

JOURNAL

OF THE

SENATE



Fourth Special Session
THIRTEENTH LEGISLATURE

OF THE

STATE OF ARIZONA

1938

FOURTH SPECIAL SESSION CONVENED
THURSDAY, SEPTEMBER 15, 1938
FOURTH SPECIAL SESSION ADJOURNED
TUESDAY, OCTOBER 4, 1938



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PART I

OFFICERS OF THE SENATE OF THE THIRTEENTH LEGISLATURE
OF THE STATE OF ARIZONA—FOURTH SPECIAL SESSION

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

MEMBERS OF THE SENATE OF THE THIRTEENTH LEGISLATURE
OF THE STATE OF ARIZONA—FOURTH SPECIAL SESSION

County	Member	Politics	Residence
Apache.....	W. E. Wiltbank.....	Dem.....	Eagar
Cochise.....	Dan Angius.....	Dem.....	Bisbee
Cochise.....	Joe S. Hunt.....	Dem.....	Douglas
Coconino.....	James E. Babbitt.....	Dem.....	Flagstaff
Gila.....	E. H. McEachren.....	Dem.....	Miami
Gila.....	Daniel E. Rienhardt.....	Dem.....	Globe
Graham.....	W. B. Kelly.....	Dem.....	Safford
Greenlee.....	A. C. Stanton.....	Dem.....	Clifton
Maricopa.....	R. T. Jones.....	Dem.....	Phoenix
Maricopa.....	James Minotto.....	Dem.....	Alhambra
Mohave.....	J. Hubert Smith.....	Dem.....	Kingman
Navajo.....	Robert L. Moore.....	Dem.....	Winslow
Pima.....	Henry A. Dalton.....	Dem.....	Tucson
Pima.....	V. Clare Dodd.....	Dem.....	Tucson
Pinal.....	W. C. Truman.....	Dem.....	Florence
Santa Cruz.....	J. A. Harrison.....	Dem.....	Nogales
Yavapai.....	Paul C. Keefe.....	Dem.....	Clarkdale
Yavapai.....	W. E. Patterson.....	Dem.....	Prescott
Yuma.....	H. H. Baker.....	Dem.....	Yuma

SENATE JOURNAL

THIRTEENTH STATE LEGISLATURE
FOURTH SPECIAL SESSION—1938

THURSDAY, SEPTEMBER 15

Pursuant to executive proclamation issued by Honorable R. C. Stanford, Governor of Arizona, under date of September 9, 1938, the State Senate of the Thirteenth Legislature convened in the Senate Chamber at 10:20 o'clock, a. m., this day.

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

Mr. E. H. McEachren, a Senator from Gila, offered prayer.

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

Angius	Kelly	Stanton
Baker	McEachren	Truman
Dalton	Moore	Wiltbank
Jones	Rienhardt	The President

The President announced that Mr. Babbitt, the Senator from Coconino, Mr. Harrison, the Senator from Santa Cruz, Mr. Hunt, a Senator from Cochise, Mr. Patterson, a Senator from Yavapai, and Mr. Smith, the Senator from Mohave, had been excused.

PROCLAMATION OF GOVERNOR

The proclamation of the Governor of Arizona, under date of September 9, 1938, calling the Thirteenth Legislature in special session, was read as follows:

EXECUTIVE DEPARTMENT

State of Arizona
Phoenix, Arizona

PROCLAMATION

CALLING THE THIRTEENTH 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 a special session the Governor shall specify the subjects to be considered at such session, and at such session no laws shall be enacted except such as relate to the subjects mentioned in such call.”

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

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

NOW, THEREFORE, I, R. C. STANFORD, Governor of the State of Arizona, in consideration of these premises, and by virtue of the authority vested in me by the Constitution, do convene the Thirteenth Legislature of the State of Arizona into Fourth Special Session, in Phoenix, at the Capitol Building, at ten o'clock, a. m., on Thursday, the 15th day of September, 1938, to enact legislation for the following purposes:

I.

To enable the Board of Regents of the University of Arizona, the Boards of Education of the State Teachers Colleges at Tempe and Flagstaff, the Arizona State School for the Deaf and Blind, to borrow money, or accept grants from any federal agencies.

II.

To make appropriations for the purpose of enabling the state of Arizona, its boards, institutions, departments and commissions to receive grants from any federal agency.

III.

To enable the state of Arizona, its Colorado River Commission, and its different boards, departments, institutions and its national guard to conform with the federal requirements to participate in the various benefits of the Public Works Administration, the Works Progress Administration, or any other federal agency, and to make necessary appropriations therefor.

IV.

To enact legislation to encourage the leasing and development of oil lands in the state of Arizona.

V.

To consider, and to enact legislation in aid of, and to facilitate the obtaining of loans and grants of money, or either thereof, from the United States of America, or from any of the departments or agencies thereof, to irrigation districts organized and existing, or which may be organized, under the laws of the state of Arizona; and to amend, supplement, or repeal any existing provision or provisions of the laws of the state of Arizona, relating to irrigation districts which may be considered advisable or necessary to accomplish the purposes of this item.

VI.

To enable counties, cities, towns, villages, school districts, high school districts and union high school dis-

tricts, to borrow money and accept grants from any federal agency for any purpose not prohibited by the constitution of Arizona.

VII.

To transfer the powers of the Board of Directors of State Institutions over the control of the Arizona State Industrial School and the Arizona State Hospital for the Insane, and any other state institution, or institutions, as the legislature may deem necessary, to a board of managers to consist of the Governor, one citizen to be appointed by the Governor, and the remainder to be selected from citizens of the state of Arizona upon the recommendations of governing bodies of the Arizona professional, educational and occupational associations, and appropriate the necessary funds therefor.

VIII.

To appropriate funds necessary for the State Prison and the State Hospital for the Insane.

IX.

Confirmation of appointments.

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

DONE at the Capitol Building in Phoenix, this 9th day of September, 1938.

R. C. STANFORD (Signed).
Governor.

ATTEST: AUSTIN S. GRIMES (Signed)
Ass't. Secretary of State.

RESIGNATION OF MR. WIEDEN AND MR. POMEROY

The President announced the resignation of Mr. Gus Wieden, a Senator from Pima, and Mr. Frank T. Pomeroy, a Senator from Maricopa.

CREDENTIALS COMMITTEE

The President announced the appointment of Mr. McEachren, Mr. Kelly, and Mr. Baker, as members of a credentials committee.

COMMITTEE FROM THE HOUSE

The Sergeant at Arms (at 10 o'clock and twenty-five minutes, a. m.) announced a committee from the House of Representatives, consisting of Mr. Johns of Yavapai, Mr. Curry of Maricopa, Mr. Marks of Cochise, Mr. Rosenbaum of Gila, and Mr. Bourdon of Apache. The committee informed the Senate that the House was duly organized and ready for the transaction of business.

RECESS

By unanimous consent (at 10 o'clock and thirty minutes,

a. m.) the Senate stood at recess subject to the call of the gavel.

The President called the Senate to order at 10:32 o'clock, a. m.

REPORT OF CREDENTIALS COMMITTEE

Mr. McEachren, Mr. Kelly, and Mr. Baker, the Committee on Credentials, submitted the following report:

Mr. President:

Your Committee on Credentials begs leave to report that it has examined the credentials of Mr. V. Clare Dodd, appointed by the Board of Supervisors of Pima county as a State Senator to fill the vacancy caused by the resignation of Mr. Gus Wieden, and Mr. James Minotto, appointed by the Board of Supervisors of Maricopa county as a State Senator to fill the vacancy caused by the resignation of Mr. Frank T. Pomeroy, and that your Committee on Credentials finds said credentials correct and in due form.

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

OATH OF OFFICE

The President administered the oath of office to Mr. V. Clare Dodd, a Senator from Pima, and Mr. James Minotto, a Senator from Maricopa.

NOTIFICATION OF HOUSE AND GOVERNOR

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

RECESS

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

The President called the Senate to order at 10:40 o'clock, a. m.

NOTIFICATION OF GOVERNOR

Mr. McEachren, Mr. Kelly, and Mr. Baker reported to the Senate that the Governor was ready to deliver a message to the Senate and House in joint session in the House chamber.

RECESS

By unanimous consent (at 10 o'clock and forty-one minutes, a. m.) the Senate stood at recess subject to the call of the gavel following the joint session.

JOINT SESSION

In accordance with the recess taken by the two Houses, the Senate and the House of Representatives assembled in joint ses-

sion at 10:45 o'clock, a. m., in the House of Representatives chamber, the President of the Senate in the chair.

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

Angius	McEachren	Kelly
Baker	Moore	Truman
Dalton	Minotto	Wiltbank
Dodd	Rienhardt	The President
Jones	Stanton	

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

Adamson	Johns	Priser
Batchelder	Johnson	Reichard
Bourdon	Kenworthy	Rosenbaum
Brayton	Klein	Sharpe
Burk	Mader	Shelton
Carson	Marks	Skinner
Combs	Menderson	Spaid
Cummard	Michell	Struckmeyer
Curry	Morrow	Thompson
Fritz	Mullen	Williams (Graham)
Gillett	Murray	Wilson
Goodson	McDonald	Wisdom
Gray	McKinney	Wisener
Hamblin	O'Neill	Wood
Heron	Petersen	The Speaker

The President designated Mr. McEachren, a Senator from Gila county, Mr. Kelly, the Senator from Graham county, Mr. Baker, the Senator from Yuma county, and Representatives Johns, Marks and Curry, to escort the Governor to the House chamber.

His Excellency, the Governor of Arizona, R. C. Stanford, appeared in the House chamber, escorted by Mr. McEachren, Mr. Kelly, Mr. Baker, Mr. Johns, Mr. Marks and Mr. Curry, and was introduced by the President.

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

GOVERNOR'S MESSAGE

Fourth Special Session

THIRTEENTH LEGISLATURE OF ARIZONA

September 15th, 1938

Mr. President, Mr. Speaker and Members of the Legislature:

I.

I have called you together in special session because legislative action is required if the state, its institutions, political subdivisions and citizens are not to be denied the opportunity to participate in the present P. W. A.

program. At many of our state institutions, buildings, improvements and repairs are required for which funds must be provided shortly. The congested conditions at the State Hospital for the Insane, the State Prison and the Arizona State Industrial School imperatively demand that additional buildings be provided. At the University of Arizona, the two State Teachers Colleges and the School for the Deaf and Blind, additional buildings, repairs and improvements of the existing plants, appear to be immediately necessary.

The Colorado River Commission has made application to the P. W. A. for funds for a survey for construction of a dam on the Colorado River for irrigation and for power. In my opinion this proposed project and its possible benefits to the state deserve serious consideration.

Some of the proposed projects appear to be self-liquidating and therefore do not require appropriations, but do require legislation to enable the issuance of revenue bonds. For example, in the case of irrigation districts, our present law seems to require eighty days notice of election before bonds may be issued. Compliance with this makes it impossible for irrigation districts to provide for a bond issue before October 1st, 1938, and legislation to remedy the situation is desired. The cost of these projects to the state, its citizens, and taxpayers may be substantially reduced, while also providing much needed employment for unemployed, by the state taking such steps necessary to enable the state and its institutions to receive loans and grants from the federal government. No allotments will be made by P. W. A. until the state has provided either by appropriation or by authorized bonds, the money necessary for the state's part of the proposed project. The consideration of such appropriation and enabling legislation is therefore presented to you.

Having in mind the time limit fixed by P. W. A. and with the hope of assisting in expediting the consideration of these matters so that action may be had in ample time to permit allotments of P. W. A. money to be made prior to October 1, 1938, proposed bills have been prepared and will be presented for your consideration.

II.

I have given a great deal of my attention during my term of office to the Arizona State Industrial School and the Arizona State Hospital for the Insane. I am submitting to you a bill to place the Industrial School and State Hospital for the Insane under the control of a board of seven managers, five of whom are to be recommended, one by each of the following organizations:

Arizona State Medical Association
Joint Conference of Engineering Societies and
Associations

Arizona Education Association
Arizona State Bar Association
Arizona State Federation of Labor;

one to be appointed by the Governor, and one to be the Governor. I feel that this will eliminate the question of patronage and that through the citizens appointed by these leading boards, or organizations, that nothing will be overlooked that will be of aid to the persons confined in these institutions. The measure in this instance has already been prepared as in other cases, and I am very hopeful of your most earnest consideration in regard to this important matter.

III.

While I am not asking you to place the State Prison under a board of managers as I am suggesting the case of the State Hospital and Industrial School, yet the call I have made in this instance is broad enough to include the prison and the Pioneers' Home, if you desire to do so. I have had compiled all of the outstanding obligations against the State Prison, and I am asking that you appropriate the necessary funds to discharge the obligations due against that institution and make the necessary appropriation for additional guards and maintenance for inmates. Also, that you make an appropriation for furnishing the new buildings of the State Hospital for the Insane and for additional food and clothing.

IV.

Under the present law the state of Arizona cannot hold out encouragement to persons desiring to develop oil in our state. If proper legislation is enacted so that persons, or corporations, may be assured of procuring the proper leases on state land, drilling for oil will start immediately in our state, and it will mean a very great deal to us. I suggest to you that you give this matter your most earnest consideration.

Respectfully submitted,

R. C. STANFORD, Governor.

A rising vote of thanks was accorded the Governor.

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

Thereupon (at 10 o'clock and fifty-two minutes, a. m.) the joint session was dissolved.

PAUL C. KEEFE,
President.

W. J. GRAHAM,
Secretary.

BRIDGIE M. PORTER,
Speaker pro tempore of the House of Representatives.

LALLAH RUTH,

Chief Clerk of the House of Representatives.

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

OFFICERS OF THE SENATE

Mr. McEachren moved that the officers of the third special session of the Thirteenth State Legislature be affirmed as officers of the fourth special session of the Thirteenth State Legislature. The motion was agreed to.

ADJOURNMENT

Mr. McEachren moved that when the Senate adjourn it do so out of respect to the Honorable C. M. Zander, deceased. The motion was agreed to, and (at 11 o'clock and two minutes, a. m.) the Senate adjourned until tomorrow, Friday, September 16, 1938, at 10 o'clock, a. m.

PAUL C. KEEFE,
President.

W. J. GRAHAM,
Secretary.

FRIDAY, SEPTEMBER 16

The Senate met at 10:25 o'clock, a. m.

Honorable T. S. Kimball offered prayer.

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

Angius	Hunt	Rienhardt
Babbitt	Kelly	Stanton
Baker	McEachren	Truman
Dalton	Minotto	Wiltbank
Dodd	Moore	The President
Harrison	Patterson	

The President announced that Mr. Jones, a Senator from Maricopa, and Mr. Smith, the Senator from Mohave, had been excused.

THE JOURNAL

Mr. Kelly moved that the reading of the Journal of Thursday, September 15, 1938, be dispensed with. The motion was agreed to, and the Journal was approved.

INTRODUCTION AND FIRST READING OF BILLS

Mr. Minotto introduced Senate Bill No. 1, entitled: "An act making an appropriation to the Arizona State Teachers College at Tempe for building construction and equipment".

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

Mr. Dalton moved that the rules be suspended and Senate Bill No. 1 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Appropriations.

Mr. Dalton introduced Senate Bill No. 2, entitled: "An act relating to bonds of educational institutions and amending Sections 4 and 12 of Chapter 7, Session Laws of 1934, Third Special Session".

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

Mr. Dalton moved that the rules be suspended and Senate Bill No. 2 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Judiciary.

Mr. Dalton introduced Senate Bill No. 3, entitled: "An act making an appropriation to the board of regents of the University of Arizona for building construction and equipment, repairs and improvements at the University of Arizona".

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

Mr. Dalton moved that the rules be suspended and Senate Bill No. 3 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Appropriations.

Mr. Babbitt introduced Senate Bill No. 4, entitled: "An act making an appropriation to the Arizona State Teachers College at Flagstaff for building construction and equipment".

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

Mr. Babbitt moved that the rules be suspended and Senate Bill No. 4 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Appropriations.

RECESS

Mr. McEachren moved that the Senate stand at recess subject to the call of the gavel. The motion was agreed to, and (at 10 o'clock and thirty-two minutes, a. m.) the Senate stood at recess.

The President called the Senate to order at 11:50 o'clock, a. m.

STANDING COMMITTEES

The President announced that the standing committees of the previous sessions of the Thirteenth Legislature continue to serve except as to such committees as included Mr. Pomeroy and Mr. Wieden, who have resigned and who have been succeeded by Mr. Minotto and Mr. Dodd, who will replace them on these committees.

RULES

The president called attention to adoption of an amendment to the Senate rules during the regular session of the Thirteenth Legislature whereby Section 10, Subdivision 10 was amended to read "twenty days" in lieu of "ten days".

Mr. Kelly moved that the rules be amended so Section 10, Subdivision 10 would read "ten days". The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had passed House Bill No. 11, entitled: "An act making an appropriation for the thirteenth legislature of the State of Arizona, fourth special session".

INTRODUCTION AND FIRST READING OF BILLS

By unanimous consent the Senate reverted to the order of business introduction and first reading of bills, and House Bill No. 11, entitled: "An act making an appropriation for the thirteenth legislature of the State of Arizona, fourth special session", was read the first time by number and title.

Mr. McEachren moved that the rules be suspended and House Bill No. 11 be placed under the order of business second reading of bills for today. The motion was agreed to.

APPROPRIATION FOR EXPENSES OF LEGISLATURE

House Bill No. 11, making an appropriation for expenses of legislature, was read the second time in full.

Mr. McEachren moved that the Bill be amended as follows:

Page 3, after line 5, insert "and clerical help in Law and Legislative Library five hundred dollars";

Change total appropriation to read six thousand four hundred fifty-three dollars and fifty-nine cents".

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

RECESS

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

The President called the Senate to order at 12:37 o'clock, p. m.

COMMITTEE ON EMPLOYEES AND SUPPLIES

By unanimous consent the Senate reverted to the order of business reports of standing committees, and Mr. Kelly, for the Committee on Employees and Supplies, submitted the following report:

Mr. President:

Your committee on Employees and Supplies hereby

makes its recommendations and report to the Senate of the Thirteenth Legislature, Fourth Special Session.

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

W. J. Graham, Secretary
 Frank Gillick, Sergeant-at-Arms
 Kean St. Charles, Doorkeeper
 Kelvin M. Fox
 Ann Koebrich
 Phyllis Brizzee
 Louise Burnham
 Marion Thompson
 Jean Brundage
 Lorraine Beyer
 Atella Kimball
 Ina Reid
 Grace Hiler
 Bernice Robinson

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

We further recommend that the salary of W. J. Graham, Secretary of the Senate, be \$10.00 per day, and that the salaries of all others be \$5.00 per day.

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

APPROPRIATION FOR EXPENSES OF LEGISLATURE

Mr. Minotto, for the Committee on Enrolling and Engrossing, reported as properly engrossed House Bill No. 11, making an appropriation for expenses of legislature, with the following corrections:

Page 1, line 2, strike the words "twenty-seven" and insert in lieu thereof the words "twenty-eight";

Page 1, line 3, strike the following: "eight hundred sixty-three dollars and sixty cents" and insert in lieu thereof "three hundred sixty-three dollars and sixty-four cents".

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

Mr. McEachren moved that the rules be suspended and House Bill No. 11, making an appropriation for expenses of legislature, be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Hunt	Rienhardt
Babbitt	Kelly	Stanton
Baker	McEachren	Truman
Dalton	Minotto	Wiltbank
Dodd	Moore	The President
Harrison	Patterson	

NOT VOTING

Jones

Smith

House Bill No. 11, making an appropriation for expenses of legislature, was read the third and final time, and passed on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius
Babbitt
Baker
Dalton
Dodd
Harrison

Hunt
Kelly
McEachren
Minotto
Moore
Patterson

Rienhardt
Stanton
Truman
Wiltbank
The President

NOT VOTING

Jones

Smith

The President announced the signing in open session of House Bill No. 11, making an appropriation for expenses of legislature.

A message from the House of Representatives by Lallah Ruth, its Chief Clerk, announced that the House had concurred in the Senate amendments to House Bill No. 11, making an appropriation for expenses of legislature.

INTRODUCTION AND FIRST READING OF BILLS

Mr. Minotto moved that the Senate revert to the order of business introduction and first reading of bills. The motion was agreed to.

Mr. Minotto introduced Senate Bill No. 5, entitled: "An act providing that registration of voters shall not be necessary for irrigation district elections heretofore or hereafter called to be held under the provisions of Chapter Six of the Acts of the Third Special Session of the Eleventh Legislature, known as 'The District Enabling Act of 1934', legalizing calls of elections, and other proceedings under said act made before the passage of this act where the election is held after the passage of this act, and declaring an emergency".

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

Mr. Minotto moved that the rules be suspended and that the Bill be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Judiciary.

ADJOURNMENT

Mr. Minotto moved that the Senate adjourn until Monday at 10 o'clock, a. m. The motion was agreed to, and (at 12 o'clock and fifty minutes, p. m.) the Senate adjourned until Monday, September 19, 1938, at 10 o'clock, a. m.

W. J. GRAHAM,
Secretary.

PAUL C. KEEFE,
President.

MONDAY, SEPTEMBER 19

The Senate met at 10:00 o'clock, a. m.

Honorable T. S. Kimball offered prayer.

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

Angius	Jones	Smith
Babbitt	Kelly	Stanton
Dalton	McEachren	Truman
Dodd	Minotto	Wiltbank
Harrison	Moore	The President
Hunt	Patterson	

The President announced that Mr. Baker, the Senator from Yuma, and Mr. Rienhardt, a Senator from Gila, had been excused.

THE JOURNAL

By unanimous consent, the reading of the Journal of Friday, September 16, 1938, was dispensed with, and the Journal was approved.

PRIVILEGES OF THE FLOOR

Mr. Hunt called attention to the presence of Mr. H. A. Wimberley, Senator-elect from Cochise County, and moved that Mr. Wimberley be invited to occupy a chair in the Senate Chamber. The motion was agreed to.

EXECUTIVE NOMINATION

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

September 16, 1938.

Mr. President
of the Thirteenth State Senate
and the State Senate
of the Thirteenth Legislature
in Fourth Special Session Convened

State House
Phoenix, Arizona.

Gentlemen:

For confirmation by your honorable body, I am submitting herewith the name of Mortie A. Graham, as a member of the Industrial Commission of Arizona.

This appointment is to be for a period of six years from January 8, 1938, but effective August 17, 1938, and to be for the remaining period of the term commencing January 8, 1938 and ending January 8, 1944.

Yours very truly,

R. C. STANFORD (Signed)
Governor.

The nomination was referred to the Committee on State Institutions.

APPROPRIATION FOR EXPENSES OF LEGISLATURE

The President laid before the Senate a communication from the Governor giving notice that House Bill No. 11, an act making an appropriation for the Thirteenth Legislature, Fourth Special Session, had been forwarded to the Secretary of State with the Governor's approval.

INTRODUCTION AND FIRST READING OF BILLS

Mr. Dalton introduced Senate Bill No. 6, entitled: "An act relating to state institutions for juveniles, and providing for the detention, education and treatment of juvenile offenders".

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

Mr. Dalton moved that the rules be suspended and Senate Bill No. 6 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on State Institutions.

Mr. Kelly introduced Senate Bill No. 7, entitled: "An act relating to the state industrial school; authorizing the construction of necessary buildings, and expenditures for other purposes, and making appropriation therefor".

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

Mr. Kelly moved that the rules be suspended and Senate Bill No. 7 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Appropriations.

Mr. Kelly introduced Senate Bill No. 8, entitled: "An act relating to the state examiner; providing for the appointment of a special deputy and defining his duties, and for the continuation and completion of the project of inventorying county property".

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

Mr. Kelly moved that the rules be suspended and Senate Bill No. 8 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on State Institutions.

Mr. Dalton introduced Senate Bill No. 9, entitled: "An act relating to state institutions for juveniles, and providing for the detention, education and treatment of juvenile offenders".

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

Mr. Dalton moved that the rules be suspended and Senate Bill No. 9 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on State Institutions.

Mr. Dalton introduced Senate Bill No. 10, entitled: "An act making an appropriation to the Arizona State School for Deaf and Blind for building construction and equipment".

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

Mr. Dalton moved that the rules be suspended and Senate Bill No. 10 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Appropriations.

Mr. Jones introduced Senate Concurrent Resolution No. 1, entitled: "A Concurrent Resolution on the death of Claudius M. Zander".

The Resolution was read the first time in full.

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

By unanimous consent, Senate Concurrent Resolution No. 1, by Mr. Jones, relating to the passing of Claudius M. Zander, was read the second time by number and title.

Mr. Jones moved that the rules be further suspended and Senate Concurrent Resolution No. 1 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Jones	Smith
Babbitt	Kelly	Stanton
Dalton	McEachren	Truman
Dodd	Minotto	Wiltbank
Harrison	Moore	The President
Hunt	Patterson	

NOT VOTING

Baker	Rienhardt
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The Resolution was referred to the Committee on Enrolling and Engrossing.

PASSING OF CLAUDIUS M. ZANDER

Mr. Minotto, for the Committee on Enrolling and Engrossing, reported as properly engrossed Senate Concurrent Resolution No. 1, by Mr. Jones, relating to the passing of Claudius M. Zander.

Mr. Minotto moved the adoption of the report. The motion was agreed to and Senate Concurrent Resolution No. 1 was placed under the order of business third reading of bills for today.

Senate Concurrent Resolution No. 1, by Mr. Jones, relating to the passing of Claudius M. Zander, was read the third and final time, and passed on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Jones	Smith
Babbitt	Kelly	Stanton
Dalton	McEachren	Truman
Dodd	Minotto	Wiltbank
Harrison	Moore	The President
Hunt	Patterson	

NOT VOTING

Baker	Rienhardt
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The President announced the signing in open session of Senate Concurrent Resolution No. 1, by Mr. Jones, on the passing of Claudius M. Zander.

COMMITTEE ON EMPLOYEES AND SUPPLIES

By unanimous consent, the Senate reverted to the order of business, reports of standing committees, and Mr. Kelly, for the Committee on Employees and Supplies, reported the resignation of Ann Koebrich and Ina Reid, and recommended the appointment of Marie Kay and Nana Halle, as stenographers to replace them.

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

ADJOURNMENT

Mr. McEachren moved that the Senate adjourn until tomorrow at 9:30 o'clock, a. m. The motion was agreed to, and (at 10 o'clock and thirty minutes, a. m.) the Senate adjourned until tomorrow, Tuesday, September 20, 1938, at 9:30 o'clock, a. m.

PAUL C. KEEFE,
President.

W. J. GRAHAM,
Secretary.

TUESDAY, SEPTEMBER 20

The Senate met at 9:40 o'clock, a. m.

Honorable T. S. Kimball offered prayer.

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

Angius	Jones	Rienhardt
Babbitt	Kelly	Smith
Dalton	McEachren	Stanton
Dodd	Minotto	Truman
Harrison	Moore	Wiltbank
Hunt	Patterson	The President

The President announced that Mr. Baker, the Senator from Yuma, had been excused.

THE JOURNAL

By unanimous consent the reading of the Journal of Monday, September 19, 1938, was dispensed with, and the Journal was approved.

PASSING OF CLAUDIUS M. ZANDER

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had passed Senate Concurrent Resolution No. 1, by Mr. Jones, relating to the passing of Claudius M. Zander.

INTRODUCTION AND FIRST READING OF BILLS

Mr. Truman introduced Senate Bill No. 11, entitled: "An act to amend Chapter 6 of the acts of the third special session of the Eleventh Legislature known as 'The District Enabling Act of 1934', by adding thereto a new section to be designated Section 8a providing for the authorization of contracts or agreements with the federal government and the issuance of bonds thereunder prior to the adoption of any resolution or the making of any offer or other commitment in respect thereto by the federal government, declaring contracts so authorized and executed by the governing body of the district with or without modification valid and binding, declaring registration of voters unnecessary, validating calls and notices of elections and elections held pursuant thereto in cases where such calls were made and such notices published and posted prior to the passage of this act, and declaring an emergency".

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

Mr. Truman moved that the rules be suspended and Senate Bill No. 11 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Agriculture and Irrigation.

Mr. Babbitt, Mr. Patterson, Mr. Moore, and Mr. Minotto introduced Senate Bill No. 12, entitled: "An act relating to state lands and providing for the issuance of leases for the prospecting, development and operation of state lands for oil and gas, and repealing Section 2974, Revised Code of 1928, and declaring an emergency".

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

Mr. Babbitt moved that the rules be suspended and Senate Bill No. 12 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Public Lands.

Mr. McEachren and Mr. Rienhardt introduced Senate Concurrent Memorial No. 1, relating to Arizona's classification in the Works Progress Administration.

The Memorial was read the first time in full.

Mr. McEachren moved that the rules be suspended and Senate Concurrent Memorial No. 1 be referred to the proper

committee today. The motion was agreed to, and the Memorial was referred to the Committee on Labor and Capitol.

ADJOURNMENT

Mr. McEachren moved that the Senate adjourn until tomorrow at 9:30 o'clock, a. m. The motion was agreed to, and (at 10 o'clock and ten minutes, a. m.) the Senate adjourned until tomorrow, Wednesday, September 21, 1938, at 9:30 o'clock, a. m.

PAUL C. KEEFE,
President.

W. J. GRAHAM,
Secretary.

WEDNESDAY, SEPTEMBER 21

The Senate met at 9:30 o'clock, a. m.

Honorable T. S. Kimball offered prayer.

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

Angius	Jones	Rienhardt
Babbitt	Kelly	Stanton
Dalton	McEachren	Truman
Dodd	Minotto	Wiltbank
Harrison	Moore	The President
Hunt	Patterson	

The President announced that Mr. Baker, the Senator from Yuma, and Mr. Smith, the Senator from Mohave, had been excused.

THE JOURNAL

By unanimous consent the reading of the Journal of Tuesday, September 20, 1938, was dispensed with, and the Journal was approved.

INTRODUCTION AND FIRST READING OF BILLS

Mr. Kelly introduced Senate Bill No. 13, entitled: "An act concerning the construction of dormitories by junior college districts, the acceptance of grants and the borrowing of money by junior college districts from the United States of America, or any federal agency, and the issuance of bonds to finance such construction, limiting the time within which such bonds may be issued".

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

Mr. Kelly moved that the rules be suspended and Senate Bill No. 13 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Finance and Revenue.

Mr. Babbitt introduced Senate Bill No. 14, entitled: "An act relating to state lands; reserving mineral rights in lands sold by the state, and amending article 4, chapter 71, Revised Code of 1928, by adding section 2992a".

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

Mr. Babbitt moved that the rules be suspended and Senate Bill No. 14 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Public Lands.

Mr. Patterson, Mr. Moore, Mr. Minotto, and Mr. Babbitt introduced Senate Concurrent Resolution No. 2, proposing certain amendments to the constitution of Arizona relating to state lands.

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

Mr. Babbitt moved that the rules be suspended and Senate Concurrent Resolution No. 2 be referred to the proper committee today. The motion was agreed to, and the Resolution was referred to the Committee on Constitutional Amendments and Referendum.

BOND DISTRICT ELECTIONS

Mr. Patterson, for the Committee on Judiciary, reported Senate Bill No. 5, by Mr. Minotto, relating to bond district elections, with the recommendation that the Bill do pass.

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

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

IRRIGATION DISTRICT BONDS AND ELECTIONS

Mr. Minotto, for the Committee on Agriculture and Irrigation, reported Senate Bill No. 11, by Mr. Truman, relating to irrigation district bonds and elections, with the recommendation that the Bill do pass.

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

The Bill, accompanied by the report of the Committee on Agriculture and Irrigation, was placed on the Calendar of the Committee of the Whole.

COMMITTEE OF THE WHOLE

Mr. McEachren moved that the Senate resolve itself into Committee of the Whole for the consideration of bills on the Calendar. The motion was agreed to, and (at 9 o'clock and forty-five minutes, a. m.) the Senate resolved itself into Committee of the Whole, with Mr. Dalton in the chair.

SEATING OF MR. SMITH

The Sergeant at Arms (at 9 o'clock and fifty minutes, a. m.)

announced that Mr. Smith, the Senator from Mohave, had entered the Senate chamber and taken his seat.

COMMITTEE OF THE WHOLE

At 10:02 o'clock, a. m., the Committee of the Whole arose.

REPORT OF THE COMMITTEE OF THE WHOLE

Mr. Dalton, for the Committee of the Whole, reported Senate Bill No. 11, by Mr. Truman, relating to irrigation district bonds and elections; and Senate Bill No. 5, by Mr. Minotto, relating to bond district elections.

The recommendations of the Committee were:

That Senate Bill No. 11 retain its place on the Calendar to await printed copies of the Bill;

That Senate Bill No. 5 be amended as follows:

On page 2, line 6, following the word "failure", strike the word "to" and insert the word "or", and as so amended the Bill do pass.

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

Senate Bill No. 11 retained its place on the Calendar.

Senate Bill No. 5 was placed under the order of business second reading of bills.

BOND DISTRICT ELECTIONS

By unanimous consent the Senate reverted to the order of business second reading of bills, and Senate Bill No. 5, by Mr. Minotto, relating to bond district elections, was, by unanimous consent, read the second time by number and title.

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

ADJOURNMENT

Mr. McEachren moved that the Senate adjourn until tomorrow at 9:30 o'clock, a. m. The motion was agreed to, and (at 10 o'clock and eight minutes, a. m.) the Senate adjourned until tomorrow, Thursday, September 22, 1933, at 9:30 o'clock, a. m.

PAUL C. KEEFE,
President.

W. J. GRAHAM,
Secretary.

THURSDAY, SEPTEMBER 22

The Senate met at 9:45 o'clock, a. m.

Honorable T. S. Kimball offered prayer.

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

Angius	Jones	Rienhardt
Babbitt	Kelly	Smith
Dalton	McEachren	Stanton
Dodd	Minotto	Truman
Harrison	Moore	Wiltbank
Hunt	Patterson	The President

The President announced that Mr. Baker, the Senator from Yuma, had been excused.

THE JOURNAL

By unanimous consent the reading of the Journal of Wednesday, September 21, 1938, was dispensed with, and the Journal was approved.

INTRODUCTION AND FIRST READING OF BILLS

Mr. Moore, Mr. Minotto, and Mr. Babbitt introduced Senate Bill No. 15, entitled: "An act relating to the initiative and referendum; providing for the printing and distributing of publicity pamphlets and amending section 1746 Revised Code of 1928 as amended by chapter 62, laws of the Regular Session, Twelfth Legislature, 1935".

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

Mr. Babbitt moved that the rules be suspended and Senate Bill No. 15 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Constitutional Amendments and Referendum.

JUNIOR COLLEGE DISTRICTS

Mr. Moore, for the Committee on Finance and Revenue, reported Senate Bill No. 13, by Mr. Kelly, relating to junior college districts, with the recommendation that the Bill do pass.

Mr. Minotto, a Senator from Maricopa, was designated manager of the Bill.

The Bill, accompanied by the report of the Committee on Finance and Revenue, was placed on the Calendar of the Committee of the Whole.

STATE LAND MINERAL RIGHTS

Mr. Wiltbank, for the Committee on Public Lands, reported Senate Bill No. 14, by Mr. Babbitt, relating to state land mineral rights, with the recommendation that the Bill do pass.

Mr. Babbitt, the Senator from Coconino, was designated manager of the Bill.

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

BOND DISTRICT ELECTIONS

Mr. Minotto, for the Committee on Enrolling and Engrossing, reported as properly engrossed Senate Bill No. 5, by Mr. Minotto, relating to bond district elections.

The Bill was placed under the order of business third-reading of bills.

CLASSIFICATION IN WORKS PROGRESS ADMINISTRATION

Mr. Dodd, for the Committee on Labor and Capital, reported Senate Concurrent Memorial No. 1, by Mr. McEachren and Mr. Rienhardt, relating to classification in Works Progress Administration, with the recommendation that the Memorial be amended as follows:

In line 5 on page 1 following the word "time" strike all of the remainder of page 1 and all of page 2 through line 9, interpose a comma and insert the following: "is grouped with California and other states insofar as concerns wage scales in Region I.

"The cost of subsistence in Arizona is such that the wage allowance, based on the population basis for the Works Progress Administration, we deem inequitable for the reason that it costs just as much to live in the State of Arizona as it does in California, because of its geographical locations, economic conditions, financial structure and commercial relationship with other states, Arizona, reasonably and logically should be included, so that any reference to the largest municipality be waived and living conditions alone be taken into consideration, wherefore the Senate and the House of Representatives concurring prays that the State of Arizona be reclassified so that any restrictions that relates to the population of the largest municipality be eliminated and that the Works Progress Administration of Arizona, obtains the privilege and be subject to the conditions that affect the area represented by the largest municipality in the State of California",

and as so amended the Memorial do pass.

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

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

DEPUTY STATE EXAMINER

Mr. Dalton moved that Senate Bill No. 8, by Mr. Kelly, relating to deputy state examiner, be withdrawn from the Com-

mittee on State Institutions and be referred to the Committee on Appropriations. The motion was agreed to.

CLASSIFICATION IN WORKS PROGRESS ADMINISTRATION

By unanimous consent Senate Concurrent Memorial No. 1, by Mr. McEachren and Mr. Rienhardt, relating to classification in Works Progress Administration, was read the second time by number and title.

Mr. McEachren moved that the rules be suspended and Senate Concurrent Memorial No. 1 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 18, not voting 1, as follows:

AYES

Angius	Jones	Rienhardt
Babbitt	Kelly	Smith
Dalton	McEachren	Stanton
Dodd	Minotto	Truman
Harrison	Moore	Wiltbank
Hunt	Pa'terson	The President

NOT VOTING

Baker

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

BOND DISTRICT ELECTIONS

Senate Bill No. 5, by Mr. Minotto, relating to bond district elections, was read the third and final time, and passed on roll call, which resulted: Ayes 18, not voting 1, as follows:

AYES

Angius	Jones	Rienhardt
Babbitt	Kelly	Smith
Dalton	McEachren	Stan'on
Dodd	Minotto	Truman
Harrison	Moore	Wiltbank
Hunt	Patterson	The President

NOT VOTING

Baker

The President announced the signing in open session of Senate Bill No. 5, by Mr. Minotto, relating to bond district elections.

RECESS

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

The President called the Senate to order at 10:45 o'clock, a. m.

CLASSIFICATION IN WORKS PROGRESS ADMINISTRATION

By unanimous consent the Senate reverted to the order of

business reports of standing committees, and Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Concurrent Memorial No. 1, by Mr. McEachren and Mr. Rienhardt, relating to classification in Works Progress Administration, as properly engrossed with the following corrections:

In the report of the Committee on Labor and Capital, in their amendment on line 5, page 1 of the typed bill, strike the comma and the word "is" preceding the word "grouped";

In the third to the last line of the second paragraph of the amendment, strike the word "relates" and insert the word "relate".

Mr. Minotto moved the adoption of the corrections. The motion was agreed to, and the Memorial was placed under the order of business third reading of bills.

Senate Concurrent Memorial No. 1, by Mr. McEachren and Mr. Rienhardt, relating to classification in Works Progress Administration, was read the third and final time, and passed on roll call, which resulted: Ayes 18, not voting 1, as follows:

AYES

Angius	Jones	Rienhardt
Babbitt	Kelly	Smith
Dalton	McEachren	Stanton
Dodd	Minotto	Truman
Harrison	Moore	Wiltbank
Hunt	Patterson	The President

NOT VOTING

Baker

The President announced the signing in open session of Senate Concurrent Memorial No. 1, by Mr. McEachren and Mr. Rienhardt, relating to classification in Works Progress Administration.

INTRODUCTION AND FIRST READING OF BILLS

By unanimous consent the Senate reverted to the order of business introduction and first reading of bills, and Mr. Minotto introduced Senate Bill No. 16, entitled: "An act relating to federal works progress administration projects in Arizona; making an appropriation for the purpose of sponsoring federal works progress administration work projects; providing the terms and conditions under which said appropriation is to be expended for said purpose; and providing a penalty, and declaring an emergency".

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

Mr. Minotto moved that the rules be suspended and Senate Bill No. 16 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Appropriations.

PRINTING CONTRACT

Mr. Kelly moved that the Secretary of the Senate be instructed to notify the printer holding the contract for printing the Senate bills that unless the printed bills were delivered within the time stipulated it would be necessary to cancel the contract. The motion was agreed to.

ADJOURNMENT

Mr. Babbitt moved that the Senate adjourn until tomorrow at 9:30 o'clock, a. m. The motion was agreed to, and (at 10 o'clock and fifty-five minutes, a. m.) the Senate adjourned until tomorrow, Friday, September 23, 1938, at 9:30 o'clock, a. m.

PAUL C. KEEFE,
President.

W. J. GRAHAM,
Secretary.

FRIDAY, SEPTEMBER 23

The Senate met at 9:35 o'clock, a. m.

Honorable T. S. Kimball offered prayer.

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

Angius	Jones	Smith
Babbitt	Kelly	Stanton
Dalton	McEachren	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

The President announced that Mr. Baker, the Senator from Yuma, and Mr. Minotto, a Senator from Maricopa, had been excused.

THE JOURNAL

By unanimous consent the reading of the Journal of Thursday, September 22, 1938, was dispensed with, and the Journal was approved.

COMMITTEE OF THE WHOLE

Mr. McEachren moved that the Senate resolve itself into Committee of the Whole for the consideration of bills on the Calendar. The motion was agreed to, and (at 9 o'clock and forty minutes, a. m.) the Senate resolved itself into Committee of the Whole, with Mr. Rienhardt in the chair.

At 11 o'clock, a. m., the Committee of the Whole arose.

REPORT OF THE COMMITTEE OF THE WHOLE

Mr. Rienhardt, for the Committee of the Whole, reported

Senate Bill No. 11, by Mr. Truman, relating to irrigation district bonds and elections; Senate Bill No. 13, by Mr. Kelly, relating to junior college districts; and Senate Bill No. 14, by Mr. Babbitt, relating to state land mineral rights.

The recommendations of the Committee were:

That Senate Bill No. 11 do pass;

That Senate Bill No. 13 be retained on the Calendar;

That Senate Bill No. 14 do pass.

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

Senate Bill No. 11 was placed under the order of business second reading of bills.

Senate Bill No. 13 retained its place on the Calendar.

Senate Bill No. 14 was placed under the order of business second reading of bills.

BOND DISTRICT ELECTIONS

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had passed Senate Bill No. 5, by Mr. Minotto, relating to bond district elections, with the following amendment:

Insert a new section to be numbered section 3 to read:

“Sec. 3. LIMITATION. This act shall expire by limitation February 1, 1939.”

Renumber old section 3 to be section 4.

Mr. Rienhardt moved that the Senate do not concur in the House amendment to Senate Bill No. 5, and that a free conference committee be appointed to confer with a like committee from the House in the matter of the disagreement. The motion was agreed to, and the President designated Mr. Truman, Mr. Rienhardt, and Mr. Patterson, as free conferees on the part of the Senate.

ADJOURNMENT

Mr. McEachren moved that the Senate adjourn until tomorrow at 9:30 o'clock, a. m. The motion was agreed to, and (at 11 o'clock and fifteen minutes, a. m.) the Senate adjourned until tomorrow, Friday, September 24, 1938, at 9:30 o'clock, a. m.

PAUL C. KEEFE,
President.

W. J. GRAHAM,
Secretary.

SATURDAY, SEPTEMBER 24

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

Honorable T. S. Kimball offered prayer.

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

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dodd	Minotto	Truman
Harrison	Moore	Wiltbank
Hunt	Patterson	The President
Jones	Rienhardt	

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

THE JOURNAL

By unanimous consent the reading of the Journal of Friday, September 23, 1938, was dispensed with, and the Journal was approved.

CONSTITUTIONAL AMENDMENT RELATING TO STATE LANDS

Mr. Harrison, for the Committee on Constitutional Amendments and Referendum, reported Senate Concurrent Resolution No. 2, constitutional amendment relating to state lands, with the recommendation that the Resolution do pass.

Mr. Babbitt, the Senator from Coconino, was designated manager of the Resolution.

The Resolution, accompanied by the report of the Committee on Constitutional Amendments and Referendum, was placed on the Calendar of the Committee of the Whole.

PUBLICITY PAMPHLETS

Mr. Harrison, for the Committee on Constitutional Amendments and Referendum, reported Senate Bill No. 15, by Mr. Moore, Mr. Minotto, and Mr. Babbitt, relating to publicity pamphlets, with the recommendation that the Bill do pass.

Mr. Babbitt, the Senator from Coconino, was designated manager of the Bill.

The Bill, accompanied by the report of the Committee on Constitutional Amendments and Referendum, was placed on the Calendar of the Committee of the Whole.

IRRIGATION DISTRICT BONDS AND ELECTIONS

By unanimous consent Senate Bill No. 11, by Mr. Truman, relating to irrigation district bonds and elections, was read the second time by number and title.

Mr. Truman moved that the rules be suspended and Senate

Bill No. 11 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dodd	Minotto	Truman
Harrison	Moore	Wiltbank
Hunt	Patterson	The President
Jones	Rienhardt	

NOT VOTING

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

STATE LAND MINERAL RIGHTS

By unanimous consent Senate Bill No. 14, by Mr. Babbitt, relating to state land mineral rights, was read the second time by number and title.

Mr. Minotto moved that the rules be suspended and Senate Bill No. 14 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 16, Noes 1, not voting 2, as follows:

AYES

Angius	Kelly	Stanton
Babbitt	McEachren	Truman
Dodd	Minotto	Wiltbank
Harrison	Moore	The President
Hunt	Patterson	
Jones	Rienhardt	

NOES

Smith

NOT VOTING

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

IRRIGATION DISTRICT BONDS AND ELECTIONS

Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 11, by Mr. Truman, relating to irrigation district bonds and elections, as properly engrossed with the following correction:

Line 16, page 7 of the typed bill, strike the word "agreement" and insert in lieu thereof the word "agreements".

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

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

STATE LAND MINERAL RIGHTS

Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 14, by Mr. Babbitt, relating to state land mineral rights, as properly engrossed.

The Bill was placed under the order of business third reading of bills.

IRRIGATION DISTRICT BONDS AND ELECTIONS

Senate Bill No. 11, by Mr. Truman, relating to irrigation district bonds and elections, was read the third and final time, and passed on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dodd	Minotto	Truman
Harrison	Moore	Wiltbank
Hunt	Patterson	The President
Jones	Rienhardt	

NOT VOTING

Baker	Dalton
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The President announced the signing in open session of Senate Bill No. 11, by Mr. Truman, relating to irrigation district bonds and elections.

STATE LAND MINERAL RIGHTS.

Mr. Smith moved that Senate Bill No. 14, by Mr. Babbitt, relating to state land mineral rights, be retained on the Senate Calendar under the order of business third reading of bills until Monday, September 26, 1938. The motion was agreed to.

COMMITTEE OF THE WHOLE

Mr. McEachren moved that the Senate resolve itself into Committee of the Whole for the consideration of bills on the Calendar. The motion was agreed to, and (at 10 o'clock and twenty minutes, a. m.) the Senate resolved itself into Committee of the Whole, with Mr. Truman in the chair.

At 10:38 o'clock, a. m., the Committee of the Whole arose.

ADJOURNMENT

Mr. McEachren moved that the Senate adjourn until Monday, at 10 o'clock, a. m. The motion was agreed to, and (at 10 o'clock and forty minutes, a. m.) the Senate adjourned until Monday, September 26, 1938, at 10 o'clock, a. m.

PAUL C. KEEFE,
President.

W. J. GRAHAM,
Secretary.

MONDAY, SEPTEMBER 26

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

Honorable T. S. Kimball offered prayer.

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

Angius	Jones	Rienhardt
Babbitt	Kelly	Smith
Dalton	McEachren	Stanton
Dodd	Minotto	Truman
Harrison	Moore	Wiltbank
Hunt	Patterson	The President

The President announced that Mr. Baker, the Senator from Yuma, had been excused.

THE JOURNAL

By unanimous consent the reading of the Journal of Saturday, September 24, 1938, was dispensed with, and the Journal was approved.

PRIVILEGES OF THE FLOOR

Mr. Babbitt called attention to the presence of Mr. Hochderffer, former member of the Senate from Coconino county. The President invited Mr. Hochderffer to occupy a seat in the Senate chamber.

Mr. Harrison called attention to the presence of Mr. Roesner, democratic nominee for State Senator from Santa Cruz county. The President invited Mr. Roesner to occupy a seat in the Senate chamber.

COMMITTEE ON RULES

The President announced that for the fourth special session the same committee on rules for the Senate would serve as was appointed for the regular session of the Thirteenth Legislature, as follows: Mr. Keefe, chairman, Mr. Jones, Mr. Kelly, Mr. Hunt, Mr. Patterson, Mr. Rienhardt, and Mr. Dalton.

REPORT OF THE COMMITTEE OF THE WHOLE

Mr. Truman, for the Committee of the Whole, reported Senate Bill No. 13, by Mr. Kelly, relating to junior college districts; Senate Bill No. 15, by Mr. Moore, Mr. Minotto, Mr. Babbitt, relating to publicity pamphlets, and Senate Concurrent Resolution No. 2, by Mr. Patterson, Mr. Moore, Mr. Minotto, and Mr. Babbitt, constitutional amendment relating to state lands.

The recommendations of the Committee were:

That Senate Bill No. 13 retain its place on the Calendar;

That Senate Bill No. 15 do pass;

That Senate Concurrent Resolution No. 2 do pass.

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

Senate Bill No. 13 retained its place on the Calendar.

Senate Bill No. 15 was placed under the order of business second reading of bills.

Senate Concurrent Resolution No. 2 was placed under the order of business second reading of bills.

MESSAGES FROM THE HOUSE

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

House Bill No. 3, entitled: "An act relating to bonds of educational institutions and amending sections 4 and 12 of chapter 7, Session Laws of 1934, third special session".

House Joint Memorial No. 1, relating to old age assistance.

BOND DISTRICT ELECTIONS

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had appointed members Spaid, Williams and Kenworthy, as a free conference committee to confer with the committee appointed by the Senate in the matter of disagreement to House amendments to Senate Bill No. 5, by Mr. Minotto, relating to bond district elections.

INTRODUCTION AND FIRST READING OF BILLS

Mr. McEachren and Mr. Rienhardt introduced Senate Bill No. 17, entitled: "An act relating to the state prison, and making a deficiency appropriation therefor".

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

Mr. McEachren moved that the rules be suspended and Senate Bill No. 17 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Appropriations.

Mr. McEachren and Mr. Rienhardt introduced Senate Bill No. 18, entitled: "An act relating to the Arizona children's colony; authorizing the construction of buildings, and making appropriation therefor".

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

Mr. Rienhardt moved that the rules be suspended and Senate Bill No. 18 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Appropriations.

Mr. McEachren and Mr. Rienhardt introduced Senate Bill No. 19, entitled: "An act relating to the state prison, and making an appropriation therefor".

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

Mr. McEachren moved that the rules be suspended and Senate Bill No. 19 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Appropriations.

House Bill No. 3, entitled: "An act relating to bonds of educational institutions and amending sections 4 and 12 of chapter 7, session laws of 1934, third special session", was, by unanimous consent, read the first time by number and title.

Mr. Dalton moved that the rules be suspended and House Bill No. 3 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Finance and Revenue.

House Joint Memorial No. 1, relating to old age assistance, was, by unanimous consent, read the first time by number and title.

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

BONDS OF EDUCATIONAL INSTITUTIONS

Mr. Patterson, for the Committee on Judiciary, reported Senate Bill No. 2, by Mr. Dalton, relating to bonds of educational institutions, without recommendation.

Mr. Dodd, a Senator from Pima, was designated manager of the Bill.

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

PUBLICITY PAMPHLETS

By unanimous consent Senate Bill No. 15, by Mr. Moore, Mr. Minotto, and Mr. Babbitt, relating to publicity pamphlets, was read the second time by number and title.

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

CONSTITUTIONAL AMENDMENT RELATING TO STATE LANDS

By unanimous consent Senate Concurrent Resolution No. 2, by Mr. Patterson, Mr. Moore, Mr. Minotto, and Mr. Babbitt, constitutional amendment relating to state lands, was read the second time by number and title.

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

OLD AGE ASSISTANCE

By unanimous consent House Joint Memorial No. 1, relating to old age assistance, was read the second time by number and title.

Mr. Rienhardt moved that the rules be suspended and House Joint Memorial No. 1 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

NOT VOTING

Baker	Jones
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STATE LAND MINERAL RIGHTS

Mr. Smith moved that Senate Bill No. 14, by Mr. Babbitt, relating to state land mineral rights, be withdrawn from the order of business third reading of bills for the purpose of amending the Bill. The motion was agreed to.

Mr. Smith moved that Senate Bill No. 14 be amended as follows:

On page 1, line 16 of the printed bill, following the word "damage" add the words "which said bond shall be approved by the State Land Department".

The motion was agreed to, and the amendment was adopted.

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

Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 14, by Mr. Babbitt, relating to state land mineral rights, as properly engrossed.

The Bill was placed under the order of business third reading of bills.

Senate Bill No. 14, by Mr. Babbitt, relating to state land mineral rights, was read the third and final time, and passed on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

NOT VOTING

Baker

Jones

The President announced the signing in open session of Senate Bill No. 14, by Mr. Babbitt, relating to state land mineral rights.

OLD AGE ASSISTANCE

House Joint Memorial No. 1, relating to old age assistance, was read the third and final time, and passed on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

NOT VOTING

Baker

Jones

The President announced the signing in open session of House Joint Memorial No. 1, relating to old age assistance.

BONDS OF EDUCATIONAL INSTITUTIONS

Mr. Dalton moved that the rules be suspended and House Bill No. 3, relating to bonds of educational institutions, be withdrawn from the Committee on Finance and Revenue and placed on the Calendar of the Committee of the Whole. The motion was agreed to.

COMMITTEE OF THE WHOLE

Mr. Harrison moved that the Senate resolve itself into Committee of the Whole for the consideration of bills on the Calendar. The motion was agreed to, and (at 10 o'clock and thirty-five minutes, a. m.) the Senate resolved itself into Committee of the Whole, with Mr. Smith in the chair.

At 11:30 o'clock, a. m., the Committee of the Whole arose.

ADJOURNMENT

Mr. McEachren moved that the Senate adjourn until tomorrow at 9:30 o'clock, a. m. The motion was agreed to, and (at 11 o'clock and thirty-four minutes, a. m.) the Senate adjourned until tomorrow, Tuesday, September 27, 1938, at 9:30 o'clock, a. m.

PAUL C. KEEFE,
President.

W. J. GRAHAM,
Secretary.

TUESDAY, SEPTEMBER 27

The Senate met at 9:45 o'clock, a. m.

Honorable T. S. Kimball offered prayer.

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

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

The President announced that Mr. Baker, the Senator from Yuma, and Mr. Jones, a Senator from Maricopa, had been excused.

THE JOURNAL

By unanimous consent the reading of the Journal of Monday, September 26, 1938, was dispensed with, and the Journal was approved.

REPORT OF THE COMMITTEE OF THE WHOLE

Mr. Smith, for the Committee of the Whole, reported Senate Bill No. 13, by Mr. Kelly, relating to junior college districts; House Bill No. 3, relating to bonds of educational institutions; and Senate Bill No. 2, by Mr. Dalton, relating to bonds of educational institutions.

The recommendations of the Committee were:

That Senate Bill No. 13 be amended as follows:

After the word "dormitory" wherever it appears in the Bill insert "classroom buildings and other improvements not to exceed the sum of fifty-thousand dollars";

Strike Section 5 and insert the following amendment Section 6:

"Sec. 6. TERMINATION OF ACT. This act shall expire by limitation March 1, 1939, except that such limitation shall not invalidate nor affect any contract or agreement previously entered into under the provisions of this act by and between any junior college and any federal agency, and any such contract or agreement so previously entered into may be prosecuted to a conclusion the same as if this act had not expired by such limitation.";

Add another section to follow Section 4 to be numbered Sec. 5, as follows:

"Sec. 5. BONDS TO BE PAYABLE SOLELY FROM REVENUE PLEDGED. No part of the principal or in-

terest of any bond or bonds issued under this act shall ever be paid directly or indirectly by any moneys derived from taxation; and no holder or holders of any such bond or bonds shall ever have the right to compel the exercise of any taxing power to pay said bonds or the interest thereon. Every bond issued under this act shall recite in substance that the payment of such bond and interest thereon is enforceable exclusively from the revenue pledged to the payment thereof.”;

Renumber Sections 5, 6 and 7 of the Bill as introduced as Sections 6, 7, and 8;

and as so amended the Bill retain its place on the Calendar;

That House Bill No. 3 retain its place on the Calendar.

That Senate Bill No. 2 retain its place on the Calendar.

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

Senate Bill No. 13 retained its place on the Calendar.

House Bill No. 3 retained its place on the Calendar.

Senate Bill No. 2 retained its place on the Calendar.

STATE INDUSTRIAL SCHOOL

Mr. McEachren, for the Committee on Appropriations, reported Senate Bill No. 7, by Mr. Kelly, relating to state industrial school, with the recommendation that the Bill be amended as follows:

Estimated cost of repairs and improvements as follows:

Infirmary	\$ 4,500.00
Junior cottage	12,000.00
Dining hall and kitchen, including bakery and creamery	24,000.00
Shops building	6,800.00
Power plant building	8,500.00
Heating plant and power & pipe line	24,000.00
Senior dormitories (2)	87,000.00
Domestic water service	14,100.00
Equipment	13,000.00

and as so amended the Bill do pass.

Mr. Kelly, the Senator from Graham, was designated manager of the Bill.

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

STATE SCHOOL FOR DEAF AND BLIND

Mr. McEachren, for the Committee on Appropriations, reported Senate Bill No. 10, by Mr. Dalton, relating to state school

for deaf and blind, with the recommendation that the Bill do pass.

Mr. Dodd, a Senator from Pima, was designated manager of the Bill.

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

PUBLICITY PAMPHLETS

Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 15, by Mr. Moore, Mr. Minotto, and Mr. Babbitt, relating to publicity pamphlets.

The Bill was placed under the order of business third reading of bills.

CONSTITUTIONAL AMENDMENT RELATING TO STATE LANDS

Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Concurrent Resolution No. 2, by Mr. Patterson, Mr. Moore, Mr. Minotto, and Mr. Babbitt, constitutional amendment relating to state lands, as properly engrossed with the following corrections:

On page 1 of the typed bill, in the first line of the enacting clause, strike the word "enacted" and insert the word "resolved".

Line 6, page 1 of the typed bill, strike the word "incumbrance" and insert the word "encumbrance".

Mr. Minotto moved the adoption of the corrections. The motion was agreed to, and the Resolution was placed under the order of business third reading of bills.

PUBLICITY PAMPHLETS

Senate Bill No. 15, by Mr. Moore, Mr. Minotto, and Mr. Babbitt, relating to publicity pamphlets, was read the third and final time.

and passed an roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

NOT VOTING

Baker

Jones

The President announced the signing in open session of Senate Bill No. 15, by Mr. Moore, Mr. Minotto, and Mr. Babbitt, relating to publicity pamphlets.

CONSTITUTIONAL AMENDMENT RELATING TO
STATE LANDS

Senate Concurrent Resolution No. 2, by Mr. Patterson, Mr. Moore, Mr. Minotto, and Mr. Babbitt, constitutional amendment relating to state lands, was read the third and final time in full as follows:

"SENATE CONCURRENT RESOLUTION NO. 2

A CONCURRENT RESOLUTION

Proposing certain amendments to the Constitution of Arizona relating to state lands.

Be it resolved by the Senate of the State of Arizona, the House of Representatives concurring:

1. That the following amendment of section 3, article X, Constitution of Arizona, is proposed, to become valid as part of said constitution when approved by a majority of the qualified electors voting thereon and upon proclamation of the governor:

Section 3. No mortgage or other encumbrance of the said lands, or any part thereof, shall be valid in favor of any person or for any purpose or under any circumstances whatsoever. Said lands shall not be sold or leased, in whole or in part, except to the highest and best bidder at a public auction to be held at the county seat of the county wherein the lands to be affected, or the major portion thereof, shall lie, notice of which public auction shall first have been duly given by advertisement, which shall set forth the nature, time, and place of the transaction to be had, with a full description of the lands to be offered, and be published once each week for not less than ten successive weeks in a newspaper of general circulation published regularly at the state capital, and in that newspaper of like circulation which shall then be regularly published nearest to the location of such lands so offered; nor shall any sale or contract for the sale of any timber or other natural product of such lands be made, save at the place, in the manner, and after the notice by publication thus provided for sales and leases of the lands themselves; provided that nothing herein contained shall prevent the leasing in such manner as the legislature may direct, of any of said lands referred to in this article for grazing and agricultural purposes, for a term of ten years or less, and provided also that any of said lands so leased for grazing and agricultural purposes may also be leased for mineral purposes as hereinafter provided. Nothing herein contained shall prevent the leasing, in such manner as the legislature may direct, of any of the lands in the section referred to, for mineral purposes (including leases for exploration of oil and gas and the extraction thereof) for a term of twenty years or less, without said advertising herein required.

2. That the proposed amendment (approved by a

majority of the members elected to each house of the legislature, and entered upon the respective journals thereof, together with the ayes and nays thereon) shall be by the secretary of state submitted to the qualified electors at the next regular general election (or at a special election called for such purpose) as provided by article XXI, Constitution of Arizona."

and passed on roll call, which resulted: Ayes 16, not voting 3, as follows:

AYES

Angius	McEachren	Stanton
Babbitt	Minotto	Truman
Dalton	Moore	Wiltbank
Dodd	Patterson	The President
Harrison	Rienhardt	
Hunt	Smith	

NOT VOTING

Baker	Jones	Kelly
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The President announced the signing in open session of Senate Concurrent Resolution No. 2, by Mr. Patterson, Mr. Moore, Mr. Minotto, and Mr. Babbitt, constitutional amendment relating to state lands.

BOND DISTRICT ELECTIONS

By unanimous consent the Senate reverted to the order of business reports of standing committees, and Mr. Truman, Mr. Rienhardt, and Mr. Patterson, Senate conferees, and Mr. Spaid, Mr. Kenworthy, and Mr. Williams, House conferees, in the matter of disagreement to House amendments to Senate Bill No. 5, by Mr. Minotto, relating to bond district elections, submitted the following report:

Following the comma after the word "act" in the title in line 8 thereof, insert an amendment as follows: "providing a limitation or termination".

The Senate recesses and accepts the new Section 3 Limitation as placed in the bill by the House, and the renumbering of Section 4 An Emergency.

Mr. Truman moved the adoption of the report. The motion was agreed to on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

NOT VOTING

Baker	Jones
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The President announced the signing in open session of the joint conference committee report on Senate Bill No. 5, by Mr. Minotto, relating to bond district elections.

COMMITTEE OF THE WHOLE

Mr. McEachren moved that the Senate resolve itself into Committee of the Whole for the consideration of bills on the Calendar. The motion was agreed to, and at 10 o'clock and six minutes, a. m.,) the Senate resolved itself into Committee of the Whole, with Mr. Moore in the chair.

At 11:45 o'clock, a. m., the Committee of the Whole arose.

BOND DISTRICT ELECTIONS

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had adopted the joint conference committee report on Senate Bill No. 5, by Mr. Minotto, relating to bond district elections.

ADJOURNMENT

Mr. Minotto moved that the Senate adjourn until tomorrow at 9:30 o'clock, a. m. The motion was agreed to, and (at 11 o'clock and fifty-five minutes, a. m.) the Senate adjourned until tomorrow, Wednesday, September 28, 1938, at 9:30 o'clock, a. m.

PAUL C. KEEFE,
President.

W. J. GRAHAM,
Secretary.

WEDNESDAY, SEPTEMBER 28

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

Honorable T. S. Kimball offered prayer.

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

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

The President announced that Mr. Baker, the Senator from Yuma, and Mr. Jones, a Senator from Maricopa, had been excused.

THE JOURNAL

By unanimous consent the reading of the Journal of Tuesday, September 27, 1938, was dispensed with, and the Journal was approved.

REPORT OF THE COMMITTEE OF THE WHOLE

Mr. Moore, for the Committee of the Whole, reported Senate Bill No. 13, by Mr. Kelly, relating to junior college districts; House Bill No. 3, relating to bonds of educational institutions; Senate Bill No. 2, by Mr. Dalton, relating to bonds of educational institutions; Senate Bill No. 7, by Mr. Kelly, relating to state industrial school; and Senate Bill No. 10, by Mr. Dalton, relating to state school for deaf and blind.

The recommendations of the committee were:

That Senate Bill No. 13 be amended as follows:

Where applicable in bill, insert after the word "dormitory" or "dormitories" the following: "classroom buildings and other improvements not to exceed the sum of fifty thousand dollars";

That Section 5 be amended to read as follows:

"Sec. 5. BONDS TO BE PAYABLE SOLELY FROM REVENUE PLEDGED. No part of the principal or interest of any bond or bonds issued under this act shall ever be paid directly or indirectly by any moneys derived from taxation; and no holder or holders of any such bond or bonds shall ever have the right to compel the exercise of any taxing power to pay said bonds or the interest thereon.";

and as so amended the Bill do pass;

That House Bill No. 3 do pass;

That Senate Bill No. 2 retain its place on the Calendar;

That Senate Bill No. 10 retain its place on the Calendar;

That Senate Bill No. 7 be amended as follows:

Amend Section 1 to conform with the appropriations made under Section 2;

Amend Section 2 to read as follows:

"Sec. 2. Appropriation for the purpose of defraying the state share of the cost of said project the sum of \$106,645 is appropriated to the Board of Directors of State Institutions to be expended for the following objects and in not to exceed the following amounts: Infirmary, \$2,475; junior cottages, \$6,600; dining hall and kitchen, including bakery and creamery, \$13 200; shops building, \$3,740; power plant building, \$4,675; heating plant and power and pipe line, \$13,200; two senior dormitories, \$47,850; domestic water service, \$7,755; equipment, \$7,150; and all other things necessary for the equipment and modernization of the plant of said institution.";

and as so amended the Bill do pass.

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

Senate Bill No. 13 was placed under the order of business second reading of bills.

House Bill No. 3 was placed under the order of business second reading of bills.

Senate Bill No. 2 retained its place on the Calendar.

Senate Bill No. 10 retained its place on the Calendar.

Senate Bill No. 7 was placed under the order of business second reading of bills.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had passed House Joint Resolution No. 1, endorsing the President's plea for peace.

IRRIGATION DISTRICT BONDS AND ELECTIONS

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had passed Senate Bill No. 11, by Mr. Truman, relating to irrigation district bonds and elections, with the following amendments:

Between lines 16 and 17 on page 4, insert new section to read:

"Section 3. LIMITATION. This act shall expire by limitation February 1, 1938.";

Amend title to conform by inserting in the last line after the word "act", "providing a limitation or termination,";

Renumber old section 3 to be section 4;

Page 1, line 1, change the date of '1933' to '1934';

Page 1, next to last line after "8a" insert title "Authority to contract; elections; issuance of bonds.";

Page 5, line 6, insert section title "Validation of acts."

Page 2, line 16, strike "(Sec. 3607 Arizona Revised Code Supplement of 1936)", and insert "Chapter 6, section 8, laws 1934, third special session";

Page 4, lines 5 and 6, strike "(Sec. 3607 Arizona Revised Code Supplement of 1936)" and insert "Chapter 6, section 8, laws 1934, third special session";

Page 5, lines 4 and 5, strike "(Sec. 3607 Arizona Revised Code Supplement of 1936)" and insert "Chapter 6, section 8, laws 1934, third special session".

Mr. Truman moved that the Senate concur in the House amendments to Senate Bill No. 11. The motion was agreed to on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

NOT VOTING

Baker	Jones
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The President announced the signing in open session of Senate Bill No. 11, by Mr. Truman, relating to irrigation district bonds and elections.

INTRODUCTION AND FIRST READING OF BILLS

House Joint Resolution No. 1, endorsing President Roosevelt's plea for peace, was read the first time in full.

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

OIL LEASES ON STATE LANDS

Mr. Wiltbank, for the Committee on Public Lands, reported Senate Bill No. 12, by Mr. Babbitt, Mr. Patterson, Mr. Moore, and Mr. Minotto, relating to oil leases on state lands, with the recommendation that the Bill be amended as follows:

Page 2, Section 2, of the printed bill, strike out after the title the balance of lines 3, 4, 5, 6, 7, 8, and 9, to and including the word "lease" and insert in lieu thereof the following: "All leases issued by the commissioner shall

be for a primary term of 5 years or such longer period as may be allowed by any constitutional amendment hereinafter enacted, provided, however that the term of any lease or leases theretofore or thereafter entered into shall be automatically extended to the limit allowed by such constitutional amendment for the extension of such lease or leases and provided further, that said lease shall be forfeited, unless said lessee shall within 5 years from the date of said lease begin actual drilling operations upon said leased lands and thereafter diligently pursue such operations for the drilling of such well to a depth of 4,000 feet, unless oil or gas be discovered in paying quantities at a lesser depth; after the completion or abandonment of said well, the lessee shall forfeit his lease, unless within 5 years from the date of completion or abandonment of said well, said lessee shall begin actual drilling operations upon said leased lands of a second well and thereafter diligently pursue such operations for the drilling of a second well to a depth of 4,000 feet, unless oil or gas be discovered in paying quantities at a lesser depth; after the completion or abandonment of said second well, the lessee shall forfeit his lease, unless every 5 years thereafter, at least one well shall be drilled to a depth of 4,000 feet, unless oil or gas be discovered in paying quantities at a lesser depth; provided, however, that after the completion or abandonment of said first well the State Land Department for good cause may dispense with the requirements as to the future drilling of wells for such reasonable time as it may see fit."

On page 4, at the end of line 8, after the word "hereof" strike the period, insert a comma, and add the following: "and provided further that said lease shall be forfeited unless said lessee shall within 5 years from the date of said lease begin actual drilling operations upon said leased lands and thereafter diligently pursue such operations for the drilling of one well to a depth of 4,000 feet unless oil or gas be discovered in paying quantities at a lesser depth. After the completion or abandonment of said well the lessee shall forfeit his lease unless within five years from the date of abandonment or completion of said well, said lessee shall begin actual drilling operations of a second well upon said leased lands and thereafter diligently pursue such operations for the drilling of a second well to a depth of 4,000 feet, unless oil or gas be discovered in paying quantities at a lesser depth. After the completion or abandonment of said second well, the lessee shall forfeit his lease, unless at least every five years thereafter at least one well shall be drilled to a depth of 4,000 feet, unless oil, or gas be discovered in paying quantities at a lesser depth. Provided that after the completion or abandonment of said first well the State Land Department for good cause may dispense for such time as it may see fit with the requirements as to the future drilling of wells."

On page 6, lines 11 and 12, strike the words "nor

any assignment of less than a legal subdivision."

On page 6, line 15, strike the period, insert a comma, and add: "with the consent of the State Land Department, provided further that there shall be no assignment of less than a legal subdivision".

On page 6, line 29, strike the words "three hundred fifty" and insert in lieu thereof "three hundred thirty".

On page 9, lines 8 and 9, strike the words "or any assignment of less than a legal subdivision".

On page 9, line 11, after the word "department" insert "there shall be no assignment of less than a legal subdivision".

On page 14, line 25, after the word "same" insert the following: "The state reserves the right to enact in the future laws relating to the conservation of oil or gas within the boundaries of the State of Arizona."

On page 16, line 43, after the word "commissioner" insert the following: "with the approval of the State Land Department."

On page 22, line 19, after the word "commissioner" insert the following: "with the approval of the State Land Department."

On page 22, lines 28 and 29, strike the word "minerals" and insert in lieu thereof the words "oil, gas, and other hydrocarbons."

On page 22, line 32, strike the words "carried on" and insert in lieu thereof the word "conducted."

On page 22, line 35, strike the word "minerals" and insert in lieu thereof the words "oil, gas, and other hydrocarbons."

On page 22, lines 36, 37, 38, and 39, after the word "appraisement" strike the words "of said improvements and said minerals thereafter the appraisal thereof shall be made in the manner and subject to the same conditions" and insert in lieu thereof the following: "thereof whereupon such appraisals shall be made in the same manner as appraisals of improvements in cases of sales of state lands."

On page 22, line 40, strike the word "the" at the end of the line and insert in lieu thereof the word "such".

On page 22, line 45, after the word "of" insert "the state and such".

On page 23, line 1, after the word "notice" insert the following: "and upon receipt of said sum, all there-of representing the value of improvements shall be paid forthwith to said prior lessee, and the remainder of said sum which shall represent the value of said oil, gas, and

other hydrocarbons shall be divided $\frac{1}{8}$ thereof to the state, and $\frac{7}{8}$ to said prior lessee."

On page 23, line 2, after the word "improvements" insert "and said oil, gas, and other hydrocarbons."

On page 23, line 11, strike the word "minerals" and insert in lieu thereof the words "oil, gas, and other hydrocarbons."

and as so amended the Bill do pass.

Mr. Babbitt, the Senator from Coconino, was designated manager of the Bill.

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

JUVENILE OFFENDERS

Mr. Dalton, for the Committee on State Institutions, reported Senate Bill No. 6, by Mr. Dalton, relating to juvenile offenders, with the recommendation that the Bill be amended as follows:

Page 4, line 43, strike Section 13 up to page 5, line 9, and insert the following:

"Sec. 13. MEMBERS OF BOARD. The board of directors of state institutions for juveniles shall consist of three members, who shall be appointed by the Governor, by and with the advice and consent of the senate. The terms of office of the first three members shall begin February 1, 1939, and shall expire as follows: one on the first Monday in February, 1941, one on the first Monday in February, 1943, and one on the first Monday in February, 1945. Thereafter the terms of office shall be six years. Any vacancy shall be filled for the unexpired term only.";

Page 5, line 37, after the word "on" strike "January 1, 1939" and insert "February 1, 1939";

Page 5, line 39, after the word "on" strike "January 1, 1939" and insert "February 1, 1939";

Page 6, line 2, strike Section 18, the emergency clause;

and as so amended the Bill do pass.

Mr. Minotto, a Senator from Maricopa, was designated manager of the Bill.

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

PRESIDENT ROOSEVELT'S PLEA FOR PEACE

By unanimous consent House Joint Resolution No. 1, Presi-

dent Roosevelt's plea for peace, was read the second time by number and title.

Mr. Minotto moved that the Resolution be amended as follows:

Page 1, line 7, after the word "the", strike the words "Prime Minister" and insert the word "President".

The motion was agreed to.

Mr. Truman moved that the rules be further suspended and House Joint Resolution No. 1 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 16, not voting 3, as follows:

AYES

Angius	McEachren	Stanton
Babbitt	Minotto	Truman
Dalton	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	
Kelly	Smith	

NOT VOTING

Baker	Dodd	Jones
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The Resolution was referred to the Committee on Enrolling and Engrossing.

JUNIOR COLLEGE DISTRICTS

By unanimous consent Senate Bill No. 13, by Mr. Kelly, relating to junior college districts, was read the second time by number and title.

Mr. Kelly moved that the rules be suspended and Senate Bill No. 13 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 16, not voting 3, as follows:

AYES

Angius	McEachren	Stanton
Babbitt	Minotto	Truman
Dalton	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	
Kelly	Smith	

NOT VOTING

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

BONDS OF EDUCATIONAL INSTITUTIONS

By unanimous consent House Bill No. 3, relating to bonds of

educational institutions, was read the second time by number and title.

Mr. Dalton moved that the rules be suspended and House Bill No. 3 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 16, not voting 3, as follows:

AYES

Angius	McEachren	Stanton
Babbitt	Minotto	Truman
Dalton	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	
Kelly	Smith	

NOT VOTING

Baker	Dodd	Jones
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STATE INDUSTRIAL SCHOOL

By unanimous consent Senate Bill No. 7, by Mr. Kelly, relating to state industrial school, was read the second time by number and title.

Mr. Kelly moved that the rules be suspended and Senate Bill No. 7 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 16, not voting 3, as follows:

AYES

Angius	McEachren	Stanton
Babbitt	Minotto	Truman
Dalton	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	
Kelly	Smith	

NOT VOTING

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

JUNIOR COLLEGE DISTRICTS

By unanimous consent the Senate reverted to the order of business reports of standing committees, and Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 13, by Mr. Kelly, relating to junior college districts, as properly engrossed.

The Bill was placed under the order of business third reading of bills.

STATE INDUSTRIAL SCHOOL

Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 7, by Mr. Kelly, relating to state

industrial school, as properly engrossed.

The Bill was placed under the order of business third reading of bills.

FEDERAL WORKS PROGRESS ADMINISTRATION

Mr. McEachren, for the Committee on Appropriations, reported Senate Bill No. 16, by Mr. Minotto, relating to federal works progress administration, without recommendation.

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

JUNIOR COLLEGE DISTRICTS

Senate Bill No. 13, by Mr. Kelly, relating to junior college districts, was read the third and final time, and passed on roll call, which resulted: Ayes 13, Noes 4, not voting 2, as follows:

AYES

Dalton	Moore	Truman
Harrison	Patterson	Wiltbank
Hunt	Rienhardt	The President
Kelly	Smith	
McEachren	Stanton	

NOES

Angius	Dodd
Babbitt	Minotto

NOT VOTING

Baker	Jones
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The President announced the signing in open session of Senate Bill No. 13, by Mr. Kelly, relating to junior college districts.

STATE INDUSTRIAL SCHOOL

Senate Bill No. 7, by Mr. Kelly, relating to state industrial school, was read the third and final time, and passed on roll call, which resulted: Ayes 15, Noes 2, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dodd	Moore	Truman
Harrison	Patterson	Wiltbank
Hunt	Rienhardt	The President

NOES

Dalton	Minotto
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NOT VOTING

Baker	Jones
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The President announced the signing in open session of

Senate Bill No. 7, by Mr. Kelly, relating to state industrial school.

Mr. Dalton offered the following explanation of his vote on Senate Bill No. 7:

I would like to vote in favor of this bill to give the industrial school at Fort Grant an appropriation for the construction of new buildings, development of water, etc., but I am unable to and cannot vote for any appropriations for any institutions under the control of the present board of directors of state institutions. I, therefore, vote No.

BONDS OF EDUCATIONAL INSTITUTIONS

House Bill No. 3, relating to bonds of educational institutions, was read the third and final time, and passed on roll call, which resulted: Ayes 15, Noes 2, not voting 2, as follows:

AYES

Babbitt	McEachren	Smith
Dalton	Minotto	Stanton
Dodd	Moore	Truman
Harrison	Patterson	Wiltbank
Kelly	Rienhardt	The President

NOES

Angius	Hunt
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NOT VOTING

Baker	Jones
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The President announced the signing in open session of House Bill No. 3, relating to bonds of educational institutions.

PRESIDENT ROOSEVELT'S PLEA FOR PEACE

By unanimous consent the Senate reverted to the order of business reports of standing committees, and Mr. Minotto, for the Committee on Enrolling and Engrossing, reported House Joint Resolution No. 1, President Roosevelt's plea for peace, as properly engrossed.

House Joint Resolution No. 1, President Roosevelt's plea for peace, was read the third and final time, and passed on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

NOT VOTING

Baker	Jones
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The President announced the signing in open session of House Joint Resolution No. 1, President Roosevelt's plea for peace.

COMMITTEE OF THE WHOLE

Mr. McEachren moved that the Senate resolve itself into Committee of the Whole for the consideration of bills on the Calendar. The motion was agreed to, and (at 10 o'clock and forty-five minutes, a. m.) the Senate resolved itself into Committee of the Whole, with Mr. Hunt in the chair.

At 11:50 o'clock, a. m., the Committee of the Whole arose.

RECESS

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

AFTERNOON SESSION

The President called the Senate to order at 2:10 o'clock, p. m.

COMMITTEE OF THE WHOLE

By unanimous consent (at 2 o'clock and twelve minutes, p. m.) the Senate resolved itself into Committee of the Whole for the consideration of bills on the Calendar, with Mr. Hunt in the chair.

At 3:55 o'clock, p. m., the Committee of the Whole arose.

ADJOURNMENT

Mr. McEachren moved that the Senate adjourn until tomorrow at 9:30 o'clock, a. m. The motion was agreed to, and (at 3 o'clock and fifty-six minutes, p. m.) the Senate adjourned until tomorrow, Thursday, September 29, 1938, at 9:30 o'clock, a. m.

PAUL C. KEEFE,
President.

W. J. GRAHAM,
Secretary.

THURSDAY, SEPTEMBER 29

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

Honorable T. S. Kimball offered prayer.

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

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

The President announced that Mr. Baker, the Senator from Yuma, and Mr. Jones, a Senator from Maricopa, had been excused.

THE JOURNAL

By unanimous consent the reading of the Journal of Wednesday, September 28, 1938, was dispensed with, and the Journal was approved.

OLD AGE ASSISTANCE

The President laid before the Senate a communication from the Governor giving notice that House Joint Memorial No. 1, relating to old age assistance, had been forwarded to the Secretary of State with the Governor's approval.

IRRIGATION DISTRICT BONDS AND ELECTIONS

The President laid before the Senate a communication from the Governor giving notice that Senate Bill No. 11, by Mr. Truman, relating to irrigation district bonds and elections, had been forwarded to the Secretary of State with the Governor's approval.

BONDS OF EDUCATIONAL INSTITUTIONS

The President laid before the Senate a communication from the Governor giving notice that House Bill No. 3, relating to bonds of educational institutions, had been forwarded to the Secretary of State with the Governor's approval.

BOND DISTRICT ELECTIONS

The President laid before the Senate a communication from the Governor giving notice that Senate Bill No. 5, by Mr. Minotto, relating to bond district elections, had been forwarded to the Secretary of State with the Governor's approval.

PRESIDENT ROOSEVELT'S PLEA FOR PEACE

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had concurred

in the Senate amendments to House Joint Resolution No. 1, President Roosevelt's plea for peace.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had passed House Concurrent Memorial No. 1, relating to aged and disabled persons and their eligibility for old age assistance under the social security act.

REPORT OF THE COMMITTEE OF THE WHOLE

Mr. Hunt, for the Committee of the Whole, reported Senate Bill No. 2, by Mr. Dalton, relating to bonds of educational institutions; Senate Bill No. 10, by Mr. Dalton, relating to state school for deaf and blind; Senate Bill No. 12, by Mr. Babbitt, Mr. Patterson, Mr. Moore, and Mr. Minotto, relating to oil leases on state lands; Senate Bill No. 6, by Mr. Dalton, relating to juvenile offenders; and Senate Bill No. 16, by Mr. Minotto, relating to federal works progress administration.

The recommendations of the Committee were:

That Senate Bill No. 2 be indefinitely postponed;

That Senate Bill No. 10 do pass;

That Senate Bill No. 6 be retained on the Calendar;

That Senate Bill No. 16 be referred to the Committee on Finance and Revenue for report September 29;

That Senate Bill No. 12 be amended as follows:

Page 2, Section 2, of the printed Bill, strike after the title the balance of lines 3, 4, 5, 6, 7, 8, and 9 to and including the word "lease" and insert in lieu thereof the following: "All leases issued by the commissioner shall be for a primary term of 5 years or such longer period as may be allowed by any constitutional amendment hereinafter enacted, provided, however, that the term of any lease or leases theretofore or thereafter entered into, shall be automatically extended to the limit allowed by such constitutional amendment for the extension of such lease or leases and provided further, that said lease shall be forfeited, unless said lessee shall within 3 years from the date of said lease begin actual drilling operations upon said leased lands and thereafter diligently pursue such operations for the drilling of such well to a depth of 4,000 feet, unless oil or gas be discovered in paying quantities at a lesser depth; after the completion or abandonment of said well, the lessee shall forfeit his lease, unless within 3 years from the date of completion or abandonment of said well, said lessee shall begin actual drilling operations upon said leased lands of a second well and thereafter diligently pursue such operations for the drilling of a second well to a depth of 4,000 feet, unless oil or gas be discovered in paying quanti-

ties at a lesser depth; after the completion or abandonment of said second well, the lessee shall forfeit his lease, unless every 3 years thereafter, at least one well shall be drilled to a depth of 4,000 feet, unless oil or gas be discovered in paying quantities at a lesser depth; provided, however, that after the completion or abandonment of said first well the State Land Department for good cause may dispense with the requirements as to the future drilling of wells for such reasonable time as it may see fit."

Page 4, at the end of line 8, after the word "hereof" strike the period, insert a comma, and add the following; "and provided further that said lease shall be forfeited unless said lessee shall within 3 years from the date of said lease begin actual drilling operations upon said leased lands and thereafter diligently pursue such operations for the drilling of one well to a depth of 4,000 feet unless oil or gas be discovered in paying quantities at a lesser depth. After the completion or abandonment of said well the lessee shall forfeit his lease unless within three years from the date of abandonment or completion of said well, said lessee shall begin actual drilling operations of a second well upon said leased lands and thereafter diligently pursue such operations for the drilling of a second well to a depth of 4,000 feet, unless oil or gas be discovered in paying quantities at a lesser depth. After the completion or abandonment of said second well, the lessee shall forfeit his lease, unless at least every three years thereafter at least one well shall be drilled to a depth of 4,000 feet, unless oil, or gas be discovered in paying quantities at a lesser depth. Provided that after the completion or abandonment of said first well the State Land Department for good cause may dispense for such time as it may see fit with the requirements as to the future drilling of wells."

Page 6, lines 11 and 12, strike the words "nor any assignment of less than a legal subdivision";

Page 6, line 15, strike the period, insert a comma, and add: "with the consent of the State Land Department, provided further that there shall be no assignment of less than a legal subdivision";

Page 6, line 29, strike the words "three hundred fifty" and insert in lieu thereof "three hundred thirty";

Page 9, lines 8 and 9, strike the words "or any assignment of less than a legal subdivision";

Page 9, line 11, after the word "department" insert "there shall be no assignment of less than a legal subdivision";

Page 14, line 25, after the word "same" insert the following: "The state reserves the right to enact in the future laws relating to the conservation of oil

or gas within the boundaries of the State of Arizona.”;

Page 16, line 43, after the word “commissioner” insert the following: “with the approval of the State Land Department.”;

Page 22, line 19, after the word “commissioner” insert the following: “with the approval of the State Land Department.”;

Page 22, lines 28 and 29, strike the word “minerals” and insert in lieu thereof the words “oil, gas, and other hydrocarbons.”;

Page 22, line 32, strike the words “carried on” and insert in lieu thereof the word “conducted.”

Page 22, line 35, strike the word “minerals” and insert in lieu thereof the words “oil, gas, and other hydrocarbons.”;

Page 22, lines 36, 37, 38, and 39, after the word “appraisement” strike the words “of said improvements and said minerals thereafter the appraisal thereof shall be made in the manner and subject to the same conditions” and insert in lieu thereof the following: “thereof whereupon such appraisals shall be made in the same manner as appraisals of improvements in cases of sales of state lands.”;

Page 22, line 40, strike the word “the” at the end of the line and insert in lieu thereof the word “such”;

Page 22, line 45, after the word “of” insert “the state and such”;

Page 23, line 1, after the word “notice” insert the following: “and upon receipt of said sum, all thereof representing the value of improvements shall be paid forthwith to said prior lessee, and the remainder of said sum which shall represent the value of said oil, gas, and other hydrocarbons shall be divided $\frac{1}{8}$ thereof to the state, and $\frac{7}{8}$ to said prior lessee.”;

Page 23, line 2, after the word “improvements” insert “and said oil, gas, and other hydrocarbons”;

Page 23, line 11, strike the word “minerals” and insert in lieu thereof the words “oil, gas, and other hydrocarbons”;

Delete the word “five” wherever it appears in section 2 amendment and substitute “three” therefor as offered by the Committee on Public Lands to section 2;

Page 11, line 39, before the word “fix”, at the beginning of said line, insert the word “may”;

Page 12, line 21, after the word “lessee” insert “said notice shall also be published in a newspaper of general circulation in the county where said lands

are located at least once a week for two consecutive weeks prior to the date of sale”;

Page 22, lines 12 and 13, strike the words “Attorney General” and insert “State Land Department”;

At the end of Section 26 insert “provided, however, that should lessee forfeit his lease other than through the lapse of time the provisions of this section shall not apply”;

and as so amended the Bill do pass.

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

The President put the question “Shall Senate Bill No. 2 be indefinitely postponed?”, which was decided in the affirmative.

Senate Bill No. 10 was placed under the order of business second reading of bills.

Senate Bill No. 6 retained its place on the Calendar.

Senate Bill No. 16 was referred to the Committee on Finance and Revenue.

Senate Bill No. 12 was placed under the order of business second reading of bills.

INTRODUCTION AND FIRST READING OF BILLS

Mr. Kelly introduced Senate Bill No. 20, entitled: “An Act making an appropriation to match a grant made by the federal government, or any agency thereof, to the state of Arizona or to the Colorado River Commission; and extending the powers of said commission and enabling it to conform to federal requirements to participate in various benefits of the federal departments and economically administer the funds created as aforesaid; to make and pay for a survey of the Colorado River; and extending to said commission power to protect the people of and the state of Arizona, in rights and benefits arising from said survey; and repealing all acts or parts of acts in conflict with the provisions of this act; and declaring an emergency”.

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

Mr. Kelly moved that the rules be suspended and Senate Bill No. 20 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Appropriations.

House Concurrent Memorial No. 1, relating to aged and disabled persons and their eligibility for old age assistance under the social security act, was, by unanimous consent, read the first time by number and title.

Mr. Stanton moved that the rules be suspended and House Concurrent Memorial No. 1 be referred to the proper committee today. The motion was agreed to, and the Memorial was referred to the Committee on Finance and Revenue.

STATE SCHOOL FOR DEAF AND BLIND

By unanimous consent Senate Bill No. 10, by Mr. Dalton, relating to state school for deaf and blind, was read the second time by number and title.

Mr. Dalton moved that the rules be suspended and Senate Bill No. 10 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

NOT VOTING

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

OIL LEASES ON STATE LANDS

By unanimous consent Senate Bill No. 12, by Mr. Babbitt, Mr. Patterson, Mr. Moore and Mr. Minotto, relating to oil leases on state lands, was read the second time by number and title.

Mr. Babbitt moved that the rules be suspended and Senate Bill No. 12 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted, Ayes 16, not voting 3, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Wiltbank
Dodd	Moore	The President
Harrison	Patterson	
Hunt	Rienhardt	

NOT VOTING

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

PRIVILEGES OF THE FLOOR

Mr. Minotto called attention to the presence of Mr. Joe C. Haldiman, former member of the Senate from Maricopa county. The President invited Mr. Haldiman to occupy a seat in the Senate chamber.

STATE SCHOOL FOR DEAF AND BLIND

By unanimous consent the Senate reverted to the order of

business reports of standing committees, and Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 10, by Mr. Dalton, relating to state school for deaf and blind, as properly engrossed.

The Bill was placed under the order of business third reading of bills.

OIL LEASES ON STATE LANDS

Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 12, by Mr. Babbitt, Mr. Patterson, Mr. Moore and Mr. Minotto, relating to oil leases on state lands, as properly engrossed with the following corrections:

In the third line of the title of the typed Bill (fourth line of title of printed bill), insert a comma and strike the word "and" after the word "oil", and after the word "gas," insert the words "and other hydrocarbons,";

Line 6, page 20 of typed bill, after the word "auction" at end of sentence, change the comma to a period;

Line 10, page 20 of the typed bill, correct the spelling of the word "districts" by striking the letter "w" at the end thereof and inserting the letter "s";

Lines 18 and 19, page 23 of the typed bill, strike the word "requirin" and insert the correctly spelled word "requiring";

Line 21, page 18 of the typed bill, correct the spelling of the word "redistrict" by striking the hyphen (-) therein;

At the end of line 5, page 19 of the typed bill, insert a comma after the word "however";

Lines 2 and 3, page 41 of the typed bill, and lines 39 and 40, page 22 of printed bill, strike the words "as appraisals of improvements in cases of sales of state lands." (See amendment marked "M")

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

COMMITTEE ON EMPLOYEES AND SUPPLIES

Mr. Kelly, for the Committee on Employees and Supplies, reported the resignation of Lorraine Beyer, stenographer, on Wednesday, September 23, and recommended the appointment of Frances Giacomina to replace Miss Beyer.

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

STATE SCHOOL FOR DEAF AND BLIND

Senate Bill No. 10, by Mr. Dalton, relating to state school for deaf and blind, was read the third and final time, and

passed on roll call, which resulted: Ayes 16, Noes 1, not voting 2, as follows:

AYES

Angius	Kelly	Stanton
Babbitt	McEachren	Truman
Dalton	Minotto	Wiltbank
Dodd	Moore	The President
Harrison	Rienhardt	
Hunt	Smith	

NOES

Patterson

NOT VOTING

Baker Jones

The President announced the signing in open session of Senate Bill No. 10, by Mr. Dalton, relating to state school for deaf and blind.

OIL LEASES ON STATE LANDS

Mr. Babbitt moved that Senate Bill No. 12, by Mr. Babbitt, Mr. Patterson, Mr. Moore and Mr. Minotto, relating to oil leases on state lands, be withdrawn from the order of business third reading of bills for the purpose of making typographical corrections. The motion was agreed to, and the Bill was referred to the Committee on Enrolling and Engrossing .

RECESS

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

The President called the Senate to order at 10:55 o'clock, a. m.

OIL LEASES ON STATE LANDS

Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 12, by Mr. Babbitt, Mr. Patterson, Mr. Moore, and Mr. Minotto, relating to oil leases on state lands, as properly engrossed.

The Bill was placed under the order of business third reading of bills.

Senate Bill No. 12, by Mr. Babbitt, Mr. Patterson, Mr. Moore, and Mr. Minotto, relating to oil leases on state lands, was read the third and final time, and passed on roll call, which resulted: Ayes 15, Noes 2, not voting 2, as follows:

AYES

Angius	Hunt	Smith
Babbitt	Minotto	Stanton
Dalton	Moore	Truman
Dodd	Patterson	Wiltbank
Harrison	Rienhardt	The President

NOES

Kelly

McEachren

NOT VOTING

Baker

Jones

The President announced the signing in open session of Senate Bill No. 12, by Mr. Babbitt, Mr. Patterson, Mr. Moore, and Mr. Minotto, relating to oil leases on state lands.

RECESS

Mr. McEachren moved that the Senate stand at recess until 1:30 o'clock, p. m. The motion was agreed to, and (at 11 o'clock and forty minutes, a. m.) the Senate stood at recess.

AFTERNOON SESSION

The President called the Senate to order at 2 o'clock, p. m.

MESSAGES FROM THE HOUSE

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

House Bill No. 13, entitled: "An act making an appropriation to the Arizona State School for Deaf and Blind for building construction and equipment, and declaring an emergency";

House Joint Memorial No. 2, on the location of a national cemetery at Whipple.

FEDERAL WORKS PROGRESS ADMINISTRATION

By unanimous consent the Senate reverted to the order of business reports of standing committees, and Mr. Moore, for the Committee on Finance and Revenue, reported Senate Bill No. 16, by Mr. Minotto, relating to federal works progress administration, with the recommendation that the Bill be amended as follows:

Page 2, line 12, at the end of the line, strike the period, insert a comma and the following words: "provided that none of said funds shall be expended for administrative purposes";

Page 2, line 14, insert in the blank space the words "State Board of Social Security and Welfare";

Page 2, line 16, insert in the blank space "State Board of Social Security and Welfare";

Page 2, line 20, after the word "to" insert in the blank space the words "State Board of Social Security and Welfare";

Page 2, line 36, after the word "act", insert in the blank space "State Board of Social Security and Welfare";

Page 2, line 38, after the word "to", insert "the State Board of Social Security and Welfare";

Page 3, line 7, after the words "Washington, D. C.", strike the balance of lines 7, 8, 9, and 10 and the words "proposed project";

Page 3, line 11, after the word "by", insert "the State Board of Social Security and Welfare";

Page 3, line 24, after the word "to", insert "the State Board of Social Security and Welfare";

Page 3, line 27, after the word "sponsor," insert "the State Board of Social Security and Welfare";

Page 3, line 32, after the word "project", insert "The State Board of Social Security and Welfare";

Page 3, line 36, after the word "to", insert "the State Board of Social Security and Welfare";

Page 3, line 37, after the word "approve", insert "the State Board of Social Security and Welfare";

Page 4, line 4, after the word "of", insert "the State Board of Social Security and Welfare";

Page 3, line 34, after the word "month", insert "and provided further that the following sums as may appear necessary shall be expended in the following counties: Apache, \$8,750; Coconino, \$7,000; Mohave, \$2,100; Navajo, \$10,500; Yavapai, \$28,000; Maricopa, \$147,000; Yuma, \$5,250; Cochise, \$28,000; Graham, \$7,000; Greenlee, \$10,500; Gila, \$28,700; Pima, \$36,400; Pinal, \$17,150; Santa Cruz, \$12,250; provided, further, that in allotting state funds in said counties, preference shall be given to projects submitted by the Arizona National Guard and other state institutions and departments."

and, as so amended, the Bill do pass.

The Bill, accompanied by the report of the Committee on Finance and Revenue, was placed on the Calendar of the Committee of the Whole.

AGED AND DISABLED PERSONS

Mr. Moore, for the Committee on Finance and Revenue, reported House Concurrent Memorial No. 1, relating to aged and disabled persons, with the recommendation that the Memorial do pass.

Mr. Stanton, the Senator from Greenlee, was designated manager of the Memorial.

The Memorial, accompanied by the report of the Committee on Finance and Revenue, was placed on the Calendar of the Committee of the Whole.

INTRODUCTION AND FIRST READING OF BILLS

By unanimous consent the Senate reverted to the order of

business introduction and first reading of bills, and House Bill No. 13, entitled: "An act making an appropriation to the Arizona state school for deaf and blind for building construction and equipment, and declaring an emergency", was, by unanimous consent, read the first time by number and title.

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

House Joint Memorial No. 2, on the location of a national cemetery at Whipple, was read the first time in full.

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

APPROPRIATION FOR SCHOOL FOR DEAF AND BLIND

By unanimous consent House Bill No. 13, appropriation for school for deaf and blind, was read the second time by number and title.

Mr. McEachren moved that the rules be further suspended and House Bill No. 13 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

NOT VOTING

Baker	Jones
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NATIONAL CEMETERY AT WHIPPLE

By unanimous consent House Joint Memorial No. 2, on the location of a national cemetery at Whipple, was read the second time by number and title.

Mr. Patterson moved that the rules be further suspended and House Joint Memorial No. 2 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

NOT VOTING

Baker Jones

APPROPRIATION FOR SCHOOL FOR DEAF AND BLIND

House Bill No. 13, appropriation for school for deaf and blind, was read the third and final time, and passed on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

NOT VOTING

Baker Jones

The President announced the signing in open session of House Bill No. 13, appropriation for school for deaf and blind.

NATIONAL CEMETERY AT WHIPPLE

House Joint Memorial No. 2, on the location of a national cemetery at Whipple, was read the third and final time, and passed on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

NOT VOTING

Baker Jones

The President announced the signing in open session of House Joint Memorial No. 2, on the location of a national cemetery at Whipple.

COMMITTEE OF THE WHOLE

Mr. Harrison moved that the Senate resolve itself into Committee of the Whole for the consideration of bills on the Calendar. The motion was agreed to, and at 2 o'clock and twenty minutes, p. m. the Senate resolved itself into Committee of the Whole, with Mr. McEachren in the chair.

At 2:27 o'clock, p. m., the Committee of the Whole arose.

ADJOURNMENT

Mr. McEachren moved that the Senate adjourn until tomor-

row at 9:30 o'clock, a. m. The motion was agreed to, and (at 2 o'clock and thirty minutes, p. m.) the Senate adjourned until tomorrow, Friday, September 30, 1938, at 9:30 o'clock, a. m.

W. J. GRAHAM,
Secretary.

PAUL C. KEEFE,
President.

FRIDAY, SEPTEMBER 30

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

Honorable T. S. Kimball offered prayer.

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

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

The President announced that Mr. Baker, the Senator from Yuma, and Mr. Jones, a Senator from Maricopa, had been excused.

THE JOURNAL

By unanimous consent the reading of the Journal of Thursday, September 29, 1938, was dispensed with, and the Journal was approved.

STATE LAND DEPARTMENT

Mr. Wiltbank, the Senator from Apache, laid before the Senate a letter from Mr. J. R. McDonald, mining engineer formerly employed by the State Land Department, requesting an investigation of certain matters connected with the termination of his employment by the State Land Department.

FEDERAL WORKS PROGRESS ADMINISTRATION

Mr. Minotto, a Senator from Maricopa, laid before the Senate a number of petitions requesting the passage of Senate bill No. 16, by Mr. Minotto, relating to federal works progress administration. The President ordered the petitions filed, and to remain in the custody of the Secretary of the Senate.

REPORT OF THE COMMITTEE OF THE WHOLE

Mr. McEachren, for the Committee of the Whole, reported Senate Bill No. 6, by Mr. Dalton, relating to juvenile offenders; Senate Bill No. 16, by Mr. Minotto, relating to federal works progress administration; and House Concurrent Memorial No. 1, relating to aged and disabled persons.

The recommendations of the Committee were:

That Senate Bill No. 6 retain its place on the Calendar;

That Senate Bill No. 16 be indefinitely postponed;

That House Concurrent Memorial No. 1 do pass.

Mr. McEachren moved that the recommendations of the Committee of the Whole be considered seriatim. The motion was agreed to.

Mr. McEachren moved that Senate Bill No. 6 retain its place on the Calendar. The motion was agreed to.

Mr. McEachren moved that Senate Bill No. 16 be indefinitely postponed. The motion was agreed to.

Mr. McEachren moved that House Concurrent Memorial No. 1 do pass. The motion was agreed to, and the Memorial was placed under the order of business second reading of bills.

INTRODUCTION AND FIRST READING OF BILLS

Mr. Patterson introduced Senate Bill No. 21, entitled "An act relating to the state capitol, and making an appropriation for the completion and remodeling of quarters for administrative and legislative purposes".

Mr. Patterson moved that the rules be suspended and Senate Bill No. 21 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Appropriations.

STATE PRISON DEFICIENCY APPROPRIATION

Mr. McEachren, for the Committee on Appropriations, reported Senate Bill No. 17, by Mr. McEachren and Mr. Rienhardt, relating to state prison deficiency appropriation, with the recommendation that the Bill do pass.

Mr. Kelly, the Senator from Graham, was designated manager of the Bill.

Mr. McEachren moved that the rules be suspended and Senate Bill No. 17 be placed under the order of business second reading of bills for today. The motion was agreed to.

By unanimous consent Senate Bill No. 17, by Mr. McEachren and Mr. Rienhardt, relating to state prison deficiency appropriation, was read the second time by number and title.

Mr. McEachren moved that the rules be further suspended and Senate Bill No. 17 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 13, Noes 2, not voting 4, as follows:

AYES

Babbitt

McEachren

Truman

Dalton	Moore	Wiltbank
Dodd	Patterson	The President
Harrison	Rienhardt	
Hunt	Stanton	

NOES

Minotto	Smith
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NOT VOTING

Angius	Jones
Baker	Kelly

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

AGED AND DISABLED PERSONS

By unanimous consent House Concurrent Memorial No. 1, relating to aged and disabled persons, was read the second time by number and title.

Mr. Minotto moved that the rules be suspended and House Concurrent Memorial No. 1 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 16, not voting 3, as follows:

AYES

Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	
Kelly	Smith	

NOT VOTING

Angius	Baker	Jones
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House Concurrent Memorial No. 1, relating to aged and disabled persons, was read the third and final time, and passed on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President
Hunt	Rienhardt	

NOT VOTING

Baker	Jones
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The President announced the signing in open session of House Concurrent Memorial No. 1, relating to aged and disabled persons.

RECESS

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

The President called the Senate to order at 10:45 o'clock, a. m.

STATE PRISON DEFICIENCY APPROPRIATION

Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 17, by Mr. Eachren and Mr. Rienhardt, relating to state prison deficiency appropriation, as properly engrossed.

The Bill was placed under the order of business third reading of bills.

Senate Bill No. 17, by Mr. McEachren and Mr. Rienhardt, relating to state prison deficiency appropriation, was read the third and final time, and failed to pass on roll call, which resulted: Ayes 9, Noes 8, not voting 2, as follows:

AYES

Dodd
Harrison
Kelly

McEachren
Moore
Rienhardt

Stanton
Truman
Wiltbank

NOES

Angius
Babbitt
Dalton

Hunt
Minotto
Patterson

Smith
The President

NOT VOTING

Baker

Jones

MESSAGES FROM THE HOUSE

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

House Concurrent Memorial No. 2, on the granting of public land for the maintenance of a colony for crippled children.

House Concurrent Memorial No. 3, relating to the agricultural adjustment act.

RECESS

Mr. McEachren moved that the Senate stand at recess subject to the call of the gavel. The motion was agreed to, and (at 10 o'clock and fifty minutes, a. m.) the Senate stood at recess.

The President called the Senate to order at 11:40 o'clock, a. m.

RECESS

Mr. McEachren moved that the Senate stand at recess until

2 o'clock, p. m. The motion was agreed to, and (at 11 o'clock and forty-one minutes, a. m.) the Senate stood at recess.

AFTERNOON SESSION

The President called the Senate to order at 2:10 o'clock, p. m.

PRESIDENT ROOSEVELT'S PLEA FOR PEACE

The President laid before the Senate a communication from the Governor giving notice that House Joint Resolution No. 1, President Roosevelt's plea for peace, had been forwarded to the Secretary of State with the Governor's approval.

COLORADO RIVER COMMISSION

By unanimous consent the Senate reverted to the order of business reports of standing committees, and Mr. McEachren, for the Committee on Appropriations, reported Senate Bill No. 20, by Mr. Kelly, relating to Colorado river commission, with the recommendation that the Bill be amended as follows:

Strike all after the enacting clause and insert the following:

"Section 1. **AUTHORITY.** The Colorado river commission, acting with the advice and assistance of the attorney general, is authorized, for and on behalf of and in the name of the state of Arizona, to file on a site or sites for a dam at the Bridge canyon damsite in the lower Grand canyon section of the Colorado river, said dam to be for the purposes of irrigation, the creation of hydro-electric power and flood control, and to do all things necessary to fully comply with the law with respect to such filing.

Sec. 2. **APPROPRIATION.** (a) For the purpose of defraying the expense connected with such filing, and to pay the state's portion of any agreement which may be entered into with any agency of the Federal government whereby funds may be procured from any such Federal agency in connection with the making of said filing, the sum of one thousand dollars is appropriated to the Colorado river commission.

(b) Said appropriation shall be exempt from the provisions of the financial code, and no part thereof shall revert at the close of the fiscal year.

Sec. 3. **EMERGENCY.** 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."

Amend the title to read:

"Relatnig to the Colorado river; authorizing the Colorado river commission to file on the Bridge canyon damsite, and making an appropriation therefor." and as so amended the Bill do pass.

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

Mr. McEachren moved that the rules be suspended and Senate Bill No. 20 be placed under the order of business second reading of bills for today. The motion was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had passed House Bill No. 30, entitled: "An act relating to the national guard; authorizing the construction of a military headquarters building, and making appropriation therefor".

INTRODUCTION AND FIRST READING OF BILLS

By unanimous consent the Senate reverted to the order of business introduction and first reading of bills, and Mr. Patterson introduced Senate Bill No. 22, entitled: "An act relating to youthful offenders and first term prisoners, authorizing the establishment of a juvenile prison, and making an appropriation therefor".

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

Mr. Patterson moved that the rules be suspended and Senate Bill No. 22 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Appropriations.

House Concurrent Memorial No. 2, on the granting of public land for the maintenance of a colony for crippled children, was, by unanimous consent, read the first time by number and title.

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

House Concurrent Memorial No. 3, relating to the agricultural adjustment act, was, by unanimous consent, read the first time by number and title.

Mr. Minotto moved that the rules be suspended and House Concurrent Memorial No. 3 be placed under the order of business second reading of bills for today. The motion was agreed to.

House Bill No. 30, relating to the national guard; authorizing the construction of a military headquarters building, making appropriation therefor, and declaring an emergency, was, by unanimous consent, read the first time by number and title.

Mr. Babbitt moved that the rules be suspended and House Bill No. 30 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on Appropriations.

COLORADO RIVER COMMISSION

Senate Bill No. 20, by Mr. Kelly, relating to Colorado river commission, was read the second time in full.

Mr. Dodd moved that the Bill be further amended as follows:

Amend Section 1 by adding a subsection (b) to read as follows:

“(b) In order to insure a continuing policy in the prosecution of the state’s rights with respect to said filling on the Bridge canyon damsite, the successors to the present members of the Colorado river commission shall be appointed by the governor, with the advice and consent of the Senate, one for a term of two years, ending on the first Monday in February, 1941, one for a term of four years ending on the first Monday in February, 1943, and one for a term of six years ending on the first Monday in February, 1945; thereafter the term of each commissioner shall be for a term of six years.”

The motion was agreed to.

Mr. Truman moved that the Bill be further amended by changing the title to conform to all amendments adopted. The motion was agreed to.

Mr. Kelly moved that the Bill be further amended as follows:

Sec. 1, line 5, after the word “damsite” insert “or any other damsite”.

The motion was agreed to.

Mr. McEachren moved that the rules be further suspended and Senate Bill No. 20 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 14, Noes 2, not voting 3, as follows:

AYES

Angius	Hunt	Rienhardt
Babbitt	Kelly	Stanton
Dalton	McEachren	Truman
Dodd	Minotto	The President
Harrison	Patterson	

NOES

Moore	Wiltbank
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NOT VOTING

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

NATIONAL GUARD

Mr. Babbitt moved that House Bill No. 30, relating to national guard, be withdrawn from the Committee on Appropriations and placed under the order of business second reading of bills for today. The motion was agreed to.

COLONY FOR CRIPPLED CHILDREN

By unanimous consent House Concurrent Memorial No. 2, relating to colony for crippled children, was read the second time by number and title.

Mr. Truman moved that the rules be further suspended and House Concurrent Memorial No. 2 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 16, not voting 3, as follows:

AYES

Angius	Kelly	Stanton
Babbitt	McEachren	Truman
Dalton	Minotto	Wiltbank
Dodd	Moore	The President
Harrison	Patterson	
Hunt	Rienhardt	

NOT VOTING

Baker	Jones	Smith
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AGRICULTURAL ADJUSTMENT ACT

By unanimous consent House Concurrent Memorial No. 3, relating to agricultural adjustment act, was read the second time by number and title.

Mr. Minotto moved that the rules be further suspended and House Concurrent Memorial No. 3 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 16, not voting 3, as follows:

AYES

Angius	Kelly	Stanton
Babbitt	McEachren	Truman
Dalton	Minotto	Wiltbank
Dodd	Moore	The President
Harrison	Patterson	
Hunt	Rienhardt	

NOT VOTING

Baker	Jones	Smith
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NATIONAL GUARD

House Bill No. 30, relating to national guard, was read the second time in full.

Mr. Babbitt moved that the rules be further suspended and

House Bill No. 30 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 16, not voting 3, as follows:

AYES

Angius	Kelly	Stanton
Babbitt	McEachren	Truman
Dalton	Minotto	Wiltbank
Dodd	Moore	The President
Harrison	Patterson	
Hunt	Rienhardt	

NOT VOTING

Baker	Jones	Smith
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COLONY FOR CRIPPLED CHILDREN

House Concurrent Memorial No. 2, relating to colony for crippled children, was read the third and final time, and passed on roll call, which resulted: Ayes 15, not voting 4, as follows:

AYES

Angius	Hunt	Rienhardt
Babbitt	Kelly	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Harrison	Patterson	The President

NOT VOTING

Baker	McEachren
Jones	Smith

The President announced the signing in open session of House Concurrent Memorial No. 2, relating to colony for crippled children.

AGRICULTURAL ADJUSTMENT ACT

House Concurrent Memorial No. 3, relating to agricultural adjustment act, was read the third and final time, and passed on roll call, which resulted: Ayes 16, not voting 3, as follows:

AYES

Angius	Kelly	Stanton
Babbitt	McEachren	Truman
Dalton	Minotto	Wiltbank
Dodd	Moore	The President
Harrison	Patterson	
Hunt	Rienhardt	

NOT VOTING

Baker	Jones	Smith
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The President announced the signing in open session of House Concurrent Memorial No. 3, relating to agricultural adjustment act.

NATIONAL GUARD

House Bill No. 30, relating to national guard, was read the third and final time, and passed on roll call, which resulted: Ayes 16, not voting 3, as follows:

AYES

Angius	Kelly	Stanton
Babbitt	McEachren	Truman
Dalton	Minotto	Wiltbank
Dodd	Moore	The President
Harrison	Patterson	
Hunt	Rienhardt	

NOT VOTING

Baker	Jones	Smith
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The President announced the signing in open session of House Bill No. 30, relating to national guard.

RECESS

By unanimous consent at (at 2 o'clock and fifty-eight minutes, p. m.) the Senate stood at recess, subject to the call of the gavel.

The President called the Senate to order at 3:02 o'clock, p. m.

ADJOURNMENT

Mr. Angius moved that the Senate adjourn until tomorrow at 9:30 o'clock, a. m. The motion was agreed to, and (at 3 o'clock and three minutes, p. m.) the Senate adjourned until tomorrow, Saturday, October 1, 1938, at 9:30 o'clock, a. m.

PAUL C. KEEFE,
President.

W. J. GRAHAM,
Secretary.

SATURDAY, OCTOBER 1

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

Honorable T. S. Kimball offered prayer.

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

Angius	Kelly	Stanton
Babbitt	McEachren	Truman
Dodd	Minotto	Wiltbank
Harrison	Moore	The President
Hunt	Rienhardt	

The President announced that Mr. Baker, the Senator from Yuma, Mr. Dalton, a Senator from Pima, Mr. Jones, a Senator from Maricopa, Mr. Patterson, a Senator from Yavapai, and Mr. Smith, the Senator from Mohave, had been excused.

THE JOURNAL

By unanimous consent the reading of the Journal of Friday, September 30, 1938, was dispensed with, and the Journal was approved.

NATIONAL GUARD

The President laid before the Senate a communication from the Governor giving notice that House Bill No. 30, relating to national guard, had been forwarded to the Secretary of State with the Governor's approval.

APPROPRIATION FOR SCHOOL FOR DEAF AND BLIND

The President laid before the Senate a communication from the Governor giving notice that House Bill No. 13, relating to appropriation for school for deaf and blind, had been forwarded to the Secretary of State with the Governor's approval.

NATIONAL CEMETERY AT WHIPPLE

The President laid before the Senate a communication from the Governor giving notice that House Joint Memorial No. 2, relating to a national cemetery at Whipple, had been forwarded to the Secretary of State with the Governor's approval.

COLORADO RIVER COMMISSION

Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 20, by Mr. Kelly, relating to the Colorado river commission, as properly engrossed with the following corrections:

Change title to conform with amendment.

In amendment relating to subsection (b) of Section 1, strike the misspelled word "fore" in the last line thereof and insert the word "for".

Mr. Kelly moved that the Bill be further corrected, as follows:

Line 3 of the title: Strike the word "and".

Line 4 of the title, strike the period after the word "appropriation", insert a comma and add the words: "and declaring an emergency".

Page 1, line 3, subdivision (b) of section 1, insert after the word "damsite" the words "or any other damsite".

The motion was agreed to and the Bill was re-referred to the Committee on Enrolling and Engrossing.

RECESS

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

The President called the Senate to order at 11:00 o'clock, a. m.

COLORADO RIVER COMMISSION

By unanimous consent the Senate reverted to the order of business reports of standing committees, and Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 20, by Mr. Kelly, relating to Colorado river commission, properly engrossed as corrected.

Senate Bill No. 20, by Mr. Kelly, relating to the Colorado river commission, was read the third and final time, and failed to pass on roll call, which resulted: Ayes 7, Noes 7, not voting 5, as follows:

AYES

Babbitt	Kelly	Truman
Harrison	Rienhardt	
Hunt	Stanton	

NOES

Angius	Minotto	The President
Dodd	Moore	
McEachren	Wiltbank	

NOT VOTING

Baker	Jones	Smith
Dalton	Patterson	

INTRODUCTION AND FIRST READING OF BILLS

By unanimous consent, the Senate reverted to the order of business introduction and first reading of bills, and Mr. Kelly introduced Senate Resolution No. 1, entitled: "A Resolution on the death of Hon. Harry Briggs Rice", which was read in full as follows:

A RESOLUTION

On the death of Hon. Harry Briggs Rice:

Whereas, on Septmeber 29, 1938, at Santa Cruz, California, returned to its author the soul of Honorable Harry Briggs Rice, formerly a resident of Morenci and Douglas; and

Whereas, the deceased was a member of the Twenty-second and Twenty-third Arizona Territorial Councils (1903-1906), in which he served with ability; and

Whereas, Mr. Rice lived a constructive and useful life, as business executive, legislator, and civic leader; therefore

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

1. That it is with deep regret the members of this body note the passing of this distinguished former citizen and builder of Arizona.

2. That the sympathy of the Senate of Arizona is extended to the bereaved wife, sons and brothers.

Mr. Kelly moved the adoption of the Resolution. The motion was unanimously agreed to.

ADJOURNMENT

Mr. McEachren moved that the Senate adjourn until Monday, at 9:30 o'clock, a. m. The motion was agreed to, and (at 11 o'clock and ten minutes, a. m.) the Senate adjourned until Monday, October 3, 1938, at 9:30 o'clock, a. m.

PAUL C. KEEFE,
President.

W. J. GRAHAM,
Secretary.

MONDAY, OCTOBER 3

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

Honorable T. S. Kimball offered prayer.

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

Angius	Jones	Rienhardt
Babbitt	Kelly	Smith
Dalton	McEachren	Stanton
Dodd	Minotto	Truman
Harrison	Moore	Wiltbank
Hunt	Patterson	The President

The President announced that Mr. Baker, the Senator from Yuma, had been excused.

THE JOURNAL

By unanimous consent the reading of the Journal of Saturday, October 1, 1938, was dispensed with, and the Journal was approved.

COLORADO RIVER

The President laid before the Senate a communication from Fred T. Colter, Arizona Water Trustee, which was read as follows:

October 1st, 1938.

Hon. Paul C. Keefe,
 President of the State Senate.
 Hon. Frank W. Sharpe,
 Speaker of the House of Representatives.

Gentlemen:

I am having placed on the desk of each member of the legislature, a fifty page document with maps and exhibits of data on the Colorado River and tributaries.

It is important to briefly state in connection therewith a few constructive factors which were and are indispensable to continue, and dangers to avoid, which are:

The water filings made by Fred T. Colter, Arizona Water Trustee for and on behalf of Arizona and water users under said projects on forty major irrigation and power sites thruout Arizona of which the GLEN-BRIDGE-VERDE-HIGHLINE PROJECT is the key and major project, indispensable to all future projects and those completed projects which are all now short of water in normal times.

Said water filings were initiated in 1916 and made commencing in 1923, and this is the chief safe-guard to Arizona. In making said water filings the IRRIGATION was made superior and prior to and combined to the power, with the storage and diversion water to be developed at the highest elevation in Arizona to irrigate

the maximum lands thereunder, and legal and reasonable diligence has been exercised to keep up said water filings, which were authorized by the Governor of Arizona and Attorney General K. Berry Peterson, under the supervision of Fred T. Colter in compiling the diligence and improving the said water filings, etc.

Making such water filings on such early date and in said mannare was and is indispensable and has saved Arizona from desolation in the past and is indispensable to continue in the future.

Without question any water filings now made, at this late date, authorized to be made by the legislature or state or anyone else on the said major water projects would destroy the priority and superiority of the irrigation development thruout Arizona, so would the filings on, or the building of a solely power dam on the Colorado River do likewise, and either would be equivalent to the same ruin to Arizona, as the Colorado River Santa Fe Compact-California-Arizona-Nevada-Tri-State Compact or the California Limitation Act, The Boulder Dam Act, all controlled by the Compact, if Arizona had approved or signed same or should do so in the future.

Therefore, with life's hard knocks and experience, with reclamation development, I solemnly beseech you and the members of the legislature to heed these safeguards to Arizona and the nation and carefully read and study the subject matter in this document.

Faithfully yours,

(Signed) FRED T. COLTER,
Arizona Water Trustee.

The President ordered the communication filed and recorded.

COLORADO RIVER COMMISSION

Mr. McEachren moved that the Senate reconsider its vote whereby it failed to pass Senate Bill No. 20, by Mr. Kelly, relating to Colorado river commission. The motion was agreed to.

The President put the question "Shall Senate Bill No. 20 pass?" which was decided in the affirmative on roll call, which resulted: Ayes 16; Noes 2, not voting 1, as follows:

AYES

Angius	Jones	Smith
Babbitt	Kelly	Stanton
Dalton	McEachren	Truman
Dodd	Minotto	The President
Harrison	Patterson	
Hunt	Rienhardt	

NOES

Moore	Wiltbank
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NOT VOTING

Baker

The President announced the signing in open session of Senate Bill No. 20, by Mr. Kelly, relating to Colorado river commission.

APPROPRIATION FOR STATE CAPITOL

By unanimous consent the Senate reverted to the order of business reports of standing committees, and Mr. McEachren, for the Committee on Appropriations, reported Senate Bill No. 21, by Mr. Patterson, relating to appropriation for the state capitol, with the recommendation that the Bill do pass.

Mr. Kelly, the Senator from Graham, was designated manager of the Bill.

Mr. McEachren moved that the rules be suspended and Senate Bill No. 21 be placed under the order of business second reading of bills for today. The motion was agreed to.

By unanimous consent Senate Bill No. 21, by Mr. Patterson, relating to appropriation for state capitol, was read the second time by number and title.

Mr. McEachren moved that the rules be further suspended and Senate Bill No. 21 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 16, Noes 1, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	The President
Harrison	Patterson	
Hunt	Rienhardt	

NOES

Wiltbank

NOT VOTING

Baker Jones

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

INTRODUCTION AND FIRST READING OF BILLS

By unanimous consent the Senate reverted to the order of business introduction and first reading of bills, and Mr. Angius and Mr. Rienhardt introduced Senate Resolution No. 2, relating to the state prison, and requesting the attorney general to make an investigation and to take action, which was read as follows:

SENATE RESOLUTION NO. 2

A RESOLUTION

Relating to the state prison, and requesting the attorney general to make an investigation and to take action.

Whereas, it appears that during the twenty-sixth (1937-8) and the elapsed portion of the twenty-seventh (1938-9) fiscal years a deficit exists in the operation and maintenance funds of the state prison of some forty thousand dollars; and

Whereas, testimony introduced at a joint hearing of the Committees on Appropriations of the House of Representatives and the Senate and the Committee on State Institutions of the House of Representatives held on September 27, 1938, and evidence secured otherwise, indicates the probability that said deficits were the result of irregular and unlawful practices in connection with the administration of appropriations for the operation and maintenance of said institution: 1. through the making of unauthorized purchases by the warden of the prison; 2. through the making of purchases when there was no money available to pay for the same; and

Whereas, it is necessary for the credit of the state, respect for law, and the welfare of the state's penal institution, that the facts regarding this condition be definitely ascertained, responsibility fixed, and, if legal responsibility, civil or criminal, be found to exist moneys unlawfully expended be recovered and penalties prescribed by law applied; therefore

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

1. That the attorney general is requested to make an investigation of the financial affairs of the state prison for the period indicated; to ascertain whether the law has been violated, and in the event that it has and the responsibility for such violation is susceptible of legal determination, that he cause appropriate action or actions to be brought, to safeguard the sanctity of the law and to recover from the guilty persons or their bondsmen all losses sustained through such unlawful acts.

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

Mr. Angius, a Senator from Cochise, laid before the Senate a communication bearing on the subject matter of Senate Resolution No. 1, relating to state prison, which was read as follows:

March 9, 1938.

Mr. A. J. Barnes, Superintendent
Arizona State Prison
Florence, Arizona

My dear Barnes:

I notice in the current issue of "Fax" a statement to the effect that you are some \$37,000 overdrawn. I do not know where "Fax" got the information as I have no such figures in this office, and I do not believe that any figures of like proportions exist.

However, I wish to recall to your mind that very shortly after the first of last July I insisted that you immediately make out a schedule of operations for the prison that would indicate a saving which, during the course of the current fiscal year, would be sufficient to liquidate the overage of your last fiscal year, which was shown by claims in this office as still unpaid; that it would be absolutely necessary for you to make this kind of budget so that you would know at all times exactly where your finances stood.

Down to the present time there is no indication that you have made such a study of your operations. I am again calling to your attention the absolute need of your immediately doing this. If there are any reasons why you have not been able to do so, you should lay these reasons before the board before your money is spent and not afterwards.

I am still waiting for your cost sheets on your several operations, which I requested some time ago, and more especially the cost sheets on your poultry yard and piggery.

Trusting you will get immediate action on this matter, I am

Respectfully yours,

(Signed) C. M. ZANDER,
Secretary.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had passed House Bill No. 12, entitled: "An act relating to state institutions for juveniles, and creating a board of directors of state institutions for juveniles".

INTRODUCTION AND FIRST READING OF BILLS

By unanimous consent the Senate reverted to the order of business introduction and first reading of bills, and House Bill No. 12, entitled: "An act relating to state institutions for juveniles, and creating a board of directors of state institutions for juveniles", was, by unanimous consent read the first time by number and title.

Mr. Dalton moved that the rules be suspended, and House Bill No. 12 be referred to the proper committee today. The motion was agreed to, and House Bill No. 12 was referred to the Committee on State Institutions.

RECESS

Mr. McEachren moved that the Senate stand at recess subject to the call of the gavel. The motion was agreed to, and (at 10 o'clock and fifty-three minutes, a. m.) the Senate stood at recess.

The President called the Senate to order at 11:45 o'clock, a. m.

APPROPRIATION FOR STATE CAPITOL

By unanimous consent the Senate reverted to the order of business reports of standing committees, and Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 21, by Mr. Patterson, relating to appropriation for state capitol, as properly engrossed with the following corrections:

In the first line of the title, strike the word "and";

In the third line of the title, strike the period, insert in lieu thereof a comma, and add "and declaring an emergency".

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

STATE INSTITUTIONS FOR JUVENILES

Mr. Dalton, for the Committee on State Institutions, reported House Bill No. 12, relating to state institutions for juveniles, with the recommendation that the Bill be amended as follows:

On page 2 of the engrossed bill, line 16, after the words "appoint to the board", insert the following: "by and with the advice and consent of the Senate";

On page 2 of the engrossed bill, line 23, after the word "appoint", insert the following: "by and with the advice and consent of the Senate",

and as so amended the Bill do pass.

Mr. Patterson, a Senator from Yavapai, and Mr. Babbitt, the Senator from Coconino, were designated managers of the Bill.

Mr. Babbitt moved that the rules be suspended and House Bill No. 12 be placed under the order of business second reading of bills for today. The motion was agreed to.

By unanimous consent House Bill No. 12, relating to state institutions for juveniles, was read the second time by number and title.

Mr. Babbitt moved that the Bill be amended in accordance with the recommendation of the Committee on State Institutions. The motion was agreed to.

Mr. Patterson moved that the rules be further suspended, and House Bill No. 12 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 15, Noes 1, not voting 3, as follows:

AYES

Angius	Hunt	Patterson
Babbitt	Kelly	Stanton
Dalton	McEachren	Truman
Dodd	Minotto	Wiltbank
Harrison	Moore	The President

NOES

Smith

NOT VOTING

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

APPROPRIATION FOR STATE CAPITOL

Senate Bill No. 21, by Mr. Patterson, relating to appropriation for state capitol, was read the third and final time, and passed on roll call, which resulted: Ayes 16, not voting 3, as follows:

AYES

Angius	Kelly	Stanton
Babbitt	McEachren	Truman
Dalton	Minotto	Wiltbank
Dodd	Moore	The President
Harrison	Patterson	
Hunt	Smith	

NOT VOTING

Baker	Jones	Rienhardt
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The President announced the signing in open session of Senate Bill No. 21, by Mr. Patterson, relating to appropriation for state capitol.

RECESS

Mr. Minotto moved that the Senate stand at recess until 2 o'clock, p. m. The motion was agreed to, and (at 12 o'clock noon) the Senate stood at recess.

AFTERNOON SESSION

The President called the Senate to order at 2:20 o'clock, p. m.

STATE INSTITUTIONS FOR JUVENILES

Mr. Minotto, for the Committee on Enrolling and Engrossing, reported House Bill No. 12, relating to state institutions for juveniles, as properly engrossed.

The Bill was placed under the order of business third reading of bills.

House Bill No. 12, relating to state institutions for juveniles, was read the third and final time, and passed on roll call, which resulted: Ayes 13, Noes 4, not voting 2, as follows:

AYES

Angius	Jones	Stanton
Babbitt	McEachren	Truman
Dalton	Minotto	The President
Dodd	Moore	
Harrison	Patterson	

NOES

Hunt	Smith
Kelly	Wiltbank

NOT VOTING

Baker	Rienhardt
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The President announced the signing in open session of House Bill No. 12, relating to state institutions for juveniles.

PRISON WARDEN

Mr. Minotto moved that a special Senate Committee be appointed to confer with the Governor concerning the present status of the wardenship of the state penitentiary. The motion was agreed to, and the President designated Mr. Minotto, Mr. Babbitt, and Mr. Patterson, as members of such committee.

INTRODUCTION AND FIRST READING OF BILLS

By unanimous consent the Senate reverted to the order of business introduction and first reading of bills, and Messrs. Keefe, Angius, Baker, Babbitt, Dalton, Dodd, Harrison, Hunt, Jones, Kelly, Minotto, Moore, Patterson, Rienhardt, Smith, Stanton, Truman, and Wiltbank introduced Senate Resolution No. 3, on the retirement of Senator E. H. McEachren, which was read as follows:

SENATE RESOLUTION NO. 3

A RESOLUTION

On the retirement of Senator E. H. McEachren.

Whereas, it has come to the attention of the members of this body that Senator E. H. McEachren, of Gila county, will not be a member of the Senate of the Fourteenth Legislature; and

Whereas, Senator McEachren has served the State of Arizona and his home county of Gila as a State Senator in the Tenth, Eleventh, Twelfth, and Thirteenth Legislatures, a continuous and exacting service through the unusually trying period from 1931 to this time; and

Whereas, Senator McEachren served with brilliance as a member of the Senate, with constructive genius

as a member of several important committees and particularly as chairman of the committees on mines and mining and appropriations, the latter a major post which he now occupies; and

Whereas, Senator McEachren, by his devotion to duty, his great ability, his outspoken championship of that which he believes to be right, and withal his sense of humor and geniality, has greatly endeared himself to his fellow members; therefore

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

1. That it is with genuine regret that the members of this body note that Senator McEachren will not be a member of the Fourteenth Legislature, and a deep conviction that the loss of his services will be felt.

2. That the best wishes of Senator McEachren's fellow members go with him as he leaves the service in which he made for himself a notable name.

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

RECESS

By unanimous consent (at 2 o'clock and forty-five minutes, p. m.) the Senate stood at recess subject to the call of the gavel.

The President called the Senate to order at 2:53 o'clock, p. m.

ADJOURNMENT

Mr. McEachren moved that the Senate adjourn until tomorrow at 10 o'clock, a. m. The motion was agreed to, and (at 2 o'clock and fifty-four minutes, p. m.) the Senate adjourned until tomorrow, Tuesday, October 4, 1938, at 10 o'clock, a. m.

PAUL C. KEEFE,
President.

W. J. GRAHAM,
Secretary.

TUESDAY, OCTOBER 4

The Senate met at 10:25 o'clock, a. m.

Honorable T. S. Kimball offered prayer.

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

Angius	Jones	Rienhardt
Babbitt	Kelly	Smith
Dalton	McEachren	Stanton
Dodd	Minotto	Truman
Harrison	Moore	Wiltbank
Hunt	Patterson	The President

The President announced that Mr. Baker, the Senator from Yuma, had been excused.

THE JOURNAL

By unanimous consent the reading of the Journal of Monday, October 3, 1938, was dispensed with, and the Journal was approved.

PRIVILEGES OF THE FLOOR

Mr. Kelly called attention to the presence of Mr. Benjamin Blake, Senator-elect from Graham county. The President invited Mr. Blake to occupy a seat in the Senate chamber.

STATE INSTITUTIONS FOR JUVENILES

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had concurred in the Senate amendments to House Bill No. 12, relating to state institutions for juveniles.

CLASSIFICATION IN WORKS PROGRESS ADMINISTRATION

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had passed Senate Concurrent Memorial No. 1, relating to classification in works progress administration.

INTRODUCTION AND FIRST READING OF BILLS

Mr. McEachren introduced Senate Bill No. 23, entitled: "An act relating to the state prison, and making a deficiency appropriation therefor".

The Bill was read the first time in full.

Mr. McEachren moved that the rules be suspended and Senate Bill No. 23 be placed under the order of business second reading of bills for today. The motion was agreed to.

PRISON DEFICIENCY

By unanimous consent Senate Bill No. 23, by Mr. McEachren, relating to prison deficiency, was read the second time by number and title.

Mr. McEachren moved that the rules be further suspended, and Senate Bill No. 23 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 13, Noes 5, not voting 1, as follows:

AYES

Babbitt	McEachren	Truman
Dodd	Moore	Wiltbank
Harrison	Rienhardt	The President
Jones	Smith	
Kelly	Stanton	

NOES

Angius	Hunt	Patterson
Dalton	Minotto	

NOT VOTING

Baker

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

RECESS

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

The President called the Senate to order at 11:30 o'clock, a. m.

PRISON DEFICIENCY

By unanimous consent the Senate reverted to the order of business reports of standing committees, and Mr. Minotto, for the Committee on Enrolling and Engrossing, reported Senate Bill No. 23, by Mr. McEachren, relating to prison deficiency, as properly engrossed with the following corrections:

In the first line of the title, strike the word "and";

In the second line of the title, strike the period after the word "therefor", insert a comma in lieu thereof, and the words "and declaring an emergency".

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

Senate Bill No. 23, by Mr. McEachren, relating to prison deficiency, was read the third and final time, and passed on roll call, which resulted: Ayes 13, Noes 5, not voting 1, as follows:

AYES

Babbitt	McEachren	Truman
Dodd	Moore	Wiltbank
Harrison	Rienhardt	The President
Jones	Smith	
Kelly	Stanton	

NOES

Angius
DaltonHunt
Minotto

Patterson

NOT VOTING

Baker

The President announced the signing in open session of Senate Bill No. 23, by Mr. McEachren, relating to prison deficiency.

Mr. Minotto offered the following explanation of his vote on Senate Bill No. 23:

In view of the fact that Senate Resolution No. 2 introduced by Senators Angius and Rienhardt, states that in the twenty-sixth and twenty-seventh fiscal years, a deficit existed in the operation and maintenance funds of the state prison of \$40,000.00 and further states that at a joint hearing on appropriations of the House of Representatives and the Senate, held September 27, 1938, evidence was secured that said deficits were the result of irregular and unlawful practices through the making of unauthorized purchases and through the making of purchases when there was no money available, and in further consideration that this resolution was unanimously adopted asking that legal responsibility should be fixed and that the attorney general be requested to make an investigation and if sufficient cause existed to take criminal action.

In consideration of the fact that the select committee of the House submitted a similar report to the House in which it further stated that there be an immediate and complete reorganization of the administrative personnel of the Arizona State Prison, and since the passage of Senate Bill No. 23 would nullify the action of both the House and the Senate, and that the present deplorable condition in the state prison would in no way be remedied, and since the experience of the past justifies the belief that no remedy will be forthcoming and that further moneys of the taxpayers will be squandered, I vote No.

MESSAGES FROM THE HOUSE

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

House Bill No. 20, entitled: "An act relating to state institutions, and providing for the creation of a board of mental hygiene".

House Bill No. 24, entitled: "An act relating to the state industrial school; authorizing the construction of a dormitory, making an appropriation therefor, and declaring an emergency".

INTRODUCTION AND FIRST READING OF BILLS

By unanimous consent the Senate reverted to the order of business introduction and first reading of bills, and House Bill No. 24, entitled: "An act relating to the state industrial school; authorizing the construction of a dormitory, making an appropriation therefor, and declaring an emergency", was read the first time in full.

Mr. Kelly moved that the rules be suspended and House Bill No. 24 be placed under the order of business second reading of bills for today. The motion was agreed to.

House Bill No. 20, entitled: "An act relating to state institutions, and providing for the creation of a board of mental hygiene", was, by unanimous consent, read the first time by number and title.

Mr. Babbitt moved that the rules be suspended and House Bill No. 20 be referred to the proper committee today. The motion was agreed to, and the Bill was referred to the Committee on State Institutions.

PRISON WARDEN

Mr. Minotto, a Senator from Maricopa, laid before the Senate a communication from the Attorney General relative to state prison, and moved same be read and recorded. The motion was agreed to, and the communication was read as follows:

October 4, 1938.

Senator James Minotto
Senate Chambers
Phoenix, Arizona

Dear Sir:

In response to your request for an opinion from this office as to whether the Governor may appoint a supervisor for the Arizona State Prison, with authority to perform the duties of the superintendent of the prison, you are advised that it is the opinion of this office that the Governor may not delegate to a supervisor of the prison the powers and duties of the superintendent of said institution.

Section 2929 of the Code provides that the Governor, as president of the board of directors of state institutions, shall appoint a Superintendent of the state prison and an assistant superintendent or turnkey of the prison, whose duties shall be prescribed by the superintendent and the board of directors of state institutions, and who shall, during the absence of the superintendent from the prison, perform the duties of the superintendent.

From the foregoing statutory provision, it is clear that the duties of the superintendent of the state prison may not be delegated to any person other than the assistant superintendent, who can only perform the

superintendent's duties when the superintendent is absent from the prison.

Very truly yours,

(Signed) JOE CONWAY,
Attorney General.

(Signed) EARL ANDERSON,
Special Assistant
Attorney General.

INDUSTRIAL SCHOOL DORMITORY

By unanimous consent House Bill No. 24, relating to industrial school dormitory, was read the second time by number and title.

Mr. Kelly moved that the rules be further suspended and House Bill No. 24 be placed under the order of business third reading of bills for today. The motion was agreed to on roll call, which resulted: Ayes 18, not voting 1, as follows:

AYES

Angius	Jones	Rienhardt
Babbitt	Kelly	Smith
Dalton	McEachren	Stanton
Dodd	Minotto	Truman
Harrison	Moore	Wiltbank
Hunt	Patterson	The President

NOT VOTING

Baker

House Bill No. 24, relating to industrial school dormitory, was read the third and final time, and passed on roll call, which resulted: Ayes 18, not voting 1, as follows:

AYES

Angius	Jones	Rienhardt
Babbitt	Kelly	Smith
Dalton	McEachren	Stanton
Dodd	Minotto	Truman
Harrison	Moore	Wiltbank
Hunt	Patterson	The President

NOT VOTING

Baker

The President announced the signing in open session of House Bill No. 24, relating to industrial school dormitory.

RECESS

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

AFTERNOON SESSION

The President called the Senate to order at 2:15 o'clock, p. m.

JUNIOR COLLEGE DISTRICTS

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had passed Senate Bill No. 13, by Mr. Kelly, relating to junior college districts, with the following amendments:

The words "class room buildings and other improvements" are stricken from the Bill wherever they appear, being lines 2 and 3 of the title; lines 8, 9, 11 and 29 on page 2; and lines 1, 3, 4, 14, and 15, on page 3.

Mr. Kelly moved that the Senate concur in the House amendments to Senate Bill No. 13. The motion was agreed to on roll call, which resulted: Ayes 16, Noes 2, not voting 1, as follows:

AYES

Angius	McEachren	Stanton
Dalton	Minotto	Truman
Harrison	Moore	Wiltbank
Hunt	Patterson	The President
Jones	Rienhardt	
Kelly	Smith	

NOES

Babbitt	Dodd
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NOT VOTING

Baker

The President announced the signing in open session of Senate Bill No. 13, by Mr. Kelly, relating to junior college districts.

APPROPRIATION FOR STATE CAPITOL

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had passed Senate Bill No. 21, by Mr. Patterson, relating to appropriation for state capitol, with the following amendments:

Page 3, end of Sec. 3, after the date "1928" strike the period and insert a comma and add "as amended.";

Page 1, lines 5, 7, and 9, after the words "regular session," add "as amended,".

Mr. McEachren moved that the Senate concur in the House amendments to Senate Bill No. 21. The motion was agreed to on roll call, which resulted: Ayes 17, not voting 2, as follows:

AYES

Angius	Kelly	Smith
Babbitt	McEachren	Stanton
Dalton	Minotto	Truman
Dodd	Moore	Wiltbank
Hunt	Patterson	The President
Jones	Rienhardt	

NOT VOTING

Baker	Harrison
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The President announced the signing in open session of Senate Bill No. 21, by Mr. Patterson, relating to appropriation for state capitol.

RECESS

Mr. Minotto moved that the Senate stand at recess subject to the call of the gavel. The motion was agreed to, and (at 2 o'clock and twenty minutes, p. m.) the Senate stood at recess.

The President called the Senate to order at 2:40 o'clock, p. m.

AGED AND DISABLED PERSONS

The President laid before the Senate a communication from the Governor giving notice that House Concurrent Memorial No. 1, relating to aged and disabled persons, had been forwarded to the Secretary of State with the Governor's approval.

COLONY FOR CRIPPLED CHILDREN

The President laid before the Senate a communication from the Governor giving notice that House Concurrent Memorial No. 2, relating to colony for crippled children, had been forwarded to the Secretary of State with the Governor's approval.

AGRICULTURAL ADJUSTMENT ACT

The President laid before the Senate a communication from the Governor giving notice that House Concurrent Memorial No. 3, relating to agricultural adjustment act, had been forwarded to the Secretary of State with the Governor's approval.

PRISON DEFICIENCY

A message from the House of Representatives, by Lallah Ruth, its Chief Clerk, announced that the House had indefinitely postponed Senate Bill No. 23, by Mr. McEachren, relating to prison deficiency.

NOTIFICATION OF HOUSE

Mr. McEachren moved that a committee be appointed to notify the House of Representatives that the Senate had completed its work and was ready to adjourn sine die. The motion was agreed to, and the President designated Mr. McEachren, Mr. Kelly, and Mr. Harrison, as members of the committee.

RECESS

By unanimous consent (at 2 o'clock and fifty-two minutes, p. m.) the Senate stood at recess, subject to the call of the gavel.

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

NOTIFICATION OF HOUSE

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

COMMITTEE FROM THE HOUSE

The Sergeant-at-Arms (at 3 o'clock and two minutes, p. m.) announced a committee from the House consisting of Representatives Ryley, Porter, and Williams. The committee informed the Senate that the House was ready to adjourn sine die.

NOTIFICATION OF GOVERNOR

The President designated Mr. McEachren, Mr. Kelly, and Mr. Harrison, as members of a committee to act with a like committee from the House to notify the Governor that the Senate had completed its work and was ready to adjourn sine die.

RECESS

By unanimous consent (at 3 o'clock and five minutes, p. m.) the Senate stood at recess subject to the call of the gavel.

NOTIFICATION OF GOVERNOR

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

ADJOURNMENT SINE DIE

Mr. McEachren moved that the Senate adjourn sine die. The motion was agreed to, and (at 3 o'clock and nine minutes, p. m.) the Senate of the Thirteenth Legislature, fourth special session, adjourned sine die.

PAUL C. KEEFFE,
President.

W. J. GRAHAM,
Secretary.

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OF THE
SENATE



THIRTEENTH LEGISLATURE
FOURTH SPECIAL SESSION
OF THE
STATE OF ARIZONA
-1938-

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- 2 Read first time (p. 17) Sept. 16; to Judiciary (p. 17) Sept. 16; committee report without recommendation (p. 40) Sept. 26; to Committee of Whole (p. 40) Sept. 26; committee report recommending "be indefinitely postponed" (p. 61) Sept. 29; indefinitely postponed (p. 64) Sept. 29.
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- 3 Read first time (p. 17) Sept. 16; to Appropriations (p. 17) Sept. 16.
(Dalton)
Died in committee.
- 4 Read first time (p. 17) Sept. 16; to Appropriations (p. 17) Sept. 16.
(Babbitt)
Died in committee.
- 5 Read first time (p. 20) Sept. 17; to Judiciary (p. 20) Sept. 17; committee report recommending "do pass" (p. 27) Sept. 21; to Committee of Whole (p. 27) Sept. 21; committee report recommending "amendments", which were adopted, and "do pass" (p. 28) Sept. 21; read second time (p. 28) Sept. 21; to Enrolling and Engrossing (p. 28) Sept. 21; reported (p. 30) Sept. 22; read third time and passed (p. 31) Sept. 22; signed by President (p. 31) Sept. 22; Senate refused to concur in House amendments (p. 34) Sept. 22; Senate conferees appointed (p. 34) Sept. 22; Joint Conference report adopted (p. 47) Sept. 27; signed by President (p. 48) Sept. 27.
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- House Record: Read first time (H. J. p. 44) Sept. 23; rules suspended, and placed under order second reading of bills (H. J. p. 46) Sept. 23; read second time (H. J. p. 46) Sept. 23; to Committee of Whole (H. J. p. 46) Sept. 23; Committee of Whole report recommending certain "amendments" (H. J. p. 46) Sept. 23; to Enrolling and Engrossing (H. J. p. 46) Sept. 23; reported by Enrolling and Engrossing (H. J. p. 47) Sept. 23; rules further suspended, and placed under order third reading of bills (H. J. p. 47) Sept. 23; read third time

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- and passed (H. J. p. 47) Sept. 23; signed by Speaker (H. J. p. 47) Sept. 23; House conferees appointed (H. J. p. 52) Sept. 24; Joint Conference report adopted (H. J. p. 61) Sept. 27; signed by Speaker (Errata) (H. J. p. 62) Sept. 27.
- 6 Read first time (p. 22) Sept. 19; to State Institutions (p. 22) Sept. 19; committee report recommending "amendments" and "do pass" (p. 54) Sept. 28; to Committee of Whole (p. 54) Sept. 28.
- (Dalton)
- Died on calendar.
- 7 Read first time (p. 22) Sept. 19; to Appropriations (p. 22) Sept. 19; committee report recommending "amendments" (p. 44) Sept. 27; to Committee of Whole (p. 44) Sept. 27; committee report recommending "amendments", which were adopted, and "do pass" (p. 50) Sept. 28; read second time (p. 56) Sept. 28; rules suspended, and placed under order third reading of bills (p. 56) Sept. 28; to Enrolling and Engrossing (p. 56) Sept. 28; reported (p. 57) Sept. 28; read third time and passed (p. 57) Sept. 28; signed by President (p. 57) Sept. 28.
- (Kelly)
- House Record: Read first time (H. J. p. 77) Sept. 28; rules suspended, and placed under order second reading of bills (H. J. p. 77) Sept. 28; read second time (H. J. p. 77) Sept. 28; to Appropriations, to Judiciary, and to Public Institutions (H. J. p. 77) Sept. 28.
- Died in committee.
- 8 Read first time (p. 22) Sept. 19; to State Institutions (p. 22) Sept. 19; withdrawn and referred to Committee on Appropriations (pp. 30-31) Sept. 22.
- (Kelly)
- Died in committee.
- 9 Read first time (p. 22) Sept. 19; to State Institutions (p. 22) Sept. 19.
- (Dalton)
- Died in committee.
- 10 Read first time (p. 23) Sept. 19; to Appropriations (p. 23) Sept. 19; committee report recommending "do pass" (p. 45) Sept. 27; to Committee of Whole (p. 45) Sept. 27; committee report recommending "do pass" (p. 61) Sept. 29; read second time (p. 65) Sept. 29; rules suspended, and placed under order third reading of bills (p. 65) Sept. 29; to Enrolling and Engrossing (p. 65) Sept. 29; reported (p. 66) Sept. 29; read third time and passed (pp. 66-67) Sept. 29; signed by President (p. 67) Sept. 29.
- (Dalton)
- House Record: Read first time (H. J. p. 86) Sept. 29; rules suspended, and placed under order second reading of

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bills (H. J. p. 87) Sept. 29; read second time (H. J. p. 87) Sept. 29; to Appropriations, to Judiciary, and to Education (H. J. p. 87) Sept. 29.

Died in committee.

- 11 Read first time (p. 25) Sept. 20; to Agriculture and Irrigation (p. 25) Sept. 20; committee report recommending "do pass" (p. 27) Sept. 21; to Committee of Whole (p. 27) Sept. 21; committee report recommending "do pass" (p. 34) Sept. 23; read second time (p. 35) Sept. 24; rules suspended, and placed under order third reading of bills (p. 36) Sept. 24; to Enrolling and Engrossing (p. 36) Sept. 24; reported with "corrections", which were adopted (p. 36) Sept. 24; read third time and passed (p. 37) Sept. 24; signed by President (p. 37) Sept. 24; House amendments concurred in (pp. 50-51) Sept. 28; signed by President (p. 51) Sept. 28.

(Truman)

House Record: Read first time (H. J. p. 55) Sept. 26; rules suspended, and placed under order second reading of bills (H. J. p. 56) Sept. 26; read second time (H. J. p. 56) Sept. 26; to Committee of Whole (H. J. p. 56) Sept. 26; Committee of Whole report recommending "amendments" and "do pass" (H. J. pp. 63-64) Sept. 27; to Enrolling and Engrossing (H. J. p. 64) Sept. 27; reported by Enrolling and Engrossing (H. J. p. 65) Sept. 27; read third time and passed (H. J. p. 66) Sept. 27; signed by Speaker (H. J. p. 67) Sept. 27.

- 12 Read first time (p. 25) Sept. 20; to Public Lands (p. 25) Sept. 20; committee report recommending "amendments" and "do pass" (pp. 51-54) Sept. 28; to Committee of Whole (p. 54) Sept. 28; committee report recommending "amendments", which were adopted (pp. 61-64) Sept. 29; read second time (p. 65) Sept. 29; rules suspended, and placed under order third reading of bills (p. 65) Sept. 29; to Enrolling and Engrossing (p. 65) Sept. 29; reported with "corrections", which were adopted (p. 66) Sept. 29; certain other "amendments" adopted (p. 67) Sept. 29; re-referred to Enrolling and Engrossing (p. 67) Sept. 29; reported (p. 67) Sept. 29; read third time and passed (pp. 67-68) Sept. 29; signed by President (p. 68) Sept. 29.

(Babbitt,
Patterson,
Moore and
Minotto)

House Record: Read first time (H. J. p. 86) Sept. 29; rules suspended, and placed under order second reading of bills (H. J. p. 87) Sept. 29; read second time (H. J. p. 87) Sept. 29; to Judiciary, to Public Lands, and to Mines and Mining (H. J. p. 87) Sept. 29.

Died in committee.

- 13 Read first time (p. 26) Sept. 21; to Finance and Revenue (p. 26) Sept. 21; committee report recommending "do pass" (p. 29) Sept. 22; to Committee of Whole (p. 29) Sept. 22; committee report recommending "amend-

Number

(Kelly) ments", which were adopted, and bill retained on calendar (pp. 43-44) Sept. 27; committee report recommending further "amendments", which were adopted, and "do pass" (p. 49) Sept. 28; read second time (p. 55) Sept. 28; rules suspended, and placed under order third reading of bills (p. 55) Sept. 28; to Enrolling and Engrossing (p. 55) Sept. 28; reported (p. 56) Sept. 28; read third time and passed (p. 57) Sept. 28; signed by President (p. 57) Sept. 28; House amendments concurred in (p. 99) Oct. 4; signed by President (p. 99) Oct. 4.

House Record: Read first time (H. J. p. 77) Sept. 28; rules suspended, and placed under order second reading of bills (H. J. p. 77) Sept. 28; read second time (H. J. p. 77) Sept. 28; to Appropriations, to Judiciary, and to Education (H. J. p. 77) Sept. 28; report of Appropriations Committee without recommendations (H. J. p. 81) Sept. 29; report of Committee on Education without recommendation (H. J. p. 96) Sept. 30; report of Judiciary Committee "in form" (H. J. p. 98) Sept. 30; to Committee of Whole (H. J. p. 81) Sept. 29; Committee of Whole report recommending "amendments" and "do pass" (H. J. pp. 233-234) Oct. 3; to Enrolling and Engrossing (H. J. p. 234) Oct. 3; reported by Enrolling and Engrossing (H. J. p. 236) Oct. 4; read third time and passed (H. J. pp. 241-242) Oct. 4; signed by Speaker (H. J. p. 242) Oct. 4.

14 Read first time (p. 27) Sept. 21; to Public Lands (p. 27) Sept. 21; committee report recommending "do pass" (p. 29) Sept. 22; to Committee of Whole (p. 30) Sept. 22; committee report recommending "do pass", which was adopted (p. 34) Sept. 23; read second time (p. 36) Sept. 24; to Enrolling and Engrossing (p. 36) Sept. 24; reported (p. 37) Sept. 24; certain other "amendments" adopted (p. 41) Sept. 26; re-referred to Enrolling and Engrossing (p. 41) Sept. 26; reported (p. 41) Sept. 26; read third time and passed (p. 41) Sept. 26; signed by President (p. 42) Sept. 26.

(Babbitt)

House Record: Read first time (H. J. p. 62) Sept. 27; rules suspended, and placed under order second reading of bills (H. J. p. 62) Sept. 27; read second time (H. J. p. 62) Sept. 27; to Judiciary, to Public Lands, and to Mines and Mining (H. J. p. 63) Sept. 27.

Died in committee.

15 Read first time (p. 29) Sept. 22; to Constitutional Amendments and Referendum (p. 29) Sept. 22; committee report recommending "do pass" (p. 35) Sept. 24; to Committee of Whole (p. 35) Sept. 24; committee report recommending "do pass", which was adopted (pp. 38-39) Sept. 26; read second time (p. 40) Sept. 26; to Enrolling and Engrossing (p. 40) Sept. 26; reported

(Moore,
Minotto and
Babbitt)

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(p. 45) Sept. 27; read third time and passed (p. 45) Sept. 27; signed by President (p. 45) Sept. 27.

House Record: Read first time (H. J. p. 65) Sept. 27; rules suspended, and placed under order second reading of bills (H. J. p. 65) Sept. 27; read second time (H. J. p. 66) Sept. 27; to Judiciary, to Constitutional Amendments and Referendum, and to Suffrage and Elections (H. J. p. 67) Sept. 27; report of Suffrage and Elections Committee without recommendation (H. J. p. 81) Sept. 29; to Committee of Whole (H. J. p. 81) Sept. 29.

Died on calendar.

16 Read first time (p. 32) Sept. 22; to Appropriations (p. 32) Sept. 22; committee report without recommendation (p. 57) Sept. 28; to Committee of Whole (p. 57) Sept. 28; committee report recommending "be referred to Finance and Revenue", adopted (p. 64) Sept. 29; committee report recommending "amendments" and "do pass" (pp. 68-69) Sept. 29; to Committee of Whole (p. 69) Sept. 29; committee report recommending "be indefinitely postponed" (p. 73) Sept. 30; indefinitely postponed (p. 73) Sept. 30.

(Minotto)

17 Read first time (p. 39) Sept. 26; to Appropriations (p. 39) Sept. 26; committee report recommending "do pass" (p. 73) Sept. 30; rules suspended, and placed under order second reading of bills (p. 73) Sept. 30; read second time (p. 73) Sept. 30; rules further suspended, and placed under order third reading of bills (pp. 73-74) Sept. 30; to Enrolling and Engrossing (p. 75) Sept. 30; reported (p. 75) Sept. 30; read third time and failed to pass (p. 75) Sept. 30.

(McEachren
and
Rienhardt)

18 Read first time (p. 39) Sept. 26; to Appropriations (p. 39) Sept. 26.

(McEachren
and
Rienhardt)

Died in committee.

19 Read first time (p. 40) Sept. 26; to Appropriations (p. 40) Sept. 26.

(McEachren
and
Rienhardt)

Died in committee.

20 Read first time (p. 64) Sept. 29; to Appropriations (p. 64) Sept. 29; committee report recommending "amendments", which were adopted, and "do pass" (p. 76) Sept. 30; rules suspended, and placed under order second reading of bills (p. 77) Sept. 30; read second time (p. 78) Sept. 30; certain other amendments adopted (p. 78) Sept. 30; to Enrolling and Engrossing (p. 78)

(Kelly)

Number

Sept. 30; reported by Enrolling and Engrossing, then certain other amendments adopted (pp. 82-83) Oct. 1; re-referred to Enrolling and Engrossing (p. 83) Oct. 1; reported (p. 83) Oct. 1; read third time and failed to pass (p. 83) Oct. 1; action reconsidered (p. 86) Oct. 3; signed by President (p. 87) Oct. 3.

House Record: Read first time (H. J. p. 117) Oct. 3; rules suspended, and placed under order second reading of bills (H. J. p. 118) Oct. 3; read second time (H. J. p. 118) Oct. 3; to Appropriations, to Judiciary, and to Agriculture and Irrigation (H. J. p. 118) Oct. 3.

Died in committee.

- 21 Read first time (p. 73) Sept. 30; to Appropriations (p. 73) Sept. 30; committee report recommending "do pass" (Errata) (p. 87) Oct. 3; rules suspended, and placed under order second reading of bills (p. 87) Oct. 3; read second time (p. 87) Oct. 3; rules further suspended, and placed under order third reading of bills (p. 87) Oct. 3; to Enrolling and Engrossing (p. 87) Oct. 3; reported with "corrections", which were adopted (p. 91) Oct. 3; read third time and passed (p. 91) Oct. 3; signed by President (p. 91) Oct. 3; House amendments concurred in (pp. 99-100) Oct. 4; signed by President (p. 100) Oct. 4.

(Patterson)

House Record: Read first time (H. J. p. 229) Oct. 3; rules suspended, and placed under order second reading of bills (H. J. p. 229) Oct. 3; read second time (H. J. p. 229) Oct. 3; to Committee of Whole (H. J. p. 229) Oct. 3; Committee of Whole report recommending "amendments" and "do pass" (H. J. p. 233) Oct. 3; to Enrolling and Engrossing (H. J. p. 234) Oct. 3; reported by Enrolling and Engrossing (H. J. p. 241) Oct. 4; placed under order third reading of bills (H. J. p. 241) Oct. 4; read third time and passed (H. J. p. 241) Oct. 4; signed by Speaker (H. J. p. 241) Oct. 4.

- 22 Read first time (p. 77) Sept. 30; to Appropriations (p. 77) (Patterson) Sept. 30.

Died in committee.

- 23 Read first time (p. 94) Oct. 4; rules suspended, and placed under order second reading of bills (p. 94) Oct. 4; read second time (p. 94) Oct. 4; rules further suspended, and placed under order third reading of bills (p. 95) Oct. 4; to Enrolling and Engrossing (p. 95) Oct. 4; reported with "corrections", which were adopted (p. 95) Oct. 4; read third time and passed (pp. 95-96) Oct. 4; signed by President (p. 96) Oct. 4.

(McEachren)

House Record: Read first time (H. J. p. 242) Oct. 4; rules suspended, and placed under order second reading of bills (H. J. p. 242) Oct. 4; read second time (H. J.

Number

p. 243) Oct. 4; to Committee of Whole (H. J. p. 243) Oct. 4; Committee of Whole report recommending "indefinite postponement" (H. J. p. 243) Oct. 4; indefinitely postponed (H. J. p. 243) Oct. 4.

(b) SENATE CONCURRENT MEMORIALS

(Note: Concurrent Memorials are an expression of the views of the two houses of the legislature and a petition to an authorized agency.)

S. C. M. 1. McEachren and Rienhardt. Relating to Arizona's classification in the Works Progress Administration.

Read first time (p. 25) Sept. 20; to Labor and Capitol (p. 26) Sept. 20; committee report recommending "amendments", which were adopted, and "do pass" (p. 30) Sept. 22; read second time (p. 31) Sept. 22; rules suspended, and placed under order third reading of bills (p. 31) Sept. 22; to Enrolling and Engrossing (p. 31) Sept. 22; reported with "corrections", which were adopted (p. 32) Sept. 22; read third time and adopted (p. 32) Sept. 22; signed by President (p. 32) Sept. 22.

House Record: Read first time (H. J. p. 44) Sept. 23; rules suspended, and placed under order second reading of bills (H. J. p. 45) Sept. 23; read second time (H. J. p. 45) Sept. 23; to Petitions and Memorials, to Judiciary, and to Labor (H. J. p. 45) Sept. 23; report of Labor Committee (H. J. p. 55) Sept. 26; report of Committee on Petitions and Memorials with recommendation "do pass" (H. J. p. 89) Sept. 30; reported by Judiciary Committee, "in form" (H. J. p. 89) Sept. 30; to Committee of Whole (H. J. p. 55) Sept. 26; Committee of Whole report recommending "do pass" (H. J. p. 233) Oct. 3; placed under order third reading of bills (H. J. p. 234) Oct. 3; read third time and passed (H. J. p. 235) Oct. 3; signed by Speaker (H. J. p. 235) Oct. 3.

(c) SENATE CONCURRENT RESOLUTIONS

(Note: Concurrent Resolutions are the concurrent expression of the two houses of the legislature relating to matters concerning which the legislature has jurisdiction, or which only affect the legislature.)

S. C. R. 1. Jones. On the death of Claudius M. Zander.

Read first time (p. 23) Sept. 19; rules suspended, and placed under order second reading of bills (p. 23) Sept. 19; read second time (p. 23) Sept. 19; rules further suspended, and placed under order third reading of bills

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(p. 23) Sept. 19; to Enrolling and Engrossing (p. 23) Sept. 19; reported (p. 23) Sept. 19; read third time and adopted (pp. 23-24) Sept. 19; signed by President (p. 24) Sept. 19.

House Record: Read first time (H. J. p. 25) Sept. 19; rules suspended, and placed under order second reading of bills (H. J. p. 26) Sept. 19; read second time (H. J. p. 26) Sept. 19; rules further suspended, and placed under order third reading of bills (H. J. p. 26) Sept. 19; read third time and adopted (H. J. p. 26) Sept. 19; signed by Speaker (H. J. p. 26) Sept. 19.

S. C. R. 2. Patterson, Moore, Minotto, and Babbitt. Proposing certain amendments to the Constitution of Arizona relating to state lands.

Read first time (p. 27) Sept. 21; to Constitutional Amendments and Referendum (p. 27) Sept. 21; committee report recommending "do pass" (p. 35) Sept. 24; to Committee of Whole (p. 35) Sept. 24; committee report recommending "do pass", which was adopted (p. 38) Sept. 26; read second time (p. 40) Sept. 26; to Enrolling and Engrossing (p. 40) Sept. 26; reported with "corrections", which were adopted (p. 45) Sept. 27; read third time and adopted (pp. 46-47) Sept. 27; signed by President (p. 47) Sept. 27.

House Record: Read first time (H. J. p. 65) Sept. 27; rules suspended, and placed under order second reading of bills (H. J. p. 65) Sept. 27; read second time (H. J. p. 66) Sept. 27; to Judiciary, to Constitutional Amendments and Referendum, and to Public Lands (H. J. p. 66) Sept. 27; report of Committee on Constitutional Amendments and Referendum recommending "do pass" (H. J. p. 69) Sept. 28; to Committee of Whole (H. J. p. 69) Sept. 28;

Died on calendar.

(d) SENATE RESOLUTIONS

(Note: Simple resolutions are merely the expression of the House adopting the same.)

S. R. 1. Kelly. On the death of Hon. Harry Briggs Rice.

Read in full and adopted (pp. 83-84) Oct. 1.

S. R. 2. Angius and Rienhardt. Relating to the state prison, and requesting the attorney general to make an investigation and to take action.

Read in full and adopted (p. 88) Oct. 3.

Number

- S. R. 3. Keefe, Angius, Baker, Babbitt, Dalton, Dodd, Harrison, Hunt, Jones, Kelly, Minotto, Moore, Patterson, Rienhardt, Smith, Stanton, Truman, and Wiltbank.
On the retirement of Senator E. H. McEachren.

Read in full and adopted (pp. 92-93) Oct. 3.

(C) HOUSE BILLS—SENATE RECORD INDEX

H. B. No.

- 3 Received from House (S. J. p. 39) Sept. 26; read first time (S. J. p. 40) Sept. 26; to Finance and Revenue (S. J. p. 40) Sept. 26; withdrawn and to Committee of Whole (S. J. p. 42) Sept. 26; committee report recommending "do pass", which was adopted (S. J. pp. 49-50) Sept. 28; read second time (S. J. p. 56) Sept. 28; rules suspended and placed under order third reading of bills (S. J. p. 56) Sept. 28; read third time and passed (S. J. p. 58) Sept. 28; signed by President (S. J. p. 58) Sept. 28.
- 11 Received from House (S. J. p. 18) Sept. 15; read first time (S. J. p. 18) Sept. 15; rules suspended and placed under order second reading of bills (S. J. p. 18) Sept. 15; read second time (S. J. p. 18) Sept. 15; certain "amendments" adopted (S. J. p. 18) Sept. 15; to Enrolling and Engrossing (S. J. p. 18) Sept. 15; reported with "corrections", which were adopted (S. J. p. 19) Sept. 15; rules further suspended and placed under order third reading of bills (S. J. p. 19) Sept. 15; read third time and passed (S. J. p. 20) Sept. 15; signed by President (S. J. p. 20) Sept. 15.
- 12 Received from House (S. J. p. 89) Oct. 3; read first time (S. J. p. 89) Oct. 3; to State Institutions (S. J. p. 90) Oct. 3; committee report recommending "amendments", which were adopted (S. J. p. 90) Oct. 3; rules suspended and placed under order second reading of bills (S. J. p. 90) Oct. 3; read second time (S. J. p. 90) Oct. 3; rules further suspended and placed under order third reading of bills (S. J. p. 91) Oct. 3; to Enrolling and Engrossing (S. J. p. 91) Oct. 3; reported (S. J. p. 91) Oct. 3; read third time and passed (S. J. p. 92) Oct. 3; signed by President (S. J. p. 92) Oct. 3.
- 13 Received from House (S. J. p. 68) Sept. 29; read first time (S. J. p. 70) Sept. 29; rules suspended and placed under order second reading of bills (S. J. p. 70) Sept. 29; read second time (S. J. p. 70) Sept. 29; rules further suspended and placed under order third reading of bills (S. J. p. 70) Sept. 29; read third time and passed (S. J. p. 71) Sept. 29; signed by President (S. J. p. 71) Sept. 29.

- 20 Received from House (S. J. p. 96) Oct. 4; read first time (S. J. p. 97) Oct. 4; to State Institutions (S. J. p. 97) Oct. 4.
Died in committee.
- 24 Received from House (S. J. p. 96) Oct. 4; read first time (S. J. p. 97) Oct. 4; rules suspended and placed under order second reading of bills (S. J. p. 97) Oct. 4; read second time (S. J. p. 98) Oct. 4; rules further suspended and placed under order third reading of bills (S. J. p. 98) Oct. 4; read third time and passed (S. J. p. 98) Oct. 4; signed by President (S. J. p. 98) Oct. 4.
- 30 Received from House (S. J. p. 77) Sept. 30; read first time (S. J. p. 77) Sept. 30; to Appropriations (S. J. p. 77) Sept. 30; withdrawn from committee, rules suspended and placed under order second reading of bills (S. J. p. 79) Sept. 30; read second time (S. J. p. 79) Sept. 30; rules further suspended and placed under order third reading of bills (S. J. p. 80) Sept. 30; read third time and passed (S. J. p. 81) Sept. 30; signed by President (S. J. p. 81) Sept. 30.

(b) HOUSE JOINT MEMORIALS

H.J.M. 1. Relating to old age assistance.

Received from House (S. J. p. 39) Sept. 26; read first time (S. J. p. 40) Sept. 26; rules suspended and placed under order second reading of bills (S. J. p. 40) Sept. 26; read second time (S. J. p. 41) Sept. 26; rules further suspended and placed under order third reading of bills (S. J. p. 41) Sept. 26; read third time and passed (S. J. p. 42) Sept. 26; signed by President (S. J. p. 42) Sept. 26.

H.J.M. 2. On the location of a national cemetery at Whipple.

Received from House (S. J. p. 68) Sept. 29; read first time (S. J. p. 70) Sept. 29; rules suspended and placed under order second reading of bills (S. J. p. 70) Sept. 29; read second time (S. J. p. 70) Sept. 29; rules further suspended and placed under order third reading of bills (S. J. p. 70) Sept. 29; read third time and passed (S. J. p. 71) Sept. 29; signed by President (S. J. p. 71) Sept. 29.

(c) HOUSE CONCURRENT MEMORIALS

H.C.M. 1. Relating to aged and disabled persons and their eligibility for old age assistance under the Social Security Act.

Received from House (S. J. p. 61) Sept. 29; read first time

(S. J. p. 64) Sept. 29; to Finance and Revenue (S. J. p. 64) Sept. 29; report of committee with recommendation "do pass" (S. J. p. 69) Sept. 29; to Committee of Whole (S. J. p. 69) Sept. 29; report of committee with recommendation "do pass" (S. J. p. 73) Sept. 30; read second time (S. J. p. 74) Sept. 30; rules suspended and placed under order third reading of bills (S. J. p. 74) Sept. 30; read third time and passed (S. J. p. 74) Sept. 30; signed by President (S. J. p. 74) Sept. 30.

H.C.M. 2. On the granting of public land for the maintenance of a colony for crippled children.

Received from House (S. J. p. 75) Sept. 30; read first time (S. J. p. 77) Sept. 30; rules suspended and placed under order second reading of bills (S. J. p. 77) Sept. 30; read second time (S. J. p. 79) Sept. 30; rules further suspended and placed under order third reading of bills (S. J. p. 79) Sept. 30; read third time and passed (S. J. p. 80) Sept. 30; signed by President (S. J. p. 80) Sept. 30.

H.C.M. 3. Relating to agricultural adjustment act.

Received from House (S. J. p. 75) Sept. 30; read first time (S. J. p. 77) Sept. 30; rules suspended and placed under order second reading of bills (S. J. p. 77) Sept. 30; read second time (S. J. p. 79) Sept. 30; rules further suspended and placed under order third reading of bills (S. J. p. 79) Sept. 30; read third time and passed (S. J. p. 80) Sept. 30; signed by President (S. J. p. 80) Sept. 30.

(d) HOUSE JOINT RESOLUTIONS

H.J.R. 1. Endorsing the President's plea for peace.

Received from House (S. J. p. 50) Sept. 28; read first time (S. J. p. 51) Sept. 28; rules suspended and placed under order second reading of bills (S. J. p. 51) Sept. 28; read second time (S. J. p. 55) Sept. 28; certain "amendment" adopted (S. J. p. 55) Sept. 28; rules further suspended and placed under order third reading of bills (S. J. p. 55) Sept. 28; to Enrolling and Engrossing (S. J. p. 55) Sept. 28; reported (S. J. p. 58) Sept. 28; read third time and passed (S. J. p. 58) Sept. 28; signed by President (S. J. p. 59) Sept. 28.