court decision, hired and paid engineers to try to discredit the Colorado River-Verde Project Report of its predecessor commission and lawyers to write defeatist opinions disparaging and damaging to Arizona's water rights, instituted in said court a compromise suit requesting perpetuation of testimony interpreting a minor point of the ruinous Santa Fe Compact by which the same court had already ruled Arizona is not bound, and is now attempting to negotiate with Secretary of the Interior, Harold L. Ickes, a disastrous proposed contract which, in section 18, thereof, is expressly subject to the old ruinous Santa Fe-Tri-State Compact and is identical with the Wilbur-Hoover contract offered Arizona in 1933 and unanimously condemned by this house in House Resolution No. 5; and

Whereas, similar propositions have been made in the past by Arizona Colorado River Commissions which proposed to accept the Santa Fe and Tri-State Compacts rejected by Arizona, which compacts are now embraced in and control the Boulder Canyon Project Act and purport to allow California to take 5,400,000 acre feet out of the Colorado River System, and in addition one-half of all surplus water, leaving Arizona 2,800,000 acre feet which is not sufficient to supply Arizona's completed projects and burdening Arizona to supply water for 2,000,000 acres of land in Mexico which have no water rights now and are owned by California land syndicates and guaranteeing all Mexico's water deficiency in dry years when Arizona and other basin states would need it most, causing a still greater shortage in Arizona of domestic, stock and irrigation water; and

Whereas, said propositions and compacts of the commission would cause eighteen billion dollars of electric horsepower belonging to Arizona and its people to be monopolized by the Southern California Edison Company, et al., and Arizona's water to go to Mexico, thereby separating what Nature and God have combined, irrigation and power, leaving Arizona practically a desert forever, and subverting our state and federal constitutions, water laws and national defense; and

Whereas, like the Wilbur-Hoover contract, the disastrous contract proposed to Ickes by the present commission, in addition to embracing the Santa Fe-Tri-State Compact and the above mentioned injuries and detriments to Arizona, would also further bind Arizona to sign away her sacred water rights by taking away her right to bring suits; and

Whereas, it would be foolhardy to offer to contract with California which is now using water diverted from the Colorado River System, has no water to give and could not contract water to Arizona, or with Secretary Ickes who is bound to observe said compacts while Arizona is not; and

Whereas, the Arizona Colorado River Commission should therefore be abolished at the regular session of the twelfth legislature, and it is hereby so recommended that this be done; and

Whereas, the Colorado River-Verde-Survey Report of the last Colorado River Commission was a complete survey of delivering water by way of a tunnel from near the Glen Canyon Reservoir (which plan would cover up such wonderful reservoir site) into the head of the Verde River and taking out highline canals therefrom, and surveyed those canals and made soil surveys of the lands applicable to water thereunder, which is a more detailed and complete survey than has been made by any previous surveys such as the Sturtevant-Stam survey from the Bridge Canyon Dam made in 1923 and the preliminary Trott Survey in 1925 upon the basis of which surveys Fred T. Colter as trustee made his water filings for and in behalf of the state of Arizona and the people under said projects in 1923 and made such amendatory filings thereafter; and

Whereas, the survey made by the Colorado River Commission serving from 1930 through 1932 held in their detailed and exhaustive report that these lands could be economically reclaimed; and

Whereas, many practical individuals and responsible engineers, with such surveys as have been made of the Arizona Highline Canal from the Bridge Canyon Dam, have held that it would be much more practical and feasible than the Colorado River-Verde Project that has been surveyed by the Colorado River Commission, and would fit into the plan of E. C. La Rue, who in his report, Water Supply Paper No. 556 of the U. S. Geological Survey, named the Glen Canyon Storage Dam and the Bridge Canyon Diversion Dam as a comprehensive plan of Colorado River development; and

Whereas, the Glen Bridge-Highline plan is practical and economical it is essential to make this Glen Canyon Storage Dam and Bridge Canyon Diversion Dam and Arizona Highline Canal survey and other surveys of other proposed reclamation projects upon which water

filings have been made, not only to ascertain these facts, but such other facts which would assist also to keep up such diligence as is required to maintain the water filings therefor, and which is indispensable for the attorney general in defending said water rights and water filings of Arizona; and

Whereas, the trustee has filed for Arizona on all said sites which are all practical and economical, but care must be used in working out a plan to divert water from any dam or in obtaining the most comprehensive and the economical development of the Colorado River not to allow water to back up over or destroy and cover up the Glen Canyon reservoir site which is by far the most economical reservoir for maximum economical development of the Colorado River when combined with Bridge Canyon diversion dam to and through the Highline Canal to irrigate 4,500,000 acres of land in Arizona; and

Whereas, the Democratic and Republican state party platform pledges provide that the water rights and water filing made for the state of Arizona shall be protected, which platforms read as follows:

STATE DEMOCRATIC PARTY PLATFORM
COLORADO RIVER PLEDGE
September 28, 1932

The decision of the supreme court of the United States in the recent Boulder Dam case upheld the contention of Arizona regarding our right to make beneficial use of the water of the Colorado River. Aware of the future possibilities that the water and power of that stream and its tributaries hold out to this state, we favor legislation that will protect all filings made in behalf of and rights of Arizona upon water and dam sites of the Colorado River and tributaries.

STATE REPUBLICAN PARTY PLATFORM
COLORADO RIVER PLEDGE
October 1, 1932.

We pledge our candidates for congressional office to adopt any and every means adequate and proper for the protection of existing, as well as inchoate rights of the State of Arizona, in and to waters of the Colorado River.

Whereas, since the courts are the proper avenue for quieting and adjudicating water rights, it is necessary to have all information possible to do so fairly and successfully;

Now Therefore Be It Resolved: That there should be appropriated, and it is hereby so recommended, by the regular session of the twelfth Arizona legislature

out of the general fund of the state of Arizona to be expended by the attorney general the sum of fifty thousand (\$50,000) dollars for such surveys and ascertainment of engineering data and to protect said water rights and water filings, and an additional fifty thousand (\$50,000) dollars to be used in the defending of any and all suits.

Referred to the Committee on Printing.

House Resolution No. 6, by Mr. Colter of Apache, was read in full as follows:

HOUSE RESOLUTION NO. 6

THAT THE COLORADO RIVER CONTRACT WITH THE UNITED STATES PROPOSED BY THE PRESENT COLORADO RIVER COMMISSION OF ARIZONA IS AN EQUIVALENT OF THE RUINOUS SANTA FE COMPACT WHICH WOULD DEED TO MEXICO OUR ONLY WATER FOR OUR PRESENT IRRIGATION PROJECTS, ALL DESPERATELY SHORT OF WATER THROUGHOUT ARIZONA, AND FOR FUTURE PROJECTS, MUNICIPALITIES AND GROWTH OF THE STATE, AND WOULD LEAVE OUR POWER TO THE MONOPOLY OF CALIFORNIA POWER SYNDICATES; THAT SAID CONTRACT IS IDENTICAL WITH THE EARLIER WILBUR CONTRACT-SANTA FE COMPACT; THAT THE RECENT MARTIAL LAW PROCLAMATION AND CALLING OUT OF THE STATE MILITIA BY THE GOVERNOR OF ARIZONA WERE FOR THE DECLARED PURPOSE OF FORCING APPROVAL OF THIS DISASTROUS CONTRACT BY SECRETARY ICKES AND ITS RATIFICATION BY THIS LEGISLATURE; THAT THE PROTESTS OF THE UPPER BASIN STATES AND CALIFORNIA AGAINST SAID CONTRACT ARE INSINCERE PRETENSES INTENDED TO DELUDE THE PEOPLE OF ARIZONA INTO BELIEVING THE DISASTROUS CONTRACT IS BENEFICIAL TO ARIZONA; THAT IF ARIZONA DOES NOT APPROVE THIS CONTRACT THE UPPER BASIN STATES MUST GIVE THEIR WATERS TO MEXICO UNDER THE SANTA FE COMPACT; THAT CALIFORNIA CONTRIBUTES NO WATER TO THE COLORADO RIVER AND HAS NONE TO GIVE TO MEXICO; THAT ARIZONA HOLDS THE KEY AND IS FREE OF THE MEXICAN BURDEN AS SHE HAS FOR TWELVE YEARS REFUSED TO RATIFY THE RUINOUS SANTA FE COMPACT, IS NOT BOUND BY IT, AND MUST NOT RATIFY THIS DISASTROUS CONTRACT OR ANY OTHER EQUIVALENT OF THE SANTA FE COMPACT OR SUPPLEMENTAL TRI-STATE COMPACT WHICH ATTEMPT TO DEPRIVE HER OF HER ONLY WATER AND POWER

RESOURCES, THE RICHEST IN AMERICA; THAT NEITHER THE LEGISLATURE, NOR ANY BOARD OR COMMISSION, CAN CONTRACT AWAY OR DIVIDE ARIZONA'S ONLY WATERS AND WATER RIGHTS, TITLES TO WHICH WILL BE QUIETED BY THE COURTS ALONE; THAT ARIZONA WAS, AND IS, SAFEGUARDED BY THE PRIOR AND SUPERIOR COLTER WATER FILINGS, WATER RIGHTS, AND GLEN BRIDGE VERDE HIGHLINE PROJECTS BY WHICH THE WATERS AND POWER OF THE COLORADO RIVER AND ITS TRIBUTARIES HAVE BEEN APPROPRIATED FOR AND ON BEHALF OF THE STATE OF ARIZONA AND WATER USERS UNDER SAID PROJECTS FOR IRRIGATING 6,000,000 ACRES IN ARIZONA AND MANUFACTURING 5,000,000 ELECTRIC HORSE POWER COMBINED WITH THIS IRRIGATION DEVELOPMENT FOR FINANCING IT, WHICH ELECTRIC POWER IS WORTH 18 BILLION DOLLARS AND IS MORE POWER THAN IS NOW MADE BY WATER IN THE ENTIRE UNITED STATES.

1. WHEREAS, a tentative Colorado River contract between the United States and the State of Arizona has been proposed by the Colorado River Commission, and is now under consideration by Secretary of the Interior Harold L. Ickes, and if approved by him will be submitted to this body, the legislature of Arizona, for ratification; and

2. WHEREAS, said contract in Section 18 thereof is specifically subject to the old ruinous Santa Fe Compact, rejected by Arizona for 12 years, which would deed our only waters, the Colorado River, to Mexico for irrigating 2,000,000 acres owned there by California land syndicates to compete with our present agriculture, labor and industry and menace our national defense, pervert water law and our state and federal constitutions, and would result in the monopoly of our power by California power syndicates; and

3. WHEREAS, said waters are desperately needed as supplemental supply for our existing reclamation projects throughout Arizona, all critically short of water in the present drouth and in years of normal rainfall, and are indispensable for future projects, municipalities and growth of our state and of our nation which also is suffering from wide spread water shortage; and

4. WHEREAS, said contract was proposed to Secretary Ickes by the Colorado River Commission of Arizona, appointed by Governor B. B. McEuer, with the assistance of Attorney General Arthur T. La Prade; and

5. WHEREAS, said contract in its basic terms is exactly identical with the earlier contract offered Arizona on February 10, 1933, by former President Her-

bert Hoover's Secretary of the Interior, Ray Lyman Wilbur, for ratification by the special session of this Legislature then assembled, and only a few days prior to the inauguration of President Franklin D. Roosevelt; and

6. WHEREAS, Governor B. B. Moeur and the present Arizona Colorado River Commission, aided by Attorney General Arthur T. La Prade, then held secret star-chamber conferences in Phoenix with Wilbur's representatives for the purpose of attempting ratification by the Legislature of the Wilbur contract, equivalent of the ruinous Santa Fe Compact, despite the fact that the United States Supreme Court had ruled Arizona is not bound by the Santa Fe Compact as she did not ratify it, and in violation of the pledges of both Democratic and Republican State Party Platforms, on which they as State officials were elected, to protect all vested and inchoate water filings, water rights and projects of and for Arizona and those claiming under it on the Colorado River and its tributaries; and

7. WHEREAS, a citizens' mass meeting then passed a resolution condemning the Wilbur Contract and secret conferences and presented same to the Legislature, which ordered it printed in the Journal of this house and this house unanimously passed House Resolution No. 5 protesting against and condemning the Wilbur Contract offered as an equivalent of the Santa Fe Compact; and

8. WHEREAS, Governor Moeur on November 10, 1934, declared martial law and called out the state militia to halt construction of the proposed Parker Dam until, as he stated, Secretary Ickes approved and this Legislature ratified said new contract, which is the same as the Wilbur contract and the Santa Fe Compact; and

9. WHEREAS, the recent protests of the upper basin states against this new proposed contract are a deceptive blind, since if Arizona does not approve it the upper basin states will have to supply Mexico with water under the Santa Fe Compact which they ratified but which Arizona fortunately did not; and

10. WHEREAS, California formally pretends to oppose said disastrous contract, but actually and openly desires Arizona to approve it because California contributes no water to the Colorado River and has none to give to Mexico; and

11. WHEREAS, the proposed Moeur-La Prade-Colorado River Commission contract and the pretended opposition of the upper basin states and California are identical, and for the purpose of deluding the people of Arizona and depriving them through the Santa Fe Compact of Arizona's only water and power resources which are the richest in America; and

12. WHEREAS, Arizona holds the key and is free from the Mexican burden and danger because she did

not ratify the Santa Fe Compact, and, under decision of the United States Supreme Court, is not bound by it, and Arizona must not ratify this disastrous contract or any other equivalent of the Santa Fe Compact, Tri-State Compact-Parker-Gila Project scheme; and

13. WHEREAS, Neither the Legislature, nor any board or commission, can divide or contract away Arizona's only waters and water rights, titles to which will be quieted by the courts alone; and

14. WHEREAS, Arizona was, and is, safeguarded by the prior and superior Colter Water filings, water rights, and projects by which the waters and power of the Colorado River and its tributaries have been appropriated for and on behalf of the State of Arizona and water users under said projects for irrigating 6,000,000 acres in Arizona and manufacturing 5,000,000 electric horse power combined with this irrigation-municipal-domestic development for financing it, upon which rights and projects hinge the present, future and only water supply of Arizona and proper, maximum development of the state and of the Colorado River, for all concerned, including California and Mexico.

NOW, THEREFORE, BE IT RESOLVED, That this House of Representatives of the Arizona State Legislature does hereby protest against, oppose and condemn the disastrous contract proposed to Secretary Ickes by the Arizona Colorado River Commission, which contract is an equivalent of the Santa Fe Compact which would destroy the present and future of Arizona and cripple the nation, and that copies of this resolution be sent to the Governor, Attorney General and Colorado River Commission of Arizona, to the Governors of California, Nevada, New Mexico, Colorado, Utah and Wyoming, and to President Franklin D. Roosevelt and Secretary of the Interior Harold L. Ickes.

Referred to the Committee on Printing.

House Memorial No. 8, by Mr. Colter of Apache, was read in full as follows:

HOUSE MEMORIAL NO. 8.

Your Memorialist, the Eleventh Legislature of the State of Arizona, in Third Special Session assembled, respectfully represents:

It is gratifying to note that valid existing entries and claims on the public domain are exempt from the recent withdrawal of public lands by presidential proclamation under the Taylor Bill, and also that mining claims are exempt from said withdrawal;

The growth of our nation from the original thirteen states, and especially that of Arizona and the west.

has sprung from, and now depends upon, the encouragement, protection, continuance and development of our homestead laws, such as those for entry upon 160 acres, 320 acres and the desert reclamation acts;

In the classification and withdrawal of public lands, first consideration should be given to homesteading and the homestead and desert reclamation laws, as the growth and development of the west and the nation will otherwise be retarded, especially in Arizona where millions of acres can be settled and developed into cultivation by irrigation and power projects and by dry farming, or used for grazing;

Wherefore your memorialist prays that the above consideration and policy be instituted in said withdrawals and classifications under the Taylor Bill, in order that the settlement, growth and prosperity of our country may continue to advance as it has for many years under the federal statutes for homestead entries and desert land reclamation.

And your memorialist will ever pray.

Be it resolved, that copies of this Memorial be addressed to the Secretary of the Interior, Harold L. Ickes, the Secretary of Agriculture, Henry A. Wallace, and to Congressman E. T. Taylor of Colorado.
Referred to the Committee on Printing.

Without objection the House referred to the Order of Business, Bills and Other Business from the Senate.

BILLS AND OTHER BUSINESS FROM THE SENATE

A message from the Senate, by W. J. Graham, its Secretary, announcing the following Senate action:

“Senate Joint Resolution No. 1, an expression of regret of the Arizona Legislature to the catastrophe at Lansing, Michigan, wherein members of the Michigan Legislature were visited with sudden and tragic deaths, passed by a vote of 19 ayes.”

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

FIRST READING OF BILLS

The following bill was read the first time in full:

SENATE JOINT RESOLUTION No. 1, an expression of regret of the Arizona Legislature to the catastrophe at Lansing, Michigan, wherein members of the Michigan Legislature were visited with sudden and tragic deaths.

Motion by Mr. Ettleman, seconded by Mr. Curtis, that the rules be suspended, an emergency declared, and that Senate Joint Resolu-

tion No. 1 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

SECOND READING OF BILLS

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

SENATE JOINT RESOLUTION No. 1, an expression of regret of the Arizona Legislature to the catastrophe at Lansing, Michigan, wherein members of the Michigan Legislature were visited with sudden and tragic deaths.

Motion by Mr. McQuillan, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that Senate Joint Resolution No. 1 be placed under the Order of Business, Third Reading of Bills, for today. Carried by a two-thirds vote.

On second reading of Senate Joint Resolution No. 1, motion by Mrs. Bush, seconded by Mr. Ettleman, 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 Senate Joint Resolution 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 bill was read the second time by number and title only.

THIRD READING OF BILLS

SENATE JOINT RESOLUTION No. 1, an expression of regret of the Arizona Legislature to the catastrophe at Lansing, Michigan, wherein members of the Michigan Legislature were visited with sudden and tragic deaths, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong of Cochise, Babbitt, Bennett, Bevan, Bohlinger, Christian, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Riggs, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisdom, Wisener, Witt, Mr. Speaker—61.

Absent: Armstrong of Maricopa, Nugent—2.

Excused: Bush—1.

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

Motion by Mr. Jennings, seconded by Mr. Ettleman, that Senate Joint Resolution No. 1, an expression of regret of the Arizona Legislature to the catastrophe at Lansing, Michigan, wherein members of the Michigan Legislature were visited with sudden and tragic deaths, be sent by wire to the Legislature of the State of Michigan.

Motion by Mr. Rapp, seconded by Mr. Geo. A. Johnson, that the motion by Mr. Jennings be amended, and that Senate Joint Reso-

lution No. 1 an expression of regret of the Arizona Legislature to the catastrophe at Lansing, Michigan, wherein members of the Michigan Legislature were visited with sudden and tragic deaths, be sent by air mail to the Legislature of the State of Michigan. Carried.

Motion by Mr. Sprouse, seconded by Mr. Pryor, that the House stand adjourned until 10:00 a. m., Wednesday, December 12, 1934. Carried, and at 4:30 p. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

WEDNESDAY, DECEMBER 12

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

Roll call showed the following members present:

Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, McQuillan, Mincks, Nugent, O'Neill, Osborn, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Sayers, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams of Greenlee, Wilson, Wisener, Witt, Mr. Speaker—58.

Excused: Christian, Mader, Oxsheer, Riggs, Williams of Conino, Wisdom—6.

Reverend Thomas C. Harris, Chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Tuesday, December 11, 1934, was dispensed with, and the Journal of Monday, December 10, 1934, was approved.

At 10:05 a. m., the Sergeant-at-Arms announced that members Christian and Mader had taken their seats.

REPORTS OF STANDING COMMITTEES

Standing committees submitted the following reports:

“December 12, 1934.

Mr. Speaker:

Your Committee on Enrolling and Engrossing reports that it has engrossed the following:
Senate Bill No. 7, the revenue bond Act of 1934.

E. F. VICKERS,
Chairman.”

Senate Bill No. 7 was placed under the Order of Business, Third Reading of Bills, for today.

"December 12, 1934.

Mr. Speaker:

Your Committee on Highways and Bridges reports that it has had under consideration Senate Joint Memorial No. 1, relating to hit and run drivers, and respectfully recommends, that it do pass.

HUGH E. LAIRD,
Chairman."

Placed on the House Calendar of the Committee of the Whole House, to be considered with the report of the Committee on Petitions and Memorials.

"December 12, 1934.

Mr. Speaker:

Your Committee on Judiciary herewith returns to the House, without comment:

House Joint Memorial No. 2, urging congress to cancel indebtedness against construction of Arizona reclamation projects.

House Resolution No. 1, relating to the water flow of the Colorado river.

House Resolution No. 3, informing the Attorney General to file suit to protect the water rights of Arizona on the Colorado river.

House Memorial No. 2, petitioning the President to favor the P. W. A. loan for construction of the Glen Bridge Verde Highline projects of Arizona.

JOHN H. RAPP,
Chairman."

House Joint Memorial No. 2, was placed on the House Calendar of the Committee of the Whole House, awaiting the report of the Committee on Agriculture and Irrigation.

House Resolution No. 1, was placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Petitions and Memorials, and Agriculture and Irrigation.

House Resolution No. 3, was placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Petitions and Memorials, and Agriculture and Irrigation.

House Memorial No. 2, was placed on the House Calendar of the Committee of the Whole House, awaiting reports of the Committees on Reconstruction and Unemployment, and Petitions and Memorials.

At 10:30 a. m., the Sergeant-at-Arms announced that Mr. Oxsheer had taken his seat.

THIRD READING OF BILLS

SENATE BILL NO. 7, entitled, An Act, providing for the construction, acquisition, reconstruction, improvement, betterment, extension, operation and maintenance of revenue-producing undertakings; authorizing and regulating the issuance of bonds by any city or town for financing such revenue-producing undertakings and providing for the payment of such bonds; limiting the time within which such bonds may be issued; and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong of Maricopa, Babbitt, Bennett, Bevan, Bohlinger, Bush, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Wilson, Mr. Speaker—54.

Nays: Armstrong of Cochise, Christian, Kelley, Sayers, Williams of Greenlee, Wisener, Witt—7.

Excused: Riggs, Williams of Coconino, Wisdom—3.

The following member asked that explanation of his vote on Senate Bill No. 7 be spread upon the Journal:

“Mr. Speaker:

I am asking leave to explain my vote on Senate Bill No. 7 and have the same recorded in the Journal of the House.

When first introduced, this was a very vicious measure. Much has been done by amendments to improve the same but it yet is far from perfect. I fear there is an Ethiopian in the wood pile. My vote is not needed to pass it, nor will the same defeat it. I am thus freed from blame for the result. I hope my fears are groundless and that the majority is right. I vote ‘No’.

WILLIAM WISENER.”

Senate Bill No. 7 was signed in open session by the Speaker, and 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

A telegram from Mr. Rosenbaum, Speaker of the House of Representatives, to the Legislature of the State of Michigan, was read in full as follows:

"December 11, 1934.

Speaker of the House,
President of the Senate,
State House,
Lansing, Michigan.

Please convey to your members and families of the bereaved members of your body that the Arizona Legislature in special session today passed Joint Resolution of sympathy and condolence. You have our heartfelt sympathy.

W. G. ROSENBAUM,
Speaker of the House."

Placed on file.

At 10:55 a. m., the Sergeant-at-Arms announced that Mr. Williams of Coconino had taken his seat.

Motion by Mr. Wieden, seconded by Mr. Wiggins, that Mr. Speaker appoint a committee of three to notify the Senate that the House was not disposed to entertain a sine die adjournment until some executive action had been taken on Senate Bill No. 5, permittee application for government funds.

Motion by Mr. Dysart, seconded by Mr. Sayers, that the motion by Mr. Wieden be amended, and that Mr. Speaker appoint a committee of three to notify the Senate that the House was not disposed to entertain a sine die adjournment until some executive action had been taken on all pending legislation.

Motion by Mr. Sayers, seconded by Mr. Babbitt, that the motion by Mr. Wieden, and the amendment to the motion be laid on the table. Carried.

At 11:10 a. m., the House stood at recess, subject to the call of the gavel.

At 11:50 a. m., Mr. Speaker called the House to order.

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

REPORTS OF SELECT COMMITTEES

The Joint Conference Committee on Senate Bill No. 2, submitted the following report:

"December 12, 1934.

Mr. Speaker:

Your Conferees in the matter of disagreement to House amendments to Senate Bill No. 2 respectfully recommends:

Regarding House amendment to the title, after the word 'projects', next to the last line, insert the

words 'limiting the time within which such bonds may be issued; fixing minimum wages'. That the Senate accept the House amendment.

That the Senate accept the House amendment whereby they place headings on different sections on the bill.

That the Senate accept House amendment whereby on page 6, section 9, engrossed bill, 9th line from bottom of page, after the word 'items' insert 'in such sums as are now allowed by law.'

That the Senate accept House amendment whereby on page 5, line 4, engrossed bill, at the end of the line after the word 'thereon' insert 'when the whole or any part of the cost of any public works project is ultimately to be paid by assessments to be levied upon property especially benefited, opportunity shall be given the owners of the property affected to protest the proposed public works project in the manner provided in Article 16, Chapter 12, Revised Code of Arizona, 1928, for protesting public improvements.'

That the Senate accept the House amendment whereby following Section 4, insert new section to be numbered Section 5. 'establishment of minimum rates of wages'.

That the House recede in its amendment whereby in Section 8, (as renumbered by the House) line 16, after the word 'Arizona' insert the words 'or State of Arizona registered warrants.'

That the House recede in its amendment whereby it inserted a new section to follow Section 10, entitled 'Procedure for election to authorize bonds'.

That the Senate accept a new section inserted by the House, Section 18, known as 'Termination of Powers'.

PAUL C. KEEFE,
Chairman of Senate
Conferees.

W. B. KELLY,
DODD GREER.

NELLIE T. BUSH,
Chairman of House
Conferees.

J. MELVIN GOODSON,
V. C. WIGGINS."

Motion by Mrs. Bush, seconded by Mr. Wiggins, that the House adopt the report of the Joint Conference Committee. Carried by the following vote.

Ayes: Armstrong of Cochise, Babbitt, Bennett, Bevan, Bohlinger, Bush, Colter, Curtis, Davis, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Oxsheer, Peggs, Phillips, Priser, Pryor, Randall, Rapp, Reichard, Richards, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams of Coconino, Wilson, Mr. Speaker—49.

Nays: Christian, Combs, Decker, Kelley, Osborn, Palmer, Porter, Pratt, Sayers, Williams of Greenlee, Wisener, Witt—12.

Absent: Armstrong of Maricopa—1.

Excused: Riggs, Wisdom—2.

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

The Joint Conference Committee on Senate Bill No. 6 submitted the following report:

“December 12, 1934.

Mr. Speaker:

Your Conferees in the matter of disagreement to House amendments to Senate Bill No. 6, respectfully recommends:

That the Senate recedes and accepts the House amendment to Senate Bill No. 6 as follows:

Last line of title, after the word ‘laws’ insert ‘limiting the time within which such bonds may be issued’.

That the House recedes from the House amendment as follows:

Senate engrossed bill, page 5, section 3, line 8, (H. B. 5 printed bill, page 4, line 27).

After the word ‘Arizona’ insert ‘or State of Arizona registered warrants’.

That the Senate recedes and accepts the House amendment as follows:

Senate engrossed bill, section 5, page 6, line 16, (H. B. 5, printed bill, page 5, line 26).

Strike the words ‘at least ten’ and insert ‘not less than fifteen’.

That the Senate recedes and accepts the House amendment as follows:

Senate engrossed bill, section 5, page 7, lines 1 and 2 (H. B. 5 printed bill, page 6, lines 2 and 3).

Strike the words ‘it shall appear to the governing body that’.

That the Senate recedes and accepts the House amendment as follows:

Senate engrossed bill, section 5, page 7, line 17 (H. B. 5, printed bill, page 6, line 20).

After the numerals ‘1928’ insert “and amendments thereto’.

That your conference committee recommends the following amendment to clarify the meaning of Section 6, as follows:

In line 33 of the printed bill, correct the typographical error and strike the word 'or' and insert the word 'of'.

That the Senate recedes and accepts the House amendment as follows:

Senate engrossed bill, Section 6, page 8, lines 1, 2, 3 and 4 (H. B. 5 printed bill, page 6, lines 38, 39, 40, 41 and 42).

Strike 'The bonds may be sold at public or private sale in such blocks and for such price or prices as the governing body shall by resolution determine, provided that the bonds shall not be sold for less than par', and insert 'The bonds may be sold at private sale only to a federal agency and at not less than par, in such blocks as the governing body may by resolution provide'.

That the Senate recedes and accepts the House amendment as follows:

Senate engrossed bill, Section 9, page 10, lines 1, 2, 3 and 4 of the section (H. B. 5 printed bill, page 9, lines 1, 2, 3 of the section).

Strike 'Any municipality shall have power by resolution of its governing body to confer upon any holder, or holders of a specified amount or percentage of bonds,' and insert 'Any municipality shall have power by resolution of its governing body adopted prior to the issuance of bonds to confer upon any holder, or holders, a specified amount or percentage of such bonds,'.

That the Senate accepts the House amendment as follows:

Senate engrossed bill, page 11, insert a new section prior to old section 10, (H. B. 5 printed bill page 9, the same).

Insert new section as follows: 'Section 10. Termination of Powers. Except in pursuance of any contract or agreement theretofore entered into by and between any municipality and any federal agency, no municipality shall borrow any money or issue any bonds pursuant to the provisions of this act after March 1, 1937.'

JAMES MINOTTO,
Chairman of Senate
Conferees.

CHAS. J. McQUILLAN,
Chairman of House
Conferees.

FRANK M. SIEGMUND,
E. T. HOUSTON.

BRIDGIE M. PORTER,
AUGUST WIEDEN."

Motion by Mrs. Porter, seconded by Mr. McQuillan, that the House adopt the report of the Joint Conference Committee. Carried by the following vote:

Ayes: Armstrong of Cochise, Babbitt, Bennett, Bevan, Bohlinger, Colter, Combs, Curtis, Davis, DeSouza, Dysart, Ettleman, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Peggs, Phillips, Priser, Randall, Rapp, Reichard, Richards, Spaid, Sprouse, Tway, Udall, Vickers, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Mr. Speaker—47.

Nays: Bush, Christian, Decker, Francis, Goodson, Kelley, Kenworthy, Palmer, Porter, Pratt, Pryor, Sayers, Wisener, Witt—14.

Absent: Armstrong of Maricopa—1.

Excused: Riggs, Wisdom—2.

Senate Bill No. 6 was signed in open session by the Speaker, and the clerk was instructed to record the action of the House on the bill, notify the Senate of such action, and return it to the Senate.

BILLS AND OTHER BUSINESS FROM THE SENATE

A message from the Senate, by W. J. Graham, its Secretary, announcing the following Senate action:

“Senate refused to concur in House amendments to Senate Bill No. 7, the revenue bond act of 1934, and has appointed Senators Minotto, Siegmund and McEachran as a conference committee, and requests the House to appoint a like committee to consider the matter of disagreement on the bill.”

Motion by Mr. Ettleman, seconded by Mrs. Bush, that a conference committee be appointed to meet with a like committee from the Senate in the matter of disagreement to House amendments to Senate Bill No. 7, the revenue bond act of 1934. Carried, and Mr. Speaker appointed members Rapp, Sayers and Heron as such a committee.

The clerk was instructed to record the action of the House and notify the Senate of such action.

Motion by Mr. Bennett, seconded by Mr. Wisener, that the Committee on Printing be authorized, and instructed to purchase a sufficient number of copies of the Revised Code Supplement of 1934, to provide each member of the House with one copy. Carried.

Motion by Mr. Sprouse, seconded by Mr. Jennings, that the House stand at recess until 2:00 p. m. Carried, and at 12:12 p. 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, Business on the Speakers Desk.

BUSINESS ON THE SPEAKER'S DESK

A communication from Mr. James H. Kerby, Secretary of State, regarding the printing of the Session Laws of the First, Second and Third Special Sessions of the Eleventh Legislature, was read.

Placed on file.

At 2:35 p. m., the House stood at recess, subject to the call of the gavel, in order that the members might offer congratulations to Mr. Wisener on his 66th birthday.

At 3:02 p. m., Mr. Speaker called the House to order.

Mr. Speaker announced that he had received notice that the Governor had signed Senate Bills Nos. 1, 3 and 4, but that no final action had as yet been taken on Senate Bills Nos. 2, 6 and 7.

Mr. Laird requested that the following message from the Governor be read in full as follows:

"Mr. Rosenbaum:

For your information I am not going to veto the Verde Bill, Senate Bill No. 5.

B. B. MOEUR,
Governor."

Placed on file.

Mr. Speaker appointed members Wisdom, Davis and Williams of Coconino as a committee provided for under the provisions of House Concurrent Resolution No. 3, appointing members to western bus and truck conference.

Without objection, at 3:10 p. m., the House stood at recess subject to the call of the gavel.

At 4:15 p. m., Mr. Speaker called the House to order.

Motion by Mr. Sprouse, seconded by Mr. Eittleman, that the House stand adjourned until 10:00 a. m., Thursday, December 13, 1934. Carried, and at 4:20 p. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

THURSDAY, DECEMBER 13

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

Roll call showed the following members present:

Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Bush, Combs, Curtis, Davis, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Geo. A. Johnson, Jones, Kelley, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Sayers, Spaid, Sprouse, Tway, Udall, Ward, Webb, Wieden, Wiggins, Williams of Greenlee, Wilson, Wisener, Witt, Mr. Speaker—54.

Absent: Christian, Colter, Conner Johnson, Osborn, Richards, Williams of Coconino—6.

Excused: Decker, Riggs, Vickers, Wisdom—4.

Reverend Thomas C. Harris, Chaplain of the House, offered prayer.

By unanimous consent the reading of the Journal of Wednesday, December 12, 1934, was dispensed with, and the Journal of Tuesday, December 11, 1934, was approved.

At 10:05 a. m., the Sergeant-at-Arms announced that members Christian, Richards, Conner Johnson, and Williams of Coconino had taken their seats.

BILLS AND OTHER BUSINESS FROM THE SENATE

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

"Senate refuses to adopt the Joint Conference Committee report on Senate Bill No. 2, the municipalities public works Act of 1934, and has discharged the Committee from further consideration."

The clerk was instructed to record the action of the Senate.

"Senate refuses to adopt the Joint Conference Committee report on Senate Bill No. 6, cities and towns emergency Act of 1934, and has discharged the Committee from further consideration."

The clerk was instructed to record the action of the Senate.

At 10:20 a. m., the Sergeant-at-Arms announced that Mr. Colter had taken his seat.

Mrs. Bush, in behalf of the members and attaches of the House, presented Mr. Speaker with a chair.

Mr. Speaker thanked the members and attaches of the House for their gift.

At 10:23 a. m., Mr. Speaker called Mr. McQuillan to the chair.

Motion by Mr. Sayers, seconded by Mr. Wisener, that an original poem by Mr. Phillips, be spread upon the Journal. Carried, and the poem was read as follows:

“As years increase and knowledge,
And we share the firing line,
Our memories of past pleasures
Round our hearts some thoughts entwine.

Among our public servants,
Some have striven through the years,
And climbed from mere house members,
'Til today they have no Peers.

We have had stormy speakers,
And a few, unduly calm
But justice, wit, and wisdom
Is the charm of Rosenbaum.

So we all called him Rosey
Even if we fought his bill,
That's why he kept on climbing,
Against or with, we loved him still.

To love a Copper collar
From our Maricopa view,
Is experience so different
That the feeling is quite new.

But all the counties join us
In the confines of our state,
In kind wishes for Rosie
From Colter to Garden gate.

The Lamé Ducks quack their blessing
As they preen their wings for flight,
To the Salt River Marshes,
Home of those who lose their fight.

We wish you Bon Voyage, Rosey,
And your fair mate by your side,
Loyal to our ship of State
We are proud of such a guide.

May the dreams of life grow broader
And fulfilled in every way,
We know you are deserving
Is the final word we say.

JOHN J. PHILLIPS.”

At 10:30 a. m., Mr. Speaker returned to the chair.

REPORTS OF SELECT COMMITTEES

The Joint Conference Committee on Senate Bill No. 7 submitted the following report:

“December 13, 1934.

Mr. Speaker:

Your Conferees in the matter of disagreement to House amendments to Senate Bill No. 7 respectfully recommends:

That the Senate recedes and accepts the House amendment as follows:

In Section 8, page 6, line 3, Senate engrossed bill, amend by striking the word ‘authorizing’ and inserting in lieu thereof the words ‘pertaining to’.

That the Senate recedes and accepts the House amendment as follows:

In Section 2, sub-division ‘d’, page 2, line 1, do not capitalize the word ‘Government’.

That the Senate recedes and accepts the House amendment as follows:

In Section 3, page 2, 3rd line from the bottom, insert after the comma, following the word ‘expenses’ the following ‘as allowed by law’.

That the Senate recedes and accepts the House amendment as follows:

Section 16, pages 9 and 10, last line on 9 and lines 1 and 2 on page 10, strike ‘No bonds shall be issued or sold by any municipality pursuant to the terms of this act after March 1, 1938’, and insert ‘Except in pursuance of any contract or agreement theretofore entered into by and between any municipality and any federal agency, no municipality shall borrow any money or issue any bonds pursuant to the provisions of this act after March 1, 1937.’

That the Senate recedes and accepts the House amendment as follows:

In line 8 of the title, following the word ‘bonds’ insert the following ‘limiting the time within which such bonds may be issued’.

That the Senate recedes and accepts the House amendment as follows:

Amend by inserting titles to the sections as follows: ‘Section 1. Short title of act. Section 2. Definitions. Section 3. Additional powers of municipalities. Section 4. Bond issues to be submitted to vote of people. Section 5. Procedure. Section 6. Form and

contents of bonds. Section 7. Governing body to prescribe charges necessary. Section 8. Resolution pertaining to issuance of bonds may contain covenants. Section 9. Disposition of proceeds received from sale of bonds. Section 10. Validity of bonds. Section 11. Attorney General to pass upon the validity of bonds. Section 12. Bonds to be prior lien on revenue and to be equally secured. Section 13. Bonds to be payable solely from revenue pledged. Section 14. Excision of unconstitutional or ineffective parts of act. Section 15. Construction and supplemental nature of act. Section 16. Bonds not to be debt of municipality; time of termination. Section 17. Declaration of emergency and time of taking effect.'

That the Senate recedes and accepts the House amendment as follows:

In Section 15, page 9, line 17 of the engrossed bill, strike the word 'local'.

That the Senate recedes and accepts the House amendment as follows:

In Section 5, page 5, line 4, after the numerals '1928' insert 'and amendments thereto'.

That the House recedes from the House amendment as follows:

In Section 15, engrossed bill, strike the last three lines of that Section.

That the Senate recedes and accepts the House amendment as follows:

Page 7, section 9, line 3, engrossed bill, change the word 'shall' to 'may'.

That the House recedes from the House amendment as follows:

In line 7, page 7, Section 9, strike the word 'shall'.

JAMES MINOTTO,
Chairman of Senate
Conferees.

JOHN H. RAPP,
Chairman of House
Conferees.

E. H. McEACHREN,
FRANK M. SIEGMUND.

J. B. SAYERS,
JAMES R. HERON."

At 10:32 a. m., the Sergeant-at-Arms announced that members Decker and Osborn had taken their seats.

Motion by Mr. Rapp, seconded by Mr. Sayers, that the House adopt the report of the Joint Conference Committee. Carried by the following vote:

Ayes: Armstrong of Cochise, Babbitt, Bennett, Bevan, Bohlinger, Bush, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson,

Jones, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Sayers, Sprouse, Tway, Udall, Ward, Webb, Wieden, Wiggins, Williams of Coconino, Wilson, Wisener, Witt, Mr. Speaker—56.

Nays: Christian, Kelley, Spaid—3.

Absent: Armstrong of Maricopa, Williams of Greenlee—2.

Excused: Riggs, Vickers, Wisdom—3.

Senate Bill No. 7 was signed in open session by the Speaker, and the clerk was instructed to record the action of the House on the bill, notify the Senate of such action and return it to the Senate.

Motion by Mr. Bennett, seconded by Mr. Ettleman, that the House stand at recess subject to the call of the gavel. Carried, and at 10:40 a. m., the House stood at recess.

At 11:20 a. m., Mr. Speaker called the House to order.

BILLS AND OTHER BUSINESS FROM THE SENATE

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

“Senate Bill No. 10, The Municipalities Public Works Act of 1934.

This engrossed bill contains all amendments proposed by the Joint Conference Committee of the House and Senate, to Senate Bill No. 2.

The other change in the bill is in Section 8, line 12, of the engrossed bill. The word ‘shall’ has been stricken and the word ‘may’ inserted in lieu thereof.

Typographical errors and spelling have been corrected.

Passed by a vote of 19 ayes.”

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

“Senate Bill No. 11, The Cities and Towns Emergency Act of 1934.

This engrossed bill contains all amendments proposed by the Joint Conference Committee of the House and Senate, to Senate Bill No. 6.

The other change in the bill is in Section 3, line 11 of the engrossed bill. The word ‘shall’ has been stricken and the word ‘may’ inserted in lieu thereof.

Passed by a vote of 19 ayes.”

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

“Senate refused to adopt Joint Conference Committee report on Senate Bill No. 7, the revenue bond act of 1934, and has discharged the committee from further consideration.”

The clerk was instructed to record the action of the Senate.

FIRST READING OF BILLS

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

SENATE BILL NO. 10, An Act, concerning the construction of public works projects, the acceptance of grants, and the borrowing of money by counties, cities, towns, villages, school districts, high school districts, union high school districts from the United States of America, or any federal agency, and the issuance of bonds to finance such public works projects, limiting the time within which such bonds may be issued, fixing minimum wages; and declaring an emergency.

Motion by Mr. Babbitt, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that Senate Bill No. 10 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

SENATE BILL NO. 11, An Act, enabling cities and towns to secure the benefits of the National Industrial Recovery Act, and any acts amendatory thereof and any acts supplemental thereto and revisions thereof, and any further acts of the Congress of the United States of America to reduce and relieve unemployment; authorizing cities and towns to construct, acquire improve, extend, operate and maintain public works projects; prescribing the mode of procedure for and regulating the issuance of bonds to finance such projects, and providing for the payment thereof; authorizing agreements with the holders of such bonds; superseding inconsistent provisions of all other laws; limiting the time within which such bonds may be issued; and declaring an emergency.

Motion by Mr. Babbitt, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that Senate Bill No. 11 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

On first reading of Senate Bills Nos. 10 and 11, motion by Mrs. Bush, seconded by Mr. Ettleman, 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 Senate Bills Nos. 10 and 11, 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 bill was read the second time by number and title only:

SENATE BILL NO. 10, the municipalities public works act of 1934.

Motion by Mr. Babbitt, seconded by Mr. Conner Johnson, that the rules be suspended, an emergency declared, and that Senate Bill No. 10 be placed under the Order of Business, Third Reading of Bills, for today.

Motion by Mr. Sayers, seconded by Mr. Sprouse, that the rules be suspended, an emergency declared, and that Senate Bill No. 10 be placed under the Order of Business, Third Reading of Bills, for today, and that a committee of three be appointed to carefully check over the bill during the noon recess.

Motion by Mr. Babbitt, seconded by Mr. Ettleman, that the motions by Mr. Babbitt and Mr. Sayers be indefinitely postponed. Carried.

Mr. McQuillan filed notice that after the noon recess he would move that the House sit as in the Committee of the Whole House to consider Senate Bill No. 10, the municipalities public works act of 1934.

On second reading of Senate Bill No. 10, motion by Mrs. Bush, seconded by Mr. Ettleman, 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 Senate Bill No. 10, 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.

Motion by Mr. McQuillan, seconded by Mr. Sayers, that the House stand at recess until 2:00 p. m. Carried, and at 12:15 p. m. the House stood at recess.

AFTERNOON SESSION

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

Motion by Mr. Babbitt, seconded by Mr. McQuillan, that the rules be suspended, an emergency declared, and that Senate Bill No. 10 be placed under the Order of Business, Third Reading of Bills, for today. Carried by a two-thirds vote.

SECOND READING OF BILLS

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

SENATE BILL NO. 11, the cities and towns emergency act of 1934.

Motion by Mr. McQuillan, seconded by Mr. Conner Johnson, that the rules be suspended, an emergency declared, and that Senate Bill No. 11 be placed under the Order of Business, Third Reading of Bills, for today. Carried by a two-thirds vote.

On second reading of Senate Bill No. 11, motion by Mrs. Bush, seconded by Mr. Ettleman, 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 Senate Bill No. 11, 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.

Motion by Mr. Davis, seconded by Mrs. Bush, that Mr. Speaker appoint a committee which will report to the Twelfth Legislature, to investigate the cost and feasibility of having made a topographical or relief map of the State of Ariona, which map will be hung in the Capitol Building. Carried.

THIRD READING OF BILLS

SENATE BILL NO. 10, entitled, An Act, concerning the construction of public works projects, the acceptance of grants, and the borrowing of money by counties, cities, towns, villages, school districts, high school districts, union high school districts from the United States of America, or any federal agency, and the issuance of bonds to finance such public works projects; limiting the time within which such bonds may be issued, fixing minimum wages; and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Colter, Curtis, Davis, DeSouza, Dysart, Ettleman, Francis, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Peggs, Phillips, Priser, Pryor, Randall, Rapp, Reichard, Richards, Spaid, Sprouse, Tway, Udall, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Witt, Mr. Speaker—50.

Nays: Bush, Christian, Combs, Decker, Goodson, Kelley, Palmer, Porter, Pratt, Sayers, Wisener—11.

Excused: Riggs, Vickers, Wisdom—3.

The following members asked that explanation of their vote on Senate Bill No. 10 be spread upon the Journal:

"Mr. Speaker:

To my way of thinking the five bills that have been presented to this Special Session of the Legislature to enact into law have been incubated and hatched here in this Wonderland of the Southland, Sunny Arizona, by the organized interests, the cement, the power trusts, bond holders, bond clippers, tax dodgers, tax evaders and many who want soft jobs. Seemingly the getting is good for some, and their object appears to be to 'get theirs while the getting is good' under the guise of the so-called merits of these bills and the benefit extended to the unemployed Arizona citizens and taxpayers. In the recent past and at present we find tourists coming here from many states, getting soft snap jobs at attractive wages in a few days after their arrival.

We are told that we will not have to pay these bonds, that we will repudiate these contracts, or let the future generation pay. I am old fashioned enough to believe we should pay an honest debt. I am loathe to think we have become the chiseler of chiselers. We surely are on the highway to destruction and ruin. Possibly some of the above may not be applicable to Senate Bill No. 10. But I see the handwriting on the wall. I may be wrong, yet I think I see the fine Italian hand of the interests in these bills.

Fellow members, it may be said that this is the quack of a lame duck. It is a matter of record that lives always in the many sessions of which I have been a member by vote of the taxpayers and property owners. We cannot tax ourselves rich. The ancient Golden Rule is practically obsolete now. Some of the Cloth realize this.

I have confidence and faith in the big-heartedness and far-sightedness of the Honorable Franklin D. Roosevelt, that he will not let us bring about our own destruction. I believe he is doing the best he can with the material he has to work with.

We were told at the beginning of this session that we should accept the bills as written. As the session continued its labors, amendments were added from time to time to the bills above referred to and the Washington God accepted the amendments. Results were that we found not only an Ethiopian in the wood pile but a whole family of adults. If I am in error write it in the sands.

Eight years ago this coming January I asked the question here in the House 'Where Am I At', and I was laughed at. But I am almost three score and ten and it doesn't hurt any more. DO THE PEOPLE TODAY KNOW WHERE THEY ARE AT? I think we are in the same position that the title of an old song recalls, 'I Don't Know Where I'm Going, But I'm on My Way'.

I vote 'No'.

M. V. DECKER,
G. L. CHRISTIAN,
WM. WISENER."

Senate Bill No. 10, was signed in open session by the Speaker, and the clerk was instructed to record the action of the House on the bill and return it to the Senate.

SENATE BILL NO. 11, entitled, An Act, enabling cities and towns to secure the benefits of the National Industrial Recovery Act, and any acts amendatory thereof and any acts supplemental thereto and revisions thereof, and any further acts of the Congress of the United States of America to reduce and relieve unemployment; authorizing cities and towns to construct, acquire, improve, extend, operate and maintain public works projects; prescribing the mode of procedure for and regulating the issuance of bonds to finance such projects, and providing for the payment thereof; authorizing agreements with the holders of such bonds; superseding inconsistent provisions of all other

laws; limiting the time within which such bonds may be issued; and declaring an emergency, was read the third time in full and passed the House by the following vote:

Ayes: Armstrong, Armstrong, Babbitt, Bennett, Bevan, Bohlinger, Colter, Curtis, Davis, DeSouza, Dysart, Ettleman, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Laird, Lyke, Mader, McQuillan, Nugent, O'Neill, Osborn, Oxsheer, Peggs, Phillips, Priser, Randall, Rapp, Reichard, Richards, Spaid, Sprouse, Tway, Udall, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Witt, Mr. Speaker—46.

Nays: Bush, Christian, Combs, Decker, Francis, Goodson, Kelley, Kenworthy, Mincks, Palmer, Porter, Pratt, Pryor, Sayers, Wisener—15.

Excused: Riggs, Vickers, Wisdom—3.

Mr. Mincks asked that explanation of his vote on Senate Bill No. 11 be spread upon the Journal:

“Mr. Speaker:

In explaining my vote of ‘no’ on this bill I wish to say that I am not unmindful of the fact that we are here in this special session to relieve unemployment.

We have been paying State, Federal and County taxes for direct relief and we know that direct relief destroys the morale of our citizens. It destroys their ideals, self respect and ambitions. For these reasons, I have voted yes on all the other measures, but I vote ‘No’ on this bill because I believe that it gives entirely too many supplemental powers to governing boards of municipalities, in addition to the powers given to them by any other laws.

CHAS. E. MINCKS.”

Senate Bill No. 11, was signed in open session by the Speaker, and the clerk was instructed to record the action of the House on the bill and return it to the Senate.

The privileges of the floor were extended to Mr. John L. Sullivan, Attorney General elect.

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 Secretary of the President of the United States was read in full as follows:

“December 8, 1934.

My dear Mr. Speaker:

Your letter of December third, with the enclosed copy of Memorial adopted by the House of Representatives

of the State of Arizona, has been received and will be brought to the attention of the President. You may be sure that he will appreciate having the point of view of the members of the House of Representatives of the State of Arizona.

Very sincerely yours,

LOUIS McH. HOWE,
Secretary to the President."

Placed on file.

Mr. Ertleman introduced Mr. Harry J. Sullivan, member-elect of the House, who was extended the privileges of the floor.

FIRST READING OF BILLS

The following bills were read the first time in full:

HOUSE BILL NO. 12, by Mr. Wisener of Yuma, An Act, to provide an appropriation for the purchase of copies of the Revised Code of 1928, and declaring an emergency.

Motion by Mr. Wisener, seconded by Mr. Ertleman, that the rules be suspended, an emergency declared, and that House Bill No. 12 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

HOUSE BILL NO. 13, by Messrs. Ertleman and Pryor of Maricopa, An Act, relating to the duties of the Secretary of State; making an appropriation for the Secretary of State for the purpose of printing and publishing the laws of the State of Arizona, enacted by the Eleventh Legislature, at its First, Second and Third Special Sessions, and declaring an emergency.

Motion by Mr. Ertleman, seconded by Mr. Wisener, that the rules be suspended, an emergency declared, and that House Bill No. 13 be placed under the Order of Business, Second Reading of Bills, for today. Lost, and House Bill No. 13 was placed under the Order of Business, Second Reading of Bills, for tomorrow.

Without objection the House referred to the Order of Business, Bills and Other Business from the Senate.

BILLS AND OTHER BUSINESS FROM THE SENATE

A message from the Senate, by W. J. Graham, its Secretary, announcing the following Senate action:

"Senate Bill No. 9, the revenue bond act of 1934.

This engrossed bill contains all the amendments proposed by the Joint Conference Committee of the House and Senate to Senate Bill No. 7.

The other changes in the bill occur in Section 9, of the engrossed bill, by striking the words 'all assessments collected by the municipality'.

Typographical errors and errors in spelling have been corrected.

In this form the bill passed the Senate by a vote of 19 ayes."

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

FIRST READING OF BILLS

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

SENATE BILL NO. 9, An Act, providing for the construction, acquisition, reconstruction, improvement, betterment, extension, operation and maintenance of revenue-producing undertakings; authorizing and regulating the issuance of bonds by any city or town for financing such revenue-producing undertakings and providing for the payment of such bonds; and declaring an emergency.

Motion by Mr. Babbitt, seconded by Mr. Goodson, that the rules be suspended, an emergency declared, and that Senate Bill No. 9 be placed under the Order of Business, Second Reading of Bills, for today. Carried by a two-thirds vote.

On first reading of Senate Bill No. 9, motion by Mrs. Bush, seconded by Mr. Ettleman, 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 Senate 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 bills were read the second time by number and title only:

HOUSE BILL NO. 12, by Mr. Wisener of Yuma, making appropriation for purchasing Revised Code of 1928.

Motion by Mr. Wisener, seconded by Mr. Ettleman, that the rules be suspended, an emergency declared, and that House Bill No. 12 be placed under the Order of Business, Third Reading of Bills, for today. Lost, and House Bill No. 12 was referred to the Committee on Appropriations.

SENATE BILL NO. 9, the revenue bond act of 1934.

Motion by Mr. Babbitt, seconded by Mr. Conner Johnson, that the rules be suspended, an emergency declared, and that Senate Bill No. 9 be placed under the Order of Business, Third Reading of Bills, for today. Carried by a two-thirds vote.

On second reading of House Bill No. 12 and Senate Bill No. 9, motion by Mrs. Bush, seconded by Mr. Ettleman, 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. 12 and Senate 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 bills were read the second time by number and title only.

READING OF RESOLUTIONS

HOUSE RESOLUTION NO. 7, by Messrs. Sayers, Ettleman and Pryor of Maricopa, was read in full as follows:

HOUSE RESOLUTION NO. 7

Whereas, those provisions of the national recovery act and of the executive order of the President of the United States under date of August 10, 1933, requiring that contracts for supplies and materials for the use of the federal government be awarded only to dealers complying with the terms of said act and with the codes of fair competition applicable to the several industries, were wisely designed for the protection of both labor and industry, and as an aid to economic recovery; and

Whereas, it is no less essential to recovery that the administrative officials of the several states and lesser political sub-divisions observe the same policy; and

Whereas, simple justice to employers of labor who are patriotically complying with said codes, observing the hours of labor and wage regulations, and to employees who are the beneficiaries of such observance, requires that in all purchases and letting of contracts for materials or supplies for the state of Arizona, and for the counties, municipalities, and other political subdivisions thereof, only bidders who are in good faith observing the provisions of the national recovery act should be considered; now, therefore

Be It Resolved by the Legislature of the State of Arizona:

That all administrative officers of the State of Arizona and of the several counties, municipalities and other political subdivisions thereof are hereby requested and urged, unless specifically inhibited by law, to make purchases and award contracts for materials and supplies for public use only to dealers and bidders who are complying with the provisions of the national recovery act and with the spirit of the executive order of August 10, 1933.

Motion by Mr. Sayers, seconded by Mr. Ettleman, that House Resolution No. 7 be adopted. Carried, and the clerk was instructed to record the action of the House on the bill, and convey it to the Governor.

Motion by Mr. Peggs, seconded by Mr. Davis, that the House stand adjourned until 10:00 a. m., Friday, December 14, 1934. Lost.

The House sitting as a Committee of the Whole House submitted the following report:

"Mr. Speaker:

The House acting as a Committee of the Whole House has had under consideration Senate Bill No. 9, and has made sundry amendments as follows:

Motion by Mr. McQuillan, seconded by Mrs. Bush, that the rules be suspended, an emergency declared, and that in Section 3, line 6 of that Section of the engrossed bill, after the word 'and' strike the word 'acquired' and insert in lieu thereof the word 'acquire'. Carried by a two-thirds vote.

Motion by Mr. Babbitt, seconded by Mr. Rapp, that the rules be suspended, an emergency declared, and that in Section 9, line 3 of that Section of the engrossed bill strike 'public works project' and insert in lieu thereof the word 'undertaking'. Carried by a two-thirds vote.

Motion by Mr. McQuillan, seconded by Mrs. Bush, that the rules be suspended, an emergency declared, and that the typographical error in the title of Section 14 be corrected by changing the word 'on' to 'or'. Carried by a two-thirds vote."

Without objection Mr. Speaker referred Senate Bill No. 9, the revenue bond Act of 1934, as amended, to the Committee on Enrolling and Engrossing.

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:

"December 13, 1934.

Mr. Speaker:

Your Committee on Enrolling and Engrossing reports that it has engrossed the following:

Senate Bill No. 9, the revenue bond Act of 1934.

E. F. VICKERS,
Chairman."

Senate Bill No. 9 was placed under the Order of Business, Third Reading of Bills, for today.

THIRD READING OF BILLS

SENATE BILL NO. 9, entitled, An Act, providing for the construction, acquisition, reconstruction, improvement, betterment, extension, operation and maintenance of revenue-producing undertak-

ings; authorizing and regulating the issuance of bonds by any city or town for financing such revenue-producing undertakings and providing for the payment of such bonds; limiting the time within which bonds may be issued; and declaring an emergency, was read the third time in full, and passed the House by the following vote:

Ayes: Babbitt, Bennett, Bevan, Bohlinger, Bush, Colter, Combs, Curtis, Davis, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Johnson, Johnson, Jones, Kenworthy, Laird, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Priser, Pryor, Randall, Rapp, Reichard, Richards, Sayers, Spaid, Sprouse, Tway, Udall, Ward, Webb, Wieden, Wiggins, Williams of Coconino, Wilson, Wisener, Mr. Speaker—54.

Nays: Armstrong of Cochise, Christian, Kelley, Williams of Greenlee, Witt—5.

Absent: Armstrong of Maricopa—1.

Excused: Decker, Riggs, Vickers, Wisdom—4.

Mr. Wiggins asked that explanation of his vote on Senate Bill No. 9 be spread upon the Journal:

“Mr. Speaker:

My vote is ‘Aye’ on this measure first because I believe it to be a necessary measure at this time. Secondly, it has been my policy whenever possible to joint with my colleagues of the ‘Grand Old Party’ in supporting the program of both the state and National Administration when we can consistently do so in keeping with sound government.

I vote ‘Aye’.

V. C. WIGGINS.”

Senate Bill No. 9 was signed in open session by the Speaker, and the clerk was instructed to record the action of the House on the bill and return it to the Senate.

Motion by Mr. Williams of Coconino, seconded by Mr. Jennings, that the House stand adjourned until 10:00 a. m., Friday, December 14, 1934. Carried, and at 5:05 p. m., the House so adjourned.

W. G. ROSENBAUM,
Speaker of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

FRIDAY, DECEMBER 14

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

Roll call showed the following members present:

Armstrong of Cochise, Babbitt, Bevan, Bohlinger, Bush, Christian, Colter, Combs, Curtis, Davis, Decker, DeSouza, Dysart, Ettleman, Francis, Goodson, Hoyt, Heron, Jennings, Geo. A. Johnson, Jones, Kelley, Kenworthy, Lyke, Mader, McQuillan, Mincks, Nugent, O'Neill, Osborn, Oxsheer, Palmer, Peggs, Phillips, Porter, Pratt, Pryor, Rapp, Reichard, Richards, Sayers, Tway, Ward, Webb, Wieden, Wiggins, Williams, Williams, Wilson, Wisener, Witt, Mr. Speaker—52.

Absent: Armstrong of Maricopa, Conner Johnson, Laird, Sprouse—4.

Excused: Bennett, Priser, Randall, Riggs, Spaid, Udall, Vickers, Wisdom—8.

Reverend Thomas C. Harris, Chaplain of the House offered prayer.

By unanimous consent the reading of the Journal of Thursday, December 13, 1934, was dispensed with, and the Journal of Wednesday, December 12, 1934, was approved.

At 10:06 a. m., the Sergeant-at-Arms announced that members Armstrong of Maricopa, Conner Johnson, and Laird had taken their seats.

REPORTS OF STANDING COMMITTEES

The Committee on Printing submitted the following report:

“December 14, 1934.

Mr. Speaker:

Your Committee on Printing reports:

That it has ordered printed House Resolutions Nos. 5 and 6, and House Memorial No. 8.

That it has received from the printer House Resolutions Nos. 5 and 6, and House Memorial No. 8.

THOS. D. TWAY,
Chairman.”

Placed on file.

Mr. Speaker announced that in keeping with the motion, put and carried, Thursday, December 13, 1934, that a committee be appointed to arrange for a relief map of Arizona, to be hung on the walls of the Capitol Building, that he was appointing members, Wilson, Armstrong of Maricopa, Porter, Babbitt, Tway, and Davis as such a committee.

BILLS AND OTHER BUSINESS FROM THE SENATE.

A message from the Senate, by W. J. Graham, its Secretary, announcing the following Senate action:

“Senate concurred in the House amendments to Senate Bill No. 9, the revenue bond Act of 1934, by a vote of 17 ayes, 2 not voting.”

The clerk was instructed to record the action of the Senate.

SECOND READING OF BILLS

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

HOUSE BILL NO. 13, by Messrs. Ettleman and Pryor of Maricopa, making appropriation for Secretary of State to print the three Special Session laws of the Eleventh Legislature. Referred to the Committee on Appropriations.

On second reading of House Bill No. 13, motion by Mrs. Bush, seconded by Mr. Ettleman, 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. 13, 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.

Mr. Speaker made the following announcement:

“I am today breaking the precedent by the action I am now about to take in the placing of an individual in the chair as Speaker pro tempore, for the purpose of closing and adjourning the Third Special Session of the Eleventh Legislature sine die. The individual to whom I refer is a man who holds the highest regard and esteem of each and every member of this House. The association, the friendship, in which he is held by each of you, assures me that my action will receive the full accord of each and every member present. In the breaking of the precedent, it is the first time in the history of the Arizona Legislature that an individual of the Republican party has sat in the capacity of Speaker of the House of Representatives. It is with pleasure that I do hereby appoint the gentleman from Navajo, Mr. Charles J. McQuillan, as Speaker pro tempore for the purpose of adjourning this Legislature sine die.”

The Speaker extended the gavel to his friend and colleague with the remark, during the hand clasp, of “Charlie, do your stuff.”

At 10:15 a. m., Mr. Speaker called Mr. McQuillan, Speaker pro tempore, to the chair, who addressed the House as follows:

“Words are inadequate to enable me to express my appreciation of the confidence you have reposed in

me in making me your Speaker pro tempore. The spirit of fairness prevailing in the House during the many years I have served with you, leaves me with that fraternal feeling that comes only through pleasant associations.

On behalf of our Speaker and the people of the State, I thank you for your hearty co-operation in your deliberations upon the program before you. Our committees have worked hard and the good temper of the House has been helpful.

I am not unmindful of the excellent service given us by the attaches and the secretarial staff. We have been handicapped by restricted personnel, but they have worked hard and I express the appreciation of both the Speaker and myself for their helpfulness and hearty co-operation.

In leaving you I wish you all a merry Christmas and many happy and prosperous new years."

Motion by Mr. Oxsheer, seconded by Mr. Wisener, that a committee be appointed to notify the Senate that the House is ready to adjourn sine die, and to wait upon the Governor and ask him if he had any further message for the Legislature. Carried, and Mr. Speaker pro tempore appointed members Bevan, Bush, Francis, Jones, Kelley, and Porter as such a committee.

At 10:17 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 that Mr. Sprouse had taken his seat.

At 10:21 a. m., the Sergeant-at-Arms announced a committee from the Senate.

The committee from the Senate consisting of Senators McEachren, Kelly and Riley announced that the Senate was ready to adjourn sine die. Mr. Speaker pro tempore thanked the committee.

At 10:25 a. m., the committee 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, reported that the Senate graciously received the message, and that the Governor wished to communicate his appreciation of the co-operation and assistance that the House and Senate had shown in their consideration of his program and the observance of the measures outlined in his message, and kindly and lovingly sent his thanks to the Legislature at this time, and stated that he had nothing more for them to do.

Mr. Speaker pro tempore thanked and discharged the committee.

Motion by Miss Jones, seconded by Mr. Sayers, that a rising vote of thanks be given to the attaches for their services rendered during the session. Carried.

Mr. Ettleman asked that a new precedent be established, and that the Chaplain of the House be asked to invoke a divine blessing upon the departing members.

Reverend Thomas C. Harris, Chaplain of the House, offered prayer.

Motion by Mr. Ward, seconded by Mr. Ettleman, that the House do now adjourn sine die. Carried by unanimous vote, and at 10:48 a. m., December 14, 1934, the Third Special Session of the House of Representatives of the Eleventh Legislature of the State of Arizona so adjourned.

CHARLES J. McQUILLAN,
Speaker pro tempore of the House.

ATTEST: LALLAH RUTH,
Chief Clerk.

LAME DUCKS' FAREWELL.

I dreamed, and the dream awoke me
 And I found the dream was true.
 The days of Special Session
 Were numbered, and we were thru.

Our work has been harmonious
 And our Attaches were fine.
 They joined in care-free moments.
 Lame Ducks sing Sweet Adaline.

While the lame ducks are quacking,
 Let them imitate the frogs.
 Their flying days are over,
 They return back to the boggs.

The farewell of McQuillan
 Makes us Democrats feel bad,
 As well as that of Wiggins.
 Few Republicans we had.

Our Bridgie stemmed the current
 Biennial primary tide,
 That left so many stranded
 Who were comrades by her side.

Our good friend from the Garden
 Will tell Babbitt what to do,
 Unless, Rosie is seated
 In the coming session too.

Our House encyclopedia,
 We refer to Jimmie Sayers,
 Will be missed by old members
 In parliamentary affairs.

Our good Government league planned
 To defeat efficient men,
 Experienced and proven
 Did not suit them now, or then.

They want the new, untried ones,
 Those with knowledge will not do.
 The strength of Maricopa,
 By their trickery now is through.

Since our time now expires,
 And official duties too.
 We reflect for a moment,
 Ere we say farewell, adieu.

With freedom from suspicion
 From across each County line.
 The railroads special lobby
 And the workers from the mine.

The cattle and the sheep men,
And the Prof. and school trustee,
Utilities attorneys,
And whatever else may be.

We laugh at politicians,
In this session, we are free.
Surprised we look around us,
Fewer faults in others see.

If we had known each other,
When we first met in these halls,
We could have had more glory,
And less frequent special calls.

The people did not trust us,
Nor agree on what to do,
And newspapers clamored,
"What a sorry bunch are you."

Thinking, we grow bewildered,
Leave the answer up to you,
The untried and true ones,
Good luck we once thought we knew.

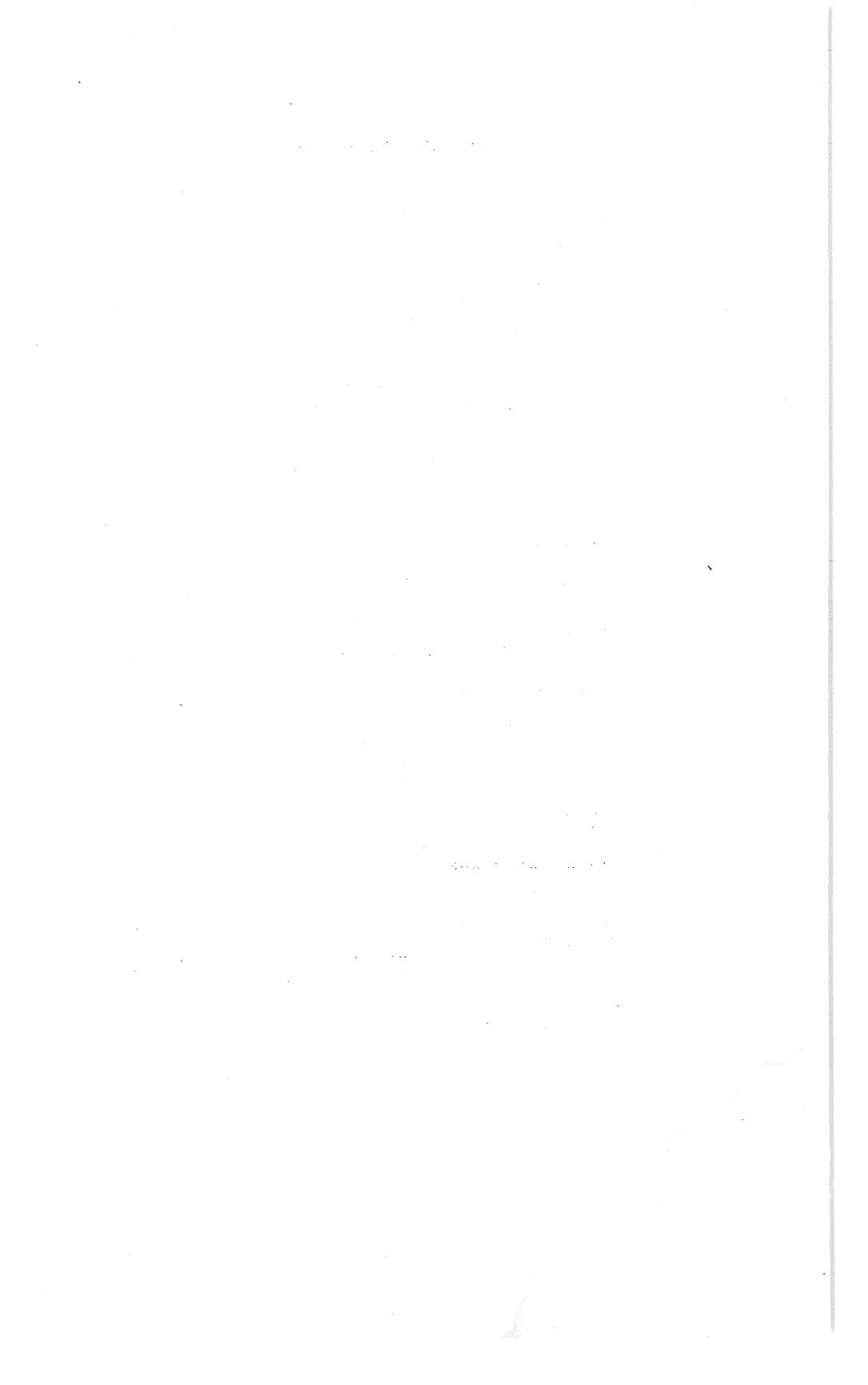
As you climb to your zenith
In your fight for power and fame
Keep in mind, many others
Have a likewise honest aim.

And don't despise the fallen,
Some again may one day rise
To held you bear the standard
That all honest men so prize.

The welfare of our counties
And our people lies in you.
Our future is your problem,
We will watch what you will do.

Depression's night is over,
And you build for the new day,
So be wise and courageous
Are the parting words we say.

—JOHN J. PHILLIPS.



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TO THE
JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES



THIRD SPECIAL SESSION
ELEVENTH LEGISLATURE
OF THE
STATE OF ARIZONA
1934

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No.	Action of House	Action of Senate	Action of Governor
1	Died on Calendar		
2	Died on Calendar		
3	Passed	Passed, amended	Signed
4	Died on Calendar		
5	Died on Calendar		
6	Died on Calendar		
7	Died on Calendar		
8	Died on Calendar		
9	Passed	Passed, amended	Signed
10	Passed	Passed	Signed
11	Passed	Passed	Signed
12	Died in Committee		
13	Died in Committee		

HOUSE RECORD OF HOUSE BILLS

Introduced by Members

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 Davis, Vernon—H. M. No. 7, H. J. M. Nos. 2, 3.
 Ettleman, Walter I.—H. R. No. 2.
 Jennings, Chas. E.—H. C. R. No. 3.
 Wieden, August—H. C. R. No. 2.
 Wisdom, Wm.—H. M. No. 3.
 Wisener, Wm.—H. B. No. 12.

BILLS INTRODUCED JOINTLY BY MEMBERS

Armstrong, Dysart, Ettleman and Phillips of Maricopa—H. B. No. 2.
 Armstrong and Jennings of Maricopa—H. B. Nos. 5, 6.
 Babbitt of Coconino, Armstrong, Laird of Maricopa, Rapp, Wisdom and Wieden of Pima—H. B. No. 1.

- Decker, Combs, Christian, Mincks, Jennings, Sayers and Phillips of Maricopa, Colter of Apache, Bush and Wisener of Yuma—H. M. No. 5.
- DeSouza, Combs and Dysart of Maricopa—H. B. No. 8.
- Dysart and Combs of Maricopa—H. B. No. 7.
- Dysart, Phillips, Ettleman, DeSouza, Wilson and Goodson of Maricopa, Kenworthy of Pinal, and Bennett of Yuma (by request)—H. B. No. 4.
- Ettleman of Maricopa, Peggs of Mohave and Heron of Gila—H. J. M. No. 5.
- Ettleman and Pryor of Maricopa—H. B. No. 13.
- Jones and Wiggins of Yavapai—H. R. No. 4.
- Osborn, Pratt and Armstrong of Maricopa, Bennett and Wisener of Yuma—H. M. No. 6, H. J. M. No. 4.
- Phillips and Combs of Maricopa, Wisener of Yuma and Bevan of Cochise—H. M. No. 4.
- Porter and Sayers of Maricopa—H. M. No. 1, H. J. M. No. 1.
- Sayers, Ettleman and Pryor of Maricopa—H. R. No. 7.

BILLS INTRODUCED BY COMMITTEES

Committee on Appropriations—H. B. Nos. 3, 9, 10, 11.

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Number of House Bills passed Senate	<u>4</u>
Total number of bills passed House and sent to Senate	4
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Number of House Bills signed by the Governor	<u>4</u>
	<u>4 4</u>

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BY THE HOUSE

"A"

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H. B. 3—Committee on Appropriations

H. B. 9—Committee on Appropriations

Appropriation for purchase of 1928 code

H. B. 10—Committee on Appropriations

H. B. 12—Mr. Wisener of Yuma

Appropriation for printing of session laws, regular and specials.

H. B. 11—Committee on Appropriations

H. B. 13—Messrs. Ettleman and Pryor of Maricopa

Agriculture refinancing measure (Frazier-Lemke), urging state legislatures to petition congress to pass

H. C. R. 1.—Mr. Colter of Apache

Agriculture recovery legislation, in behalf of small farmer, dairyman and stock raiser, urging congress to revise

H. M. 4—Messrs. Phillips and Combs of Maricopa, Mr. Wisener of Yuma and Mrs. Bevan of Cochise

"B"

Bus and truck conference, appointment of legislative committee to attend

H. C. R. 3—Mr. Jennings of Maricopa

"C"

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H. B. 5—Messrs. Arms'rong and Jennings of Maricopa

S. B. 6—Senator Reinhardt of Gila

S. B. 11—Senator Reinhardt of Gila

Colorado river, water flow of

H. R. 1—Mr. Colter of Apache

Colorado river, requesting attorney general to file suit

H. R. 3—Mr. Colter of Apache

Colorado river commission, to abolish

H. R. 5—Mr. Colter of Apache

Colorado river contract, relating to

H. R. 6—Mr. Colter of Apache

"D"

District enabling act of 1934

- H. B. 4—Messrs. Dysart, Phillips, Ettleman, DeSouza, Wilson and Goodson of Maricopa, Mr. Kenworthy of Pinal, and Mr. Bennett of Yuma (by request)
- S. B. 1—Committee on Agriculture and Forestry (by request)

"E"

Educational institutions act of 1934

- H. B. 1—Mr. Babbitt of Coconino, Messrs. Armstrong and Laird of Maricopa, Messrs. Rapp, Wisdom and Wieden of Pima
- S. B. 3—Senators Houston of Pima, Greer of Apache and Pomeroy of Maricopa

"H"

Black Canyon road, to designate as state highway

- H. R. 4—Miss Jones and Mr. Wiggins of Yavapai

Cave Creek road, to designate as state highway

- H. R. 2—Mr. Ettleman of Maricopa

Steins Pass-Benson highway, to designate as state highway and requesting federal bureau of public roads to investigate

- H. M. 7—Mr. Davis of Cochise
- H. J. M. 3—Mr. Davis of Cochise

Hit and run drivers

- S. J. M. 1—Senator Minotto of Maricopa

Home owners loan corporation, urging extension of

- H. M. 3—Mr. Wisdom of Pima

"L"

Lansing, Michigan catastrophe, expressing regret of

- S. J. R. 1—Senators Minotto and Pomeroy of Maricopa and Farmer of Yuma

"M"

Moeur, Dr. John Kelly, in memory of

- S. C. R. 1—Entire Senate body

Municipalities public works act of 1934

- H. B. 2—Messrs. Armstrong, Dysart, Ettleman and Phillips of Maricopa
- S. B. 2—Senator Minotto of Maricopa
- S. B. 10—Senator Minotto of Maricopa

"N"

N. R. A., requesting public administrative officers to purchase supplies from compliers of

H. R. 7—Messrs. Sayers, Ettleman and Pryor of Maricopa

"P"

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H. B. 7—Messrs. Dysart and Combs of Maricopa

S. B. 5—Senator McEachren of Gila

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H. M. 8—Mr. Colter of Apache

Public utilities corporation, requesting federal power commission to investigate interstate

H. J. M. 4—Messrs. Bennett and Wisener of Yuma, Messrs. Osborn, Pratt and Armstrong of Maricopa

H. M. 6—Messrs. Bennett and Wisener of Yuma, Messrs. Osborn, Pratt and Armstrong of Maricopa

P. W. A. loan for construction Glen Bridge—Verde Highline project, petitioning the President of the United States for

H. M. 2—Mr. Colter of Apache

"R"

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H. J. M. 2—Mr. Davis of Cochise

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H. B. 8—Messrs. DeSouza, Combs and Dysart of Maricopa

S. B. 4—Senator Minotto of Maricopa

Revenue bond act of 1934

H. B. 6—Messrs. Jennings and Armstrong of Maricopa

S. B. 7—Senator Harrison of Santa Cruz

S. B. 9—Senator Harrison of Santa Cruz

"T"

Taxation, exemption on homes, constitutional amendment providing for limited

H. C. R. 2—Mr. Wieden of Pima

Townsend old age revolving pension, urging

H. M. 1—Mrs. Porter and Mr. Sayers of Maricopa

H. J. M. 1—Mrs. Porter and Mr. Sayers of Maricopa

“W”

Water way from Yuma to Gulf of California, urging construction of deep

H. M. 5—Messrs. Decker, Combs, Christian, Mincks, Jennings, Sayers and Phillips of Maricopa, Mr. Colter of Apache, Mrs. Bush and Mr. Wisener of Yuma

World war veteran’s adjusted certificates, urging immediate payment of

H. J. M. 5—Mr. Ettleman of Maricopa, Mr. Peggs of Mohave and Mr. Heron of Gila

HOUSE RECORD OF HOUSE BILLS

HOUSE BILL NO. 1, by Messrs. Babbitt of Coconino, Armstrong and Laird of Maricopa, Rapp, Wisdom and Wieden of Pima, the educational institutions act of 1934.

First Reading	15
Second Reading, Referred to Committees on Education, Judiciary, Ways and Means, Appropriations, County and County Affairs and Public Institutions	17
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Report of the Committee on County and County Affairs	34
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HOUSE BILL NO. 2, by Messrs. Armstrong, Dysart, Ettleman and Phillips of Maricopa, the municipalities public works act of 1934.

First Reading	15
Second Reading, Referred to Committees on Ways and Means, Judiciary, Appropriations and County and County Affairs	17
Referred to the Committee on Labor	23
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Report of the Committee on Labor	60
Report of the Committee on Appropriations	60, 61
Report of the Committee on Judiciary	90, 91, 92
Report of the Committee on County and County Affairs	93
Died on the Calendar.	

HOUSE BILL NO. 3, by the Committee on Appropriations, legislative appropriation bill.

First Reading, placed on Second Reading	16
Second Reading, placed on Third Reading	17
Third Reading, passed	18
Passed the Senate, amended	23
House concurred in Senate amendments	23
Transmitted to the Governor	23
Signed by the Governor	26

Senate Action: Received (S. J. 18); First Reading (S. J. 18); Placed on Second Reading (S. J. 19); Read Second time (S. J. 20); To Enrolling and Engrossing (S. J. 20); Withdrawn from Enrolling and Engrossing, amended further (S. J. 21); Re-referred to Enrolling and Engrossing (S. J. 21); Reported (S. J. 22); Further amended (S. J. 22); Read Third time and passed (S. J. 23); Signed by the President (S. J. 23).

HOUSE BILL NO. 4, by Messrs. Dysart, Phillips, Ettleman, DeSouza, Wilson and Goodson of Maricopa, Kenworthy of Pinal and Bennett of Yuma (by request), the district enabling act of 1934.

First Reading	17
Second Reading, Referred to Committees on Agriculture and Irrigation, Judiciary, Appropriations and Ways and Means	22
Report of the Committee on Agriculture and Irrigation	26
Report of the Committee on Ways and Means	30
Report of the Committee on Judiciary	51, 52
Report of the Committee on Appropriations	61
Died on the Calendar.	

HOUSE BILL NO. 5, by Messrs. Armstrong and Jennings of Maricopa, the cities and towns emergency act of 1934.

First Reading	20
Second Reading, Referred to Committees on Reconstruction and Unemployment, Judiciary, Appropriations, Ways and Means and County and County Affairs	22
Report of the Committee on Appropriations	86
Report of the Committee on Ways and Means	97
Report of the Committee on Reconstruction and Unemployment	98
Report of the Committee on County and County Affairs	131
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Died on the Calendar.	

HOUSE BILL NO. 6, by Messrs. Jennings and Armstrong of Maricopa, the revenue bond act of 1934.

First Reading	20
Second Reading, Referred to Committees on Judiciary, County and County Affairs, Appropriations and Ways and Means	22
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Died on the Calendar.	

HOUSE BILL NO. 7, by Messrs. Dysart and Combs of Maricopa, permittee application for government funds.

First Reading	25
Second Reading, Referred to Committees on Agriculture and Irrigation and Judiciary	31
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Report of the Committee on Judiciary	86
Died on the Calendar.	

HOUSE BILL NO. 8, by Messrs. DeSouza, Combs and Dysart of Maricopa, amendment relating to refunding bonds.

First Reading, Placed on Second Reading	26
Second Reading, Referred to Committees on Judiciary and Agriculture and Irrigation	27
Report of the Committee on Judiciary	52
Report of the Committee on Agriculture and Irrigation	61
Died on the Calendar.	

HOUSE BILL NO. 9, by the Committee on Appropriations, legislative appropriation bill.

First Reading, placed on Second Reading	63
Second Reading, placed on Third Reading	64
Third Reading, passed	65, 66
Passed the Senate, amended	94
House concurred in Senate amendments	94
Transmitted to the Governor	94
Signed by the Governor	112

Senate Action: Received (S. J. 44); First Reading (S. J. 44); Referred to Appropriations (S. J. 44); Report from Appropriations amended (S. J. 47); Placed on Second Reading (S. J. 47); Read Second time (S. J. 47); To Enrolling and Engrossing (S. J. 47); Reported (S. J. 61); Read Third time and passed (S. J. 61); Signed by the President (S. J. 61).

HOUSE BILL NO. 10, by the Committee on Appropriations, making an appropriation for printing of revised code.

First Reading	63
Second Reading, Referred to Committees on Appropriations and Judiciary	87
Report of the Committee on Judiciary	110
Report of the Committee on Appropriations	110, 111
Report of the Committee of the Whole House	117, 118
Report of the Committee on Enrolling and Engrossing	119
Third Reading, passed	121, 122
Passed the Senate	127
Transmitted to the Governor	127
Signed by the Governor	142

Senate Action: Received (S. J. 75); First Reading (S. J. 76); Referred to Appropriations (S. J. 76); Report from Appropriations no recommendation (S. J. 79); Placed on Calendar (S. J. 79); Committee report recommending do pass (S. J. 81); Placed on Second Reading (S. J. 81); Read Second time (S. J. 81); Placed on Third Reading (S. J. 81); Read Third time and passed (S. J. 83); Signed by the President (S. J. 83).

HOUSE BILL NO. 11, by the Committee on Appropriations, making an appropriation for printing of session laws of the special sessions of the eleventh legislature.

First Reading, placed on Second Reading	133
Second Reading, placed on Third Reading	133
Third Reading passed	134
Passed the Senate	143
Transmitted to the Governor	143
Signed by the Governor	142

Senate Action: Received (S. J. 86); First Reading (S. J. 86); Placed on Second Reading (S. J. 87); Read Second time (S. J. 87); Placed on Third Reading (S. J. 87); Read Third time and passed (S. J. 88); Signed by the President (S. J. 89).

HOUSE BILL NO. 12, by Mr. Wisener of Yuma, making an appropriation for printing of revised code.

First Reading, placed on Second Reading	177
Second Reading, Referred to Committee on Appropriations	178
Died in Committee.	

HOUSE BILL NO. 13, by Messrs. Ettleman and Pryor of Maricopa, making an appropriation for Secretary of State to print the three special session laws of the Eleventh legislature.

First Reading	177
Second Reading, Referred to Committee on Appropriations	183
Died in Committee.	

RESUME OF HOUSE RESOLUTIONS, CONCURRENT RESOLUTIONS, MEMORIALS AND JOINT MEMORIALS

RESOLUTIONS:

Total number introduced	7
Adopted by the House	2
Failed to be adopted	1
Died in Committees	4
	<u>7</u> <u>7</u>

CONCURRENT RESOLUTIONS:

Total number introduced	3
Passed by the House	1
Died on the Calendar	2
	<u>3</u> <u>3</u>
Total number transmitted to the Senate	1
Passed by the Senate	1
	<u>1</u> <u>1</u>
Signed by the Governor	1

MEMORIALS:

Total number introduced	8
Adopted by the House	6
Died in Committees	2
	<u>8</u> <u>8</u>

JOINT MEMORIALS:

Total number introduced	5
Passed by the House	3
Died in Committee	2
	<u>5</u> <u>5</u>
Transmitted to Senate	3
Passed by the Senate	1
Indefinitely postponed by the Senate	2
	<u>3</u> <u>3</u>
Transmitted to the Governor and signed by the Governor	1

HOUSE RECORD OF HOUSE RESOLUTIONS

HOUSE RESOLUTION NO. 1, by Mr. Colter of Apache, relating to the water flow of the Colorado river.	
Introduced	31- 33
Referred to Committees on Petitions and Memorials, Judiciary and Agriculture and Irrigation	43
Report of the Committee on Judiciary	159
Died in committees.	
HOUSE RESOLUTION NO. 2, by Mr. Ettleman of Maricopa, requesting the highway department to include the Cave Creek road within the state highway system.	
Introduced	37, 38
Failed to be adopted.	
HOUSE RESOLUTION NO. 3, by Mr. Colter of Apache, informing the attorney general to file suit to protect the water rights of Arizona of the Colorado river.	
Introduced	38- 40

Referred to Committees on Petitions and Memorials, Agriculture and Irrigation, and Judiciary	40
Report of the Committee on Judiciary	159
Died in committees.	
HOUSE RESOLUTION NO. 4, by Miss Jones and Mr. Wiggins of Yavapai, to designate the Black Canyon road a state highway.	
Introduced and adopted	112, 113
HOUSE RESOLUTION NO. 5, by Mr. Colter of Apache, relating to Colorado river commission.	
Introduced	146-152
No definite action taken.	
HOUSE RESOLUTION NO. 6, by Mr. Colter of Apache, relating to the Colorado river contract.	
Introduced	152-155
No definite action taken.	
HOUSE RESOLUTION NO. 7, by Messrs. Sayers, Etleman and Pryor of Maricopa, requiring public administrative officers to purchase supplies from firms complying with the N. R. A.	
Introduced and adopted	179

HOUSE RECORD OF HOUSE CONCURRENT RESOLUTIONS

HOUSE CONCURRENT RESOLUTION NO. 1, by Mr. Colter of Apache, urging state legislatures to petition congress relating to Frazier-Lemke agricultural refinancing measure.	
First Reading	28
Second Reading, Referred to Committees on Petitions and Memorials, and Judiciary	31
Report of the Committee on Petitions and Memorials	45
Report of the Committee on Judiciary	137
Died on the Calendar.	
HOUSE CONCURRENT RESOLUTION NO. 2, by Mr. Wieden of Pima, constitutional amendment providing limited exemption from taxation of homes.	
First Reading	30
Second Reading, Referred to Committees on Efficient Government, Constitutional Amendments and Referendum, and Judiciary	47
Report of the Committee on Efficient Government	97
Report of the Committee on Constitutional Amendments and Referendum	98
Report of the Committee on Judiciary	137
Died on the Calendar.	

HOUSE CONCURRENT RESOLUTION NO. 3, by Mr. Jennings of Maricopa, appointing members to western bus and truck conference.

First Reading	56
Second Reading, Referred to Committees on Highways and Bridges, Petitions and Memorials	64
Report of the Committee on Highways and Bridges	111
Report of the Committee on Petitions and Memorials	111
Report of the Committee of the Whole House	117, 118
Report of the Committee on Enrolling and Engrossing	119
Third Reading, passed	121
Passed the Senate	126
Transmitted to the Governor	126
Signed by the Governor	142
Appointment of House Committee	166
Senate Action: Received (S. J. 75); First Reading (S. J. 76); Placed on Second Reading (S. J. 76); Read Second time (S. J. 76); Placed on Third Reading (S. J. 76); Read Third time, passed (S. J. 77); Signed by the President (S. J. 77).	

HOUSE RECORD OF HOUSE MEMORIALS

HOUSE MEMORIAL NO. 1, by Mrs. Porter and Mr. Sayers of Maricopa, relating to Townsend old age revolving pension plan.

Introduced and adopted	48- 50
Transmitted to the Governor	50
Signed by the Governor	112

HOUSE MEMORIAL NO. 2, by Mr. Colter of Apache, petitioning the President to favor the P. W. A. loan for construction of the Glen Bridge-Verde Highline projects.

Introduced	40- 43
Referred to Committees on Petitions and Memorials, Judiciary, and Unemployment and Reconstruction	43
Report of the Committee on Judiciary	159
Died in Committees.	

HOUSE MEMORIAL NO. 3, by Mr. Wisdom of Pima, on extension of activities of home owners loan corporation.

Introduced and adopted	57
Transmitted to the Governor	57
Signed by the Governor	112

HOUSE MEMORIAL NO. 4, by Messrs. Phillips and Combs of Maricopa, Mr. Wisener of Yuma, and Mrs. Bevan of Cochise, requesting congress to revise agricultural recovery legislation in behalf of small farmer, dairyman and stock raiser.

Introduced and adopted	87- 89
Transmitted to the Governor	89
Signed by the Governor	112
 HOUSE MEMORIAL NO. 5, by Messrs. Decker, Combs, Christian, Mincks, Jennings, Sayers and Phillips of Maricopa, Mr. Colter of Apache, Mrs. Bush and Mr. Wisener of Yuma, on construction of deep waterway from Gulf of California to Yuma.	
Introduced and adopted	101, 101
Transmitted to the Governor	101
Signed by the Governor	142
 HOUSE MEMORIAL NO. 6, by Messrs. Osborn, Pratt and Armstrong of Maricopa, and Messrs. Bennett and Wisener of Yuma, requesting federal power commission to investigate Arizona interstate public utility corporations.	
Introduced and adopted	124, 125
Transmitted to the Governor	125
Signed by the Governor	142
 HOUSE MEMORIAL NO. 7, by Mr. Davis of Cochise, requesting investigation by federal bureau of public roads on Steins Pass-Benson highway.	
Introduced and adopted	143
 HOUSE MEMORIAL NO. 8, by Mr. Colter of Apache, relating to entries and claims on public domain in Arizona.	
Introduced	155, 156
No definite action taken.	

HOUSE RECORD OF HOUSE JOINT MEMORIALS

HOUSE JOINT MEMORIAL NO. 1, by Mrs. Porter and Mr. Sayers of Maricopa, relating to Townsend old age revolving pension plan.	
First Reading	20
Second Reading, Referred to Committees on Suffrage and Elections, Petitions and Memorials, and Judiciary	22
Report of the Committee on Petitions and Memorials	25
Report of the Committee on Judiciary	27, 28
Report of the Committee on Suffrage and Elections	27
Report of the Committee of the Whole House	34
Referred to Committee on Enrolling and Engrossing	34
Passed as House Memorial No. 1.	
 HOUSE JOINT MEMORIAL NO. 2, by Mr. Davis of Cochise, urging congress to cancel indebtedness against construction of Arizona reclamation projects.	

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First Reading	53
Second Reading, Referred to Committees on Agriculture and Irrigation, Mines and Mining, and Judiciary	64
Report of the Committee on Mines and Mining	119, 120
Report of the Committee on Judiciary	159
Died in Committee.	

HOUSE JOINT MEMORIAL NO. 3, by Mr. Davis of Cochise, requesting investigation by federal bureau of public roads on Steins Pass-Benson highway.

First Reading, Placed on Second Reading	56
Second Reading, Referred to Committee on Enrolling and Engrossing	56
Report of the Committee on Enrolling and Engrossing	60
Third Reading, passed	65
Indefinitely Postponed by the Senate	143

Senate Action: Received (S. J. 44); First Reading (S. J. 44); Referred to Committee on Judiciary (S. J. 61); Report from Judiciary, majority do pass, minority to indefinitely postpone (S. J. 63, 64); Placed on Calendar (S. J. 64); Committee report recommending do pass (S. J. 67); Placed on Second Reading (S. J. 67); Read Second time (S. J. 71); Amended (S. J. 74, 75); Referred to Committee on Enrolling and Engrossing (S. J. 75); Reported (S. J. 79); Third Reading, failed to pass (S. J. 80); Reconsidered (S. J. 82); Further amended (S. J. 82, 83); Indefinitely postponed (S. J. 88).

HOUSE JOINT MEMORIAL NO. 4, by Messrs. Bennett and Wisener of Yuma, and Messrs. Osborn, Pratt and Armstrong of Maricopa, requesting federal power commission to investigate Arizona interstate public utilities corporations.

First Reading, Placed on Second Reading	86, 87
Second Reading, Placed on Third Reading	87
Third Reading, passed	90
Indefinitely postponed by the Senate	99

Senate Action: Received (S. J. 63); First Reading (S. J. 66); Indefinitely postponed (S. J. 66).

HOUSE JOINT MEMORIAL NO. 5, by Mr. Ettleman of Maricopa, Mr. Peggs of Mohave and Mr. Heron of Gila, on immediate payment of world war veterans adjusted service certificates.

First Reading, Placed on Second Reading	99
Second Reading, Placed on Third Reading	99
Third Reading, passed	108, 109
Passed the Senate, amended	127
House concurred in Senate amendments	128
Transmitted to the Governor	128
Signed by the Governor	142

Senate Action: Received (S. J. 72); First Reading (S. J. 73); Placed on the Calendar (S. J. 73); Committee

report recommending do pass as amended (S. J. 78); Placed on Second Reading (S. J. 78); Read Second time (S. J. 78); Referred to Committee on Enrolling and Engrossing (S. J. 78); Reported (S. J. 79); Read Third time and passed (S. J. 80); Signed by the President (S. J. 80).

RESUME OF SENATE BILLS

Total number received from the Senate	10
Passed the House	10
	10 10

HOUSE RECORD OF SENATE BILLS

SENATE BILL NO. 1, by Committee on Agriculture and Forestry (by request), the district enabling act of 1934.

Received from Senate	55
First Reading	55, 56
Second Reading, Placed on House Calendar	64
Report of the Committee of the Whole House	76, 77
Report of the Committee on Enrolling and Engrossing	86
Third Reading, passed amended	89, 90
Senate Conference Committee appointed	95
House Conference Committee appointed	96
Report of the Conference Committee	114
Report of the Conference Committee adopted by the House	114, 115
Report of the Conference Committee adopted by the Senate	120

SENATE BILL NO. 2, by Senator Minotto of Maricopa, the municipalities public works act of 1934.

Received from Senate	55
First Reading	56
Second Reading, placed on House Calendar	64
Reports of the Committee of the Whole House	116, 117, 118, 128-130
Report of the Committee on Enrolling and Engrossing	136
Third Reading, passed amended	138, 139
Senate Conference Committee appointed	144
House Conference Committee appointed	144
Report of Conference Committee	161, 162, 163
Report of Conference Committee adopted by the House	163
Report of Conference Committee, Senate refused to adopt	167
Re-introduced and passed as Senate Bill No. 10.	

SENATE BILL NO. 3, by Senators Houston of Pima, Greer of Apache and Pomeroy of Maricopa, the educational institutions act of 1934.

Received from Senate	62
First Reading, Placed on Second Reading	63
Second Reading, Placed on House Calendar	64

Report of the Committee of the Whole House	67- 75
Report of the Committee on Enrolling and Engrossing	78
Third Reading, passed amended	78, 79, 85
Senate Conference Committee appointed	95
House Conference Committee appointed	95
Report of Conference Committee	115
Report of Conference Committee adopted by the House	115, 116
Report of Conference Committee adopted by the Senate	120

SENATE BILL NO. 4, by Senator Minotto of Maricopa, amendment relating to refunding bonds.

Received from Senate	62
First Reading, placed on Second Reading	63
Second Reading, placed on House Calendar	64
Report of the Committee of the Whole House	77
Report of the Committee on Enrolling and Engrossing	86
Third Reading, passed amended	90
Senate concurred in House amendments	99

SENATE BILL NO. 5, by Senator McEachren of Gila, permittee application for government funds (Verde extension).

Received from Senate	62
First Reading, placed on Second Reading	63
Second Reading, placed on House Calendar	64
Report of the Committee of the Whole House	95
Report of the Committee on Enrolling and Engrossing	97
Third Reading, passed amended	101, 108
Senate concurred in House amendments	120

SENATE BILL NO. 6, by Senator Reinhardt of Gila, the cities and towns emergency act of 1934.

Received from Senate	78
First Reading	78
Second Reading, referred to Committees on Reconstruction and Unemployment, Judiciary, and County and County Affairs	87
Report of the Committee on Reconstruction and Unemployment	98
Report of the Committee on County and County Affairs	131
Report of the Committee on Judiciary	131, 132
Reports of the Committee of the Whole House	135
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Third Reading, passed amended	139, 140
Senate Conference Committee appointed	144
House Conference Committee appointed	145
Report of Conference Committee	163-165
Report of Conference Committee adopted by the House	165
Report of Conference Committee, Senate refused to adopt	167
Re-introduced and passed as Senate Bill No. 11.	

SENATE BILL NO. 7, by Senator Harrison of Santa Cruz, the revenue bond act of 1934.

Received from Senate	120
First Reading, placed on Second Reading	120

Second Reading, referred to Committees on Judiciary and County and County Affairs	121
Report of the Committee on County and County Affairs	131
Report of the Committee on Judiciary	141
Report of the Committee of the Whole House	145, 146
Report of the Committee on Enrolling and Engrossing	158
Third Reading, passed amended	160
Senate Conference Committee appointed	165
House Conference Committee appointed	165
Report of the Conference Committee	169, 170
Report of the Conference Committee adopted by the House	171
Report of the Conference Committee, Senate refused to adopt	172
Re-introduced and passed as Senate Bill No. 9.	
 SENATE BILL NO. 9, by Senator Harrison of Santa Cruz, the revenue bond act of 1934.	
Received from Senate	177, 178
First Reading, placed on Second Reading	178
Second Reading, Placed on Calendar of the Committee of the Whole House	179
Report of the Committee of the Whole House	180
Report of the Committee on Enrolling and Engrossing	180
Third Reading, passed amended	180, 181
Senate concurred in House amendments	183
 SENATE BILL NO. 10, by Senator Minotto of Maricopa, the municipalities public works act of 1934.	
Received from Senate	171
First Reading, placed on Second Reading	172
Second Reading, placed on Third Reading	173
Third Reading, passed	174, 175
 SENATE BILL NO. 11, by Senator Reinhardt of Gila, the cities and town emergency act of 1934.	
Received from Senate	171
First Reading, placed on Second Reading	172
Second Reading, placed on Third Reading	173
Third Reading, passed	175, 176

RESUME OF SENATE CONCURRENT RESOLUTIONS, JOINT RESOLUTIONS AND JOINT MEMORIALS

CONCURRENT RESOLUTIONS

Total number received	1
Passed by the House	1
	<u>1</u> <u>1</u>

JOINT RESOLUTIONS

Total number received	1
Passed by the House	1
	<u>1</u> <u>1</u>

JOINT MEMORIALS

Total number received	1
Died on the Calendar	1
	<u>1</u>
	<u>1</u>

HOUSE RECORD OF SENATE CONCURRENT RESOLUTIONS,
JOINT RESOLUTIONS AND JOINT MEMORIALS

SENATE CONCURRENT RESOLUTION NO. 1, by all members of
the Senate, in memory of Dr. John Kelly Moeur.

Received from Senate	34
First Reading, placed on Second Reading	35
Second Reading, placed on Third Reading	35
Third Reading, passed	35, 36

SENATE JOINT RESOLUTION NO. 1, by Senators Minotto and
Pomeroy of Maricopa, and Farmer of Yuma, an expression of
regret of Arizona legislature to the catastrophe at Lansing,
Michigan, wherein members of the Michigan legislature were
visited with sudden death.

Received from Senate	156
First Reading, placed on Second Reading	156
Second Reading, placed on Third Reading	157
Third Reading, passed	157

SENATE JOINT MEMORIAL NO. 1, by Senator Minotto of Mari-
copa, relating to hit and run drivers.

Received from Senate	126, 134
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Created by motion	174
Appointed	182

COMMITTEE TO ATTEND WESTERN BUS AND TRUCK
CONFERENCE

Wisdom, chairman; and members Davis and Larry Williams.	
Created under House Concurrent Resolution No. 3	
Appointed	166

ERRORS AND OMISSIONS

All typographical and grammatical errors have been corrected in the permanent Journal and the following errors and omissions have also been noted and corrected:

Page 179, preceeding the House sitting as a Committee of the Whole House insert "Motion by Mr. Babbitt, seconded by Mr. Conner Johnson, that the rules be suspended, an emergency declared, and that the House sit as a Committee of the Whole House to consider Senate Bill No. 9. Carried by a two-thirds vote."

HOUSE STANDING COMMITTEES

Accounting and Business Methods:

Peggs, Chairman;
Wisdom, Pratt, Priser, Mincks, Conner Johnson.

Agriculture and Irrigation:

Dysart, Chairman;
Webb, Kenworthy, Phillips, Bush, Combs, Udall, W. J. Williams,
George A. Johnson, Hoyt, M. Armstrong, Christian,
Wisener, Mincks, Wieden, Colter, DeSouza.

Appropriations:

Oxsheer, Chairman;
Tway, Larry Williams, Bohlinger, McQuillan, Wieden, Wilson,
Kenworthy, George A. Johnson, Witt, Mader.

Banking and Insurance:

Conner Johnson, Chairman;
Goodson, Wiggins, Wisdom, Wilson, DeSouza, Kenworthy, Priser,
Bennett.

Capitol Buildings and Grounds:

Randall, Chairman;
Davis, Curtis, Sprouse, Sayers.

Child Welfare:

Mrs. Bevan, Chairman;
Lyke, Porter, Wisdom, Bert Armstrong, Laird, Riggs, Sayers.

Constitutional Amendments and Referendum:

Bush, Chairman;
Bennett, Eittleman, Osborn, Mrs. Bevan, Witt.

Corporations:

Richards, Chairman;
Pratt, Bert Armstrong, Osborn, Eittleman, Peggs, Priser.

County and County Affairs:

Wiggins, Chairman;
Porter, Palmer, Phillips, Bert Armstrong, Wisdom, Pratt, Goodson.

Education:

Pratt, Chairman;
Riggs, Hoyt, Kelley, Porter, Combs, Dysart, Rapp, Webb, Priser,
Bohlinger, Goodson, Bert Armstrong.

Efficient Government:

Jones, Chairman;
Davis, Curtis, Sprouse, Eittleman.

Enrolling and Engrossing:

Vickers, Chairman;
Heron, Colter, Osborn.

Fish and Game:

Babbitt, Chairman;
Ward, Larry Williams, Wiggins, W. J. Williams, Palmer, Nugent,
Vickers, Decker.

Highways and Bridges:

Laird, Chairman;
Richards, Kelley, Oxsheer, Nugent, Spaid, Ward, Mincks, Jennings.

Judiciary:

Rapp, Chairman;
Bennett, Babbitt, Bevan, Osborn, Heron, Peggs, Hoyt, Udall,
George A. Johnson, O'Neil, Bush, DeSouza.

Labor:

Vickers, Chairman;
Sprouse, Francis, Jennings, Jones, Wieden, Colter, Ettleman,
Mader, Spaid.

Livestock:

W. J. Williams, Chairman;
Witt, M. Armstrong, Randall, Webb, Lyke, Richards, Jones,
Colter.

Militia and Public Defense:

Udall, Chairman;
Rapp, Riggs, Jones, Tway, Bennett.

Mines and Mining:

O'Neill, Chairman;
Bohlinger, W. J. Williams, Pryor, Reichard, Wiggins, Curtis,
Dysart.

Petitions and Memorials:

Jennings, Chairman;
Pryor, Davis, Sprouse, Christian.

Printing and Clerks:

Tway, Chairman;
Larry Williams, Lyke, Wieden, Wilson, Witt, Pryor, Heron.

Public Health:

Porter, Chairman;
Decker, Francis, Pryor, Christian, Jennings, Combs, Bush, Colter,
Sayers.

Public Institutions:

Wisener, Chairman;
Phillips, Oxsheer, Bevan, Nugent, Decker, Palmer, Ward, Laird,
Francis.

Public Lands:

Sayers, Chairman;
Phillips, Decker, M. Armstrong, Heron, Richards, Colter, Peggs.

Rules:

Rosenbaum, Chairman;
Conner Johnson, McQuillan, Bush, W. J. Williams, Peggs, Wilson.

Suffrage and Elections:

McQuillan, Chairman;
Lyke, Wisener, Mincks, Reichard.

Ways and Means:

Heron, Chairman;
Mader, Babbitt, Kelley, O'Neill, Palmer, Lyke.

Reconstruction and Unemployment:

Ettleman, Chairman;
Bush, Porter, Wieden, Hoyt, Ward, Heron, Riggs, Mader.